PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 301

HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-SIXTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1997–98

COMPRISING PERIOD
17 November—28 November 1997

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17 November 1997

THE
PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-SIXTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 301**

EIGHTH VOLUME OF SESSION 1997–98

House of Commons

Monday 17 November 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

The Secretary of State was asked—

Disabled People

1. **Mr. Spring:** What meetings she has recently held with *(a)* disabled people and *(b)* disability organisations. [14630]

The Secretary of State for Social Security and Minister for Women (Ms Harriet Harman): In the past six weeks Department of Social Security Ministers and I have met more than 40 organisations representing people with disability or health problems. We regard it as a crucial part of our work to meet disabled people and disability organisations so that they can help to shape our approach of helping to get people with health problems and disabilities into work and providing support for them to stay in work.

Mr. Spring: May I tell the right hon. Lady that there is genuine anger and frustration among many disabled people and disability organisations at the perception that the Government are not keeping to their pre-election promises, not least that of a direct Cabinet post? As for the consultations that are taking place, there is a feeling that those are leading to nothing and have no depth.

Ms Harman: There is no question of our not keeping pre-election promises. Before the election and in our manifesto, we said that we would reform the welfare state around the work ethic and that we would comprehensively review Department of Social Security spending to ensure that it conformed with our priorities to help those who can work into work and support their staying in work and to ensure that those who cannot work have the right combination of care and cash in support.

Mr. Llew Smith: Has my right hon. Friend given any further thought to the restoration of reduced earnings allowance to the disabled former miners, steelworkers and others who had the allowance taken from them? When in opposition, Labour said that it would take little money to compensate those people, so will she consider doing that, because it is an area in which the Labour Government could make a difference?

Ms Harman: We were concerned about the taking away of the reduced earnings allowance, which the previous Government did without giving proper notice to people who were heading into retirement. We reviewed the reduced earnings allowance, but decided that we could not restore it to those from whom it had been taken and keep our manifesto commitment to stay within our departmental spending totals. However, as we move into a situation where those who are retired get retirement allowance rather than reduced earnings allowance, we have made certain that they are contacted by the Benefits Agency and made aware of what income they will receive when they retire.

Mr. Kirkwood: Does the Secretary of State agree with her advisory committee that there appears to be a cliff edge in benefit entitlement between those judged to be incapable of all work and all others? Does she recognise

that there should be more of a continuum between capability and incapability? Might not that lead to a reform of the all-work test to enable those who are partially disabled to dip in and out of temporary, part-time or sporadic work in a way that does not prejudice their entitlement to benefit?

Ms Harman: I agree with the thrust of the hon. Gentleman's point and with the point made by the Social Security Advisory Committee. It is certainly true that the previous Government concentrated on people's incapacities rather than on their capacities; their disability rather than their ability and that the result was a growing number of people written off to a life on benefit. We are determined to turn that around and to ensure that if people have some capacity to work—even though they have fluctuating health problems or quite severe disabilities—our responsibility is to help them get into the mainstream and achieve a degree of financial independence by helping them to get work and supporting them in work. We are looking to reform the benefits system so as to provide that help into work, rather than simply a handout.

Mr. Skinner: I was interested in my right hon. Friend's remark that the Department had to stay within its spending limit. I assume that she means that the Government have accepted the fact that they have to deal with this lousy Tory budget for the next two years—a wrong-headed decision in my opinion. The cuts in reduced earnings allowances often meant that people who had worked in heavy industry lost about £30 out of a £40-a-week allowance. May we therefore assume that after the two-year quarantine is over we will get back on the road of doing what we all said in opposition—Front Benchers and Back Benchers alike—which was that cutting the allowances was an evil act by the Tory Government which the Labour Government would put right?

Ms Harman: My hon. Friend has asked about the first two years and thereafter. We said in the manifesto on which both he and I were elected that we would stay within the laid-down departmental spending totals for the first two years. Thereafter, we said, we would reform the welfare state around the work ethic so that we can invest more public money in opportunities and need to spend less on the costs of social and economic failure.

The cut in the reduced earnings allowance was one of many such cuts made over 18 years by the Tory Government. We reviewed the situation but decided that to stay within our manifesto commitments we were not able to restore the cut.

Mr. Llwyd: Will the right hon. Lady confirm how many written representations she has received on her recent social security review? Is she aware of the widespread unease about it on the part of disability organisations, which naturally feel that they are not being properly consulted? Can she reassure the House that there will be no radical changes to disability benefits until there has been full consultation with interested parties in the course of a full and formal review?

Ms Harman: My Ministers and I are meeting the full range of organisations concerned with issues of disability on a regular and continuing basis. Not only are we discussing with them the issues that fall to us to review but we are discussing with them how they will play a part in our pilot projects under the new deal for the long-term sick and disabled. We intend to work in partnership with the voluntary organisations to invest £195 million from the windfall levy in pioneering projects to help people into work. So not only are we talking to the organisations concerned with people with disabilities but we are working with them to shape and test our projects.

Old-age Pension

2. **Mr. Wilkinson:** If she plans to announce proposed changes to the state old-age pension system before the Christmas Adjournment. [14631]

The Parliamentary Under-Secretary of State for Social Security (Mr. John Denham): We have no such plans.

The pensions review, announced on 17 July, is looking at the central areas of insecurity for elderly people, including all aspects of the basic state pension and its value. A key objective of the review is to ensure that pensioners have security and dignity in retirement, that they should share fairly in rising national prosperity and that public finances should be both sustainable and affordable.

The first part of the review ended on 31 October and we are now carefully considering the 1,700 responses we have received.

Mr. Wilkinson: I am grateful for that answer. Will the hon. Gentleman recognise that the much trumpeted stakeholder pension was one of the central planks of his party's election manifesto? Will not the public be disappointed that there has been no concrete action to date? Since 2 May, have not the activities of the Department to which the Minister belongs been largely characterised by personality clashes, turf wars and a supine acquiescence in the dictates of the Treasury, which removed dividend interest tax relief, to the detriment of private and company pension holders?

Mr. Denham: The hon. Gentleman is completely wrong. The first phase of consultations on the pensions review has produced a consensus not just on the need for low-cost, value-for-money, flexible stakeholder pensions but on the possibility of introducing them—which the previous Government signally failed to achieve. We will consult shortly on the further details of the stakeholder pension, but the truth is that since the Government were elected, low-cost, value-for-money second pensions for people who cannot join employers' occupational schemes have moved from election policy to something that can be turned into concrete reality.

Mr. Leslie: May I point out to my hon. Friend the need to raise awareness among the public at large of pension provision, especially in the private sector? Has much progress been made during the pensions review regarding a widespread education programme on pensions, especially for people at the start of their working lives?

Mr. Denham: My hon. Friend is absolutely right. It is essential that we increase knowledge about and understanding of pensions and that individuals are

empowered to take the right decision for them about their pension provision. That is why we established a pensions education and awareness group, drawing on governmental representatives and the private sector, which will report in January on the best way for us to improve pensions knowledge.

Mr. Rendel: How do the Government explain their double standards? Before the general election they promised pensioners that they would identify those who were losing out and ensure that they got everything to which they were entitled, yet now, apparently, part of the Government's plans for pensioners—who very often are the people who find it hardest to claim benefit—is to refuse to allow them to claim benefits, including income support, backdated by more than one month.

Mr. Denham: We have already taken action to initiate research into why 1 million pensioners do not receive the income support to which they are entitled. We need to undertake that research so that we can modify and modernise the social security system to make it work more effectively. Equally, we must simplify and modernise the social security system so that people receive the benefits to which they are entitled at, or as close as possible to, the moment they can claim them. Allowing many people not to claim their benefits for a long time is not the way to run the system. We need to establish why pensioners are not claiming and to ensure that the system makes it easier for them to claim.

Mr. Pike: Does my hon. Friend believe that the review provides the chance to get rid of an anomaly—it is a problem that occurs year after year—regarding the non-index-linked parts of the pension, such as the £10 Christmas bonus and the 25p extra for 80-year-olds, that has existed for about 50 years? Does not the review give us the chance to remove those problems from the system permanently?

Mr. Denham: The Christmas bonus and its future value is one of the topics that are under discussion with the national pensioners convention as part of the wider review of all the forms of income that pensioners receive.

Housing Benefit

4. **Mr. Bob Russell:** What assessment she has made of the impact of the single room rent rules for housing benefit for recipients aged under 25 years. [14633]

The Parliamentary Under-Secretary of State for Social Security (Mr. Keith Bradley): We are currently gathering information from a wide variety of sources to assess the national impact of these changes which we inherited from the previous Government. We will keep them under review. We revoked the regulations laid by the previous Government, which would have extended the rules to people over 25 years of age.

Mr. Russell: You have had six months now to do the review. How much longer is it going to go on? Will you accept from me that—

Madam Speaker: Order. The hon. Gentleman will speak through the Chair. It is not "you". He has been here six months now.

Mr. Russell: Does the Minister agree that the Government have had six months to do the review? How much longer will it go on? Does he accept that, every day, the homelessness problem for young people is getting worse? How does that fit in with the spirit and thrust of the welfare-to-work new deal proposals?

Mr. Bradley: The Department has commissioned research on this matter and we are taking information from a sample of local authorities throughout the country. We are also receiving direct representations from a number of organisations and a number of reports have been commissioned on that aspect. We hope to be in a position to report on those matters early next year.

Mr. Brazier: Why does the Minister think that the position of 26 and 27-year-olds is so different from that of those just under the age of 25? Specifically, does he believe that it is right that anyone should be supported on benefit in a better level of accommodation than their working counterparts on modest wages can afford, living on their own?

Mr. Bradley: There is clearly a cost differential between the under-25 and over-25 age groups. We are determined not to extend the mean-minded measure put in place by the previous Government for people aged between 25 and 60. We are reviewing the position for those who are under 25 and will report on our findings early next year.

Lone Parents

5. **Mr. Chope:** What proposals her Department has to encourage lone parents to find employment. [14634]

Ms Harman: In July, the Government launched the new deal for lone parents in eight areas of the country. It will be rolled out nationally in October next year. The new deal is a pioneering programme that recognises and backs lone parents' desire to work and it is the first step in our plans to reform the welfare state around the work ethic.

Mr. Chope: Will the Secretary of State apologise for spinning a story about a one-in-four success rate in the pilot project for the new deal for lone parents whereas, as is revealed in today's *The Times*, the success rate was one in 20? Is she alarmed by the report from the United States that her policy is doomed to failure while that of the Minister of State is more likely to succeed?

Ms Harman: I shall answer the second part of the hon. Gentleman's question first and then return to the first part.

The Government's position on the new deal is clear. We are inviting lone mothers whose youngest child is five or over to come along for advice and information about seeking work. The previous Government simply told lone mothers to stay on benefit until their youngest child was 16. That policy did not work and resulted in a million lone mothers bringing up 2.2 million children on income support and never seeing the world of work. The previous Government then complained about the spiralling benefit bill. Instead of carping, the Opposition should back our approach to enabling lone mothers to be independent and return to work.

We reported the figures in our first three-months report on this pioneering and innovative programme. In the first eight areas, there is a total of 40,000 lone mothers. We did not expect all 40,000 to walk in the door on the first day. Had they done so, we could not have managed the programme. It is a phased programme and we expect to invite the 40,000 lone mothers in in the first year. Within the first three months, we have invited 8,000 to see their new deal personal advisers, told them that the advice is available and asked them to make an appointment. Within the first three months, 2,000 lone mothers have had appointments.

The response of lone mothers has been to welcome the programme. Employers, too, have welcomed the programme and are offering jobs. The previous Government's approach was simply to leave lone mothers on benefit. Of the first 2,000 women who have been interviewed, four out of five want to continue actively seeking work. The previous Government told them to stay on benefit until their youngest child was 16. Of those who have seen their personal adviser, one in four has a job. Some of those women had been on benefit for 20 years until we offered them advice and support.

That is a welfare-to-work programme in action. I would expect the Opposition to welcome the financial independence that it brings, the help that it offers the poorest children and the cut in the benefits bill.

Ms Moran: Does my right hon. Friend agree that the previous Government's abject failure to enable lone parents to return to work was to the detriment not only of those families but of the nation's purse? For example, this year's £100 million housing benefit bill has been escalating. Does she further agree that, by helping lone parents into work, the new deal will release some resources for those in greatest need?

Ms Harman: My hon. Friend is absolutely right. It was not just that the previous Government left lone mothers on benefit, written off to a life on benefit dependency; worse still, they stigmatised them and used them as scapegoats for all society's ills when they criticised them once a year at the Conservative party conference. The pioneering programme that we have established within six months of coming to office backs lone parents in their desire to work for a better standard of living for themselves and their children. They tell us that they do not want to depend on benefit but would rather work, which is why they welcome the hand up that we are giving them instead of simply a handout.

Mr. Duncan Smith: The welfare-to-work programme and the jobseeker's allowance—particularly the jobseeker's allowance, which is proving a success—have at their heart a compulsory element: they compel people to take up jobs. From recent reports in the press, we learn that that is even being considered for the new deal for lone parents. Will the right hon. Lady come to the Dispatch Box and confirm or deny those reports? Will she tell us whether compulsion will form any part of the new deal for lone parents during the lifetime of this Parliament?

Ms Harman: Compulsion is not the issue for the new deal for lone parents. The hon. Gentleman is muddling up two things. We are clear that when young unemployed people are offered—as they will be by this Government—a choice of high-quality training and work, they will be expected to take up those opportunities and that the option of a life of full dependence on benefit is not available to them. In respect of lone mothers, the hon. Gentleman need only read our manifesto, which says that we will invite lone mothers whose youngest child has started school to meet their new deal personal advisers. Compulsion is not the issue. Lone mothers are being invited in.

Why does the hon. Gentleman raise the issue of compulsion rather than recognise that, after the previous Government left lone mothers on income support until their youngest child was 16, he is now calling for us to go further than inviting them in? I have made it clear: compulsion is not an issue in the new deal for lone mothers. We are inviting them in and the early results are very encouraging.

Pension Provision Group

6. **Mr. Coaker:** If she will make a statement on the role of the pension provision group. [14635]

Mr. Denham: As part of our wide-ranging review of pensions, my right hon. Friend the Secretary of State has appointed the pension provision group to provide her with an independent analysis of the current state of pension provision in the United Kingdom and of likely future trends.

The group is chaired by Tom Ross, vice-president of the National Association of Pension Funds. Its members are pensions experts from outside the Government who come from a wide range of backgrounds and interests. The group's report will advance our review by providing a valuable and independent analysis, on the basis of which we will shape our plans for a modern and fair pensions system for the future.

Mr. Coaker: Does my hon. Friend agree that the appointment of the pension provision group provides an opportunity to deal with the mess that we are in, with today's pensioners having inadequate resources and tomorrow's pensioners not saving adequately to meet their needs? Does he agree that we have the opportunity to provide for today's and tomorrow's pensioners in a way that will make real progress, rather than merely grab cheap headlines?

Mr. Denham: My hon. Friend is right. One of the critical roles of the pension provision group will be to identify the groups that face retirement on low incomes because they are unable to build up an adequate pension. That is also why we hope that it will provide the essential background to take forward our case for value-for-money stakeholder pensions, to bring better value-for-money, flexible pensions to those who cannot join an employer's occupational scheme at present.

Mr. Collins: In the new spirit of openness and contrition that affects the Government, will the Minister make it clear whether any members of the pension provision group have bought their place in it by donations to the Labour party?

Mr. Denham: No.

Ms Hewitt: Does my hon. Friend agree that it is important, when considering the work of the pension

provision group, to ensure that future pensions policy takes account of the rapid changes taking place in employment and family structures? Will he take this opportunity to condemn the providers of personal pension schemes who, while claiming greater flexibility for their product, are penalising their contributors who are subsequently offered the opportunity to join an occupational pension scheme?

Mr. Denham: My hon. Friend raises a number of important points. The world in which pensions have to be delivered for the future is changing rapidly. For example, the number of large employers offering final salary occupational schemes is declining and there is a need for better pension provision for those in the more modern and flexible work force. Pension mis-selling was a scandal, and I am extremely grateful for the measures being taken by my hon. Friend the Economic Secretary to clear up that matter. It is also clear that, in the future, people must have access to value-for-money, flexible pensions that do not penalise them if, for example, they change employment or must alter their pension provision after a relatively short time in a pension scheme.

Mr. Webb: Does the Minister accept that, while the pension provision group is conducting its deliberations, many pensioners will be suffering from cold and inadequate heating this winter? Does he accept that it is perfectly obvious why most elderly pensioners do not claim benefit and that we do not need lengthy research to discover the reasons? Does he agree that immediate action, such as an increase in the addition to pensions for the over-80s, would be an immediate and constructive response that is guaranteed to reach pensioners in need?

Mr. Denham: It is essential that we establish why a million pensioners do not claim the income support to which they are entitled: we must have that information if we are to move forward. A series of measures—including the cut in VAT on fuel, the reduction in the gas levy and falling fuel prices—will enable vulnerable groups, including pensioners, to heat their homes this winter.

Mr. Swinney: In his earlier answers, the Minister quite understandably attacked pension mis-selling and reiterated the importance of pension funds being sufficiently strong to guarantee the payment of earnings to retired people. Will the Minister send a message to Scottish local authorities which estimate that, in the next financial year, they will have to find £36 million in additional contributions to pension funds in order to compensate for the cut in tax credit on advance corporation tax introduced in the Budget in July?

Mr. Denham: The tax change introduced in July was part of a series of measures designed to promote long-term investment in the British economy that will improve the future of British firms and, most important, generate the wealth from which future pensions can be paid. We shall consider the situation of local authorities at the appropriate time.

Mrs. Gillan: I am sure that the Minister agrees that the operation of the pension provision group is of great concern to the women of this country. Therefore, can the Minister tell me what input into the workings of that group will be made by the Minister for women who, since her belated appointment, has been conspicuous by her absence from the Dispatch Box—and is conspicuous by her absence again today? Is she part of the Department of Social Security team? Will she have any input into the pension provision group or any other policy area, or is she the invisible woman?

Mr. Denham: I make it clear that three women serve on the pension provision group—Ruth Hancock, Joanne Segers and Anne Wood—and represent the wide range of experience and knowledge that will be brought to bear on the group. Women's pension rights are a central concern of the pensions review, as my right hon. Friend the Secretary of State made clear when she launched the review in July. We have made it perfectly clear that closing the pensions gap between men and women is one of the fundamental challenges of the pensions review.

Lone Parents

7. **Mr. David Heath:** What estimate she has made of the number of new claims by lone parents for income support in financial years *(a)* 1997–98 and *(b)* 1998–99. [14636]

The Minister for Welfare Reform (Mr. Frank Field): The Department estimates that there will be 350,000 awards in both years.

Mr. Heath: I am grateful for that reply. Does the right hon. Gentleman agree with the Minister for Public Health, who claimed that many poor women smoke because they feel that their lives are hopeless? Does he believe that the many lone parents who are unable to find work will feel more or less hopeless when their benefits are cut?

Mr. Field: I am sure that all of them will feel more hopeful because this Government have a positive, proactive policy that is helping them back to work—unlike the previous regime.

Helen Jones: Does my right hon. Friend agree that one of the best ways in which to reduce the number of lone parents who are forced to claim income support is to provide available and affordable child care? What plans does he have to improve that provision as part of the new deal?

Mr. Field: The Government are developing a national child care strategy, which will be implemented during the life of this Parliament. Each of the single parents coming forward for interviews is seeking that information and being given it.

Mr. Burns: Can I press the Minister to confirm that, notwithstanding what the Secretary of State said, of the 8,600 letters that went out in the pilot scheme, 75 per cent.—about 6,600—of the people who received them did not bother to reply; and that, of the 1,600 people who went to see a personal adviser, only 433 have gone into a job, which is about 5 per cent. of all those who were contacted?

I am particularly pleased that the Minister is here. Does he agree with Professor Lawrence Mead that there has to be a ground of compulsion for the new deal for lone

parents to work? Does the Minister agree that, if there is no compulsion, it will be a failure? Given that the jobseeker's allowance and welfare to work for young people rests on compulsion, are the Government preparing a U-turn to bring in compulsion for the new deal for lone parents? That is a question that the Secretary of State studiously refused to answer.

Mr. Field: The answer to the first of a series of questions is that the hon. Gentleman's figures are wrong. Of the people who were invited to attend, three quarters responded and, of those who responded, a quarter are already in work. I thought that the Opposition would support that. My views vis-a-vis Lawrence Mead are made very plain in the document that the hon. Gentleman is holding.

Benefits Advice

8. **Mr. MacShane:** What steps she is taking to make benefit information and advice available *(a)* by telephone and *(b)* electronically. [14637]

Ms Harman: Local offices are trying to improve their telephone services. We have advice lines for family credit, for pensioners and for sick and disabled people and their carers. We want to modernise the social security system, so we shall explore all possible ways to use new information technology to improve the speed, accuracy and accessibility of benefit advice.

Mr. MacShane: I thank my right hon. Friend for that reply. Is she aware that the Conservative party lost the election of 1 May not simply because it consists of a bunch of sleazebags but because the Conservative Government were the architects of the dependency culture, which has left too many citizens in Britain without a sense of right and control over their own lives? If she tries to telephone some of the plethora of numbers that she has inherited, she will find that she will need a Ph.D in code breaking to understand them or get through. Will she consider setting up one 0800 freeline to cover all social security inquiries, and also consider a form of smartcard so that citizens, who have as much right in times of trouble to help from other citizens through the state benefit systems, have some control over their lives? We should break the dependency culture, which is the most wicked of all the wicked inheritances from the Conservative party.

Ms Harman: Yes, I shall consider having a single benefit advice line. We need to modernise the delivery of services, and that means the right mix between telephone advice and face-to-face advice, and also advice that people can access without being face to face—through kiosks and computer software. One of the things that we shall also look at is how we can deliver information and benefits using new technology so that people do not have to go from pillar to post giving the same information five different times and then having to work out how all the different answers fit together. Modernisation of the delivery of social security is long overdue.

Mr. Baldry: Does the Secretary of State agree that one of the most cost-effective ways of getting information to claimants is through citizens advice bureaux, where volunteers give advice in a very professional way? However, very often citizens advice bureaux have to struggle year on year for funds, both core funding and funds to run themselves. Is it not in the interests of central Government to provide further assistance to citizens advice bureaux?

Ms Harman: As the hon. Gentleman may know, the Department of Social Security does not give grants to voluntary organisations. However, we are working in partnership with citizens advice bureaux on a pioneering project on how we can use new technology to share information between the Department and voluntary organisations. It is designed to ensure that those organisations that give advice to claimants have the most up-to-date information and can settle those claimants' queries. We believe that, whether such claimants turn up at a benefits office, citizens advice bureau or other advice centre, they are entitled to receive full, accurate advice promptly.

Mrs. Dunwoody: We would all welcome the modernisation of the forms that people are required to fill in and we would welcome any kind of modernisation that means that people can get accurate information quickly. However, will my right hon. Friend remember that many of our constituents still have the old-fashioned idea that speaking face to face to a human being is infinitely preferable even to the best organised kiosk with a computer in it? It will be a long time before the people whom my right hon. Friend is talking about will be happy if they do not receive personal service.

Ms Harman: We want to ensure that everybody receives personal service, but the question is whether it is the right sort of service. We know that some people want face-to-face advice and information, and we are considering that option. Some people want to be able to talk to someone direct. Other people do not want to go into the benefits office or wait there to talk directly to someone because they would rather sort it out on the telephone. A third category wants neither to talk to anyone on the phone nor to see anyone face to face, but to access the system. The key to modernisation is a personalised service and flexibility. It is not a matter of considering the people about whom my hon. Friend or I am talking, but providing the right range of services so that people can receive the services that they want in order to get the advice that they need in a manner with which they feel most comfortable.

Mr. Gorrie: Following on from the question of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), will the Secretary of State pay some attention to the variable quality of the personal advice given at different offices? I am sure that other hon. Members have had the same experience as me when constituents have complained that they have been to various offices several times and only on the fourth or fifth visit to a particular one have they been offered a constructive suggestion by someone which makes all the difference. Can we have some system whereby staff are encouraged to take a constructive attitude towards trying to help people? I am sure that many of them do so, but some do not.

Ms Harman: The hon. Gentleman makes an important point which relates to a number of different issues.

First, it is important that an understanding is established throughout the Benefits Agency that people are entitled to the highest quality of service and politeness, whatever the circumstances of their case. That is absolutely essential. Secondly, people should not get different information from different people. Some people may be on five benefits and if they have to go to five different places to get the necessary information, they are lost by the time they get to the fifth one and they cannot work out how it all fits together. Thirdly, it is important to check the quality of advice and to ensure that there is a proper complaints system. The previous Government established some sort of charter for people who used the benefit advice services, but I warrant that no hon. Member has heard of it because no emphasis was given either to ensure that people knew about it or to enforce it. The need to back good-quality advice with the right training is high on our agenda and we expect to see results shortly.

Social Security Harmonisation

9. **Dr. Michael Clark:** What plans she has to move towards the harmonisation of the social security system of the UK with its European partners. [14638]

Mr. Field: The Government have no such plans.

Dr. Clark: Does the right hon. Gentleman recall the statement made by the Minister with responsibility for pensions that there is a need to integrate an efficient social protection system throughout Europe? If there are no such plans, what did that mean? If that statement is correct, does it mean that, if pensions were integrated throughout Europe, we might have to forgo our national pension fund, which is probably larger than the rest of the pension funds of Europe put together? Or would it mean that we would have to pay more to assist countries that had not made prudent pension provision, or even both? Would the right hon. Gentleman comment?

Mr. Field: The Government have no plans for harmonisation. That does not mean that we do not consider carefully the evolving social security agenda to discover where the British interest lies and to advance it. We are giving particular attention to three areas. First, we want to ensure that, if pensioners move between countries, they are not put at a greater disadvantage vis-a-vis their occupational pension than they would have been if they remained in their own country. Secondly, we are examining the position of migrant workers to ensure that, as they move between two countries, they do not pay taxation and social security dues in both. Thirdly, we are interested in how the single market rules will operate for the transference of pension capital. As the hon. Gentleman said, and as I used to say when I was in opposition, this country has an enormous advantage in that area.

Child Support Agency

10. **Mrs. Ewing:** What is the current average response time by Child Support Agency offices to inquiries for reviews submitted by *(a)* individuals and *(b)* hon. Members on behalf of constituents. [14639]

Mr. Keith Bradley: No figures are available on average response times but, in the current year, 86 per cent. of reviews have been cleared within 13 weeks, and 99 per cent. within 26 weeks. We are not complacent about the state of the Child Support Agency. In June, the Government announced that we were looking closely at all areas of the child support system to ensure that the CSA is consistently fair and efficient. We aim to move forward with our final proposals on the CSA in the first half of next year.

Mrs. Ewing: I thank the Minister for that answer. Does he appreciate that Members of Parliament often have to request reviews on behalf of their constituents because the initial assessment is inaccurate? Will he give us the latest figures on the accuracy of first assessments?

Mr. Bradley: I am unable to give the hon. Lady that figure today, but I shall write to her. We are not complacent about the accuracy of initial assessments. We have put extra money into the child support system to ensure a more efficient and effective service on behalf of all our constituents. I assure the hon. Lady that that will continue to be our resolve. We shall examine all aspects of the Child Support Agency to ensure that it works in the way that we expect it to, and in the interests of our constituents.

Mr. Cunliffe: I welcome the Minister's enthusiastic efforts to improve the system that was introduced by the previous Government, which many of us believe is administered incompetently. It is a cock-up. Does he agree with many hon. Members that the Child Support Act 1991 is the most infamous, iniquitous Act that has gone on the statute book since the poll tax legislation? Administrative incompetence, together with the injustice in the system, adds insult to injury for thousands of conscientious parents, and brings financial distress to many second families throughout the country.

Mr. Bradley: I thank my hon. Friend, because I know that he has taken a great interest in these matters throughout the period that the Child Support Agency has been in existence. We are reviewing all aspects of the agency, and we shall publish our plans for it early next year. I hope that the problems that my hon. Friend has identified will be addressed as a result of those proposals.

Miss McIntosh: Does the Minister agree that, when a review has been successfully concluded and it is deemed that an overpayment has been made, that money should be reimbursed in a short time? Does he accept that three months is too long before that money is repaid? Does he agree that overtime should not be included in an assessment, especially when it is seasonal?

Mr. Bradley: I thank the hon. Lady for her comments. I should point out that a third of absent parents are still not paying, and we must ensure that those payments are made. However, I have noted the hon. Lady's comments and I recognise their force. I assure her that we want an efficient organisation of the Child Support Agency, so that such overpayments are repaid in the time that she suggested.

Pensions

11. **Mr. Corbyn:** What assessment she has made of the benefits of calculating future pension increases on the basis of the rise in average earnings. [14640]

Mr. Denham: We are committed to increasing the basic state pension at least in line with prices. Pensioners

can be reassured that, for 1998, we are meeting that commitment. The basic state pension—including its value—the state earnings-related pension scheme and other issues of concern to pensioners are being considered as part of our pensions review, which will report in the first half of next year.

Mr. Corbyn: Does my hon. Friend recognise that one of the great achievements of the last Labour Government was the linking of pensions with either prices or earnings, whichever was rising faster? As a result, pensioners enjoyed a much higher standard of living under that Government. The last Tory Government cut the link, thus robbing every pensioner of more than £1,000 a year. Does my hon. Friend accept that a high basic state pension, linked to earnings, is cheap to administer, is fair, and will do a great deal to eliminate the disgraceful levels of poverty that many older people have to endure?

Mr. Denham: As we said in our manifesto, we want all pensioners to share fairly in rising national prosperity. We must take into account all the sources of income that enable pensioners to share in national prosperity—pensions from the state, pensions from non-state sources, benefits, savings and other forms of pensioner income—and we will do that in the review.

The basic state pension is the foundation stone of pension planning for retirement, but it is also important for us to enable people to complement it with a second pension—an occupational, personal or stakeholder pension—to ensure that they can enjoy security in retirement.

Mr. Duncan Smith: Will the Minister confirm that the review will consider re-establishing the link, either partially or wholly—possibly for all pensioners, or even just for those who start receiving pensions after the review is complete? What will be the range of the review in that context?

Mr. Denham: Our manifesto makes it clear that all aspects of the basic state pension—including its value—will be considered in the review.

Appeals

12. **Mr. Blizzard:** What plans she has to ensure that appeals by benefit claimants are dealt with more speedily. [14641]

16. **Mrs. Mahon:** If she will make a statement on ways of improving social security appeals. [14645]

Mr. Keith Bradley: We are determined to reduce the current delays and complexities in the appeals system. On 9 July, we introduced the Social Security Bill, which paves the way for the creation of an active, modern social security system. The Bill includes several measures that will enable us to provide a quicker, simpler and more efficient appeals service for customers. The Secretary of State will take personal responsibility for the administration of the appeals system, will set and publish demanding targets to shorten the time that it takes for appeals to be heard, and will report on the results.

Mr. Blizzard: I thank my hon. Friend for his reply. Does he agree that the social security benefits system inherited from the last Government is in crisis? Does he further agree that the sheer number of people who depend on benefits and the harshness of the regime introduced by the last Government are resulting in too many appeals, long waits and the clogging up of the independent tribunals service?

In particular, will my hon. Friend examine the disability living allowance? Because of the 32-page all-work test and the frequent consequent reduction in benefits, many disabled people are making appeals, and both they and their carers resent the long wait that they are having to undergo.

Finally, when is the review of the disability living allowance likely to be completed?

Mr. Bradley: The disability review will be completed early next year.

The whole purpose of the Social Security Bill is to streamline the administration of benefits, and to make it simpler and more efficient for customers. The Bill contains provisions that will enable corrections and other changes to be made at an early point in the administration of benefits, so that customers' difficulties can be put right and they need not go to appeal. That is the best way in which to ensure that people receive their entitlement at the point at which they need it. I believe that the Bill will greatly benefit a vast number of claimants.

Mrs. Mahon: I welcome my hon. Friend's commitment to improving the appeals system. It is indeed slow and inefficient and causes a great deal of distress, not least to the staff who must administer that inherited system. What discussions has my hon. Friend had with staff and their representatives, and how soon will they be reassured and involved in the system?

Mr. Bradley: I am grateful to my hon. Friend for the concerns that she has expressed on behalf of staff. I share those concerns because, during modernisation of the social security system, there are always anxieties about the way forward, but I assure her that I shall continue to have constructive discussions with trade unions and staff representatives as our plans for streamlining and modernising the social security system unfold.

Means-tested Benefits

13. **Mr. Viggers:** What is the comparative administrative cost of distributing *(a)* means-tested benefits and *(b)* benefits which are not means-tested. [14642]

Mr. Field: The administrative cost of income-related benefits is 7 per cent. of benefit expenditure. The administrative cost of all other benefits is 2.5 per cent. of benefit expenditure.

Mr. Viggers: Does the right hon. Gentleman agree that, superficially, means-tested benefits are attractive because, from a Treasury point of view, globally, they cost less money? However, there is a trap within every means-tested benefit as there is no incentive for the individual to escape from that means test. Does he agree that, in the longer term, it would be good to phase out as many means-tested benefits as possible?

Mr. Field: Yes.

Pension Sharing

14. **Mr. Hope:** If she will make a statement on the Government's plans for pension sharing. [14643]

Mr. Denham: Pension sharing recognises the contribution that both women and men make to a marriage. The Government are committed to introducing pension sharing for divorcing couples from April 2000. We are working in partnership with the pensions industry, family lawyers and others, and plan to publish a draft Bill for consultation. That is an important step in our programme of modernising the pension system to improve the income of women in retirement.

Mr. Hope: I thank my hon. Friend for his reply and particularly welcome the announcement that the Government are honouring their commitment, made in opposition, to introduce legislation on pension sharing. Is he aware that many women experience much discrimination with regard to pensions? For example, women are less likely than men to have a good second pension and they are more likely than men to be poor in retirement.

Mr. Denham: My hon. Friend is correct. Introducing pension sharing is one measure that the Government intend to take to improve the position of women in retirement. The development of stakeholder pensions will enable women who cannot join an employer's occupational scheme to have access to a better value, funded second-tier pension. We are also exploring the possibility of introducing a citizenship pension to enable people, particularly carers—who are most likely to be women—to gain additional pension rights to reflect the fact that they are unable to contribute to a funded pension because of their caring responsibilities.

Child Support Agency

15. **Mr. Kidney:** What changes she proposes to make to child maintenance assessments by the Child Support Agency; and over what time scale. [14644]

Mr. Keith Bradley: The Government believe that all children are entitled to the support of both parents, whether or not they live together. The Child Support Agency was established to ensure that absent parents meet and fulfil their responsibilities. Although there is some sign that the agency's performance may have improved since its early days, there is still a very long way to go before public confidence in it reaches an acceptable level. We are therefore examining all aspects of the agency's work, with a view to ensuring that it provides a consistent, fair and efficient service to all its clients. As I have already said, we aim to come forward with our proposals on the CSA in the first half of next year.

Mr. Kidney: I thank my hon. Friend for that reply. Is he aware that, today, child assessments are much more realistic than some were in the early days of the CSA? Nevertheless, does he agree that disappointment among both parents with care and parents without care is still high, mainly because of the slow speed and inaccuracy of assessments, and that the feeling among parents is that their individual circumstances are not taken into account? I welcome the review, which I hope will result in changes, but they will clearly take some time. Cannot guidance be given now to try to iron out at least some of the major inconsistencies in terms of speed and inaccurate assessments?

Mr. Bradley: Clearly, the change in the form, which was introduced some time ago, is having an impact and is being welcomed by both parents with care and absent parents. I have noted carefully my hon. Friend's comments on the way forward for our review. In the meantime, we continue to work closely with CSA staff and the chief executive to ensure that delays, inaccuracies and inefficiencies are addressed. Work will continue to restore public confidence in the CSA.

Mr. Robathan: Does the Minister agree that one of the problems faced by the CSA is that incorrect information is given to it, particularly by absent parents? That information is often fraudulent to avoid proper payment. Three parents with care came to see me at the weekend about exactly that. When he is reviewing the agency, will the Minister consider creating some offence whereby avoiding payment by a fraudulent statement is prosecutable?

Mr. Bradley: I note what the hon. Gentleman has said. No one would condone misinformation being supplied to the Child Support Agency or the taking into account of fraudulent acts during the process. I shall look carefully at the way in which the process operates and shall ensure that, when we present our proposals for reform, the interests of the child, which are the most important part of the CSA's work, and the method of ensuring that maintenance is paid for the benefit of the child are properly taken into account.

Points of Order

3.30 pm

Mr. Norman Baker (Lewes): On a point of order, Madam Speaker. I should like to raise an important matter relating to my constituency, of which I have given you notice. It is the report on the front page of the business section of *The Observer*, which suggests that a decision has been reached that P and O and Stena should be allowed to merge.

I am surprised, first, that not only the decision but detailed considerations should be announced in a Sunday newspaper, when I and other hon. Members, including Labour Members, have shown a substantial interest in the matter since May and have asked to be kept informed of details. Is this not discourtesy to the House, if indeed it is a Government leak? Would it be possible to arrange for a statement by other methods, so that hon. Members with constituency interests could discuss this matter?

Madam Speaker: The House knows how much I deprecate such matters appearing in newspapers. I know that the hon. Gentleman has shown great interest in the matter, because he has questions on the Order Paper.

Several hon. Members *rose—*

Madam Speaker: Order. I have not finished.

I suggest to the hon. Gentleman that he tries to frame a parliamentary question seeking information about why and how this information appeared. That would be helpful to me in what I am regularly trying to do.

Mr. John Bercow (Buckingham): On a point of order, Madam Speaker. Further to the Prime Minister's interview yesterday in "On the Record" with John Humphrys, is it not now essential that he should be required to go on the record with a statement to the House on the whole saga of "fags for favours", so that the reality can be clarified? I seek your maternal guidance on this important matter. The whole saga of concealment and the errors of judgment by the Prime Minister should be debated and exposed in the House, the Parliament of the people.

Madam Speaker: The Opposition have days on which they can put down a motion, and if they wish they can do so on this subject. I remind the hon. Gentleman that, if he seeks to catch my eye on Wednesday when the Prime Minister is here for half an hour answering questions, he might be lucky: who knows?

Mr. Tim Collins (Westmorland and Lonsdale): Further to that point of order, Madam Speaker.

Madam Speaker: There is nothing further to that point of order. I have dealt with it.

Mr. Peter Viggers (Gosport): On a point of order, Madam Speaker. It is similar to the one raised about the prospective merger of P and O and Stena. About two weeks ago, I was told by local journalists that the coastguard station in my constituency was to be closed. Therefore, I tabled a parliamentary question to the Secretary of State for the Environment, Transport and the Regions, who passed it to the chief executive of the Coastguard Agency. The latter wrote me a long letter spelling out what the coastguard service was in the south of England. That did not answer my question, so I wrote to the chief executive of the agency asking him to confirm that the coastguard service would remain as originally stated.

I hear today that the coastguard station in my constituency is to be closed, despite the fact that I tabled questions two weeks ago trying to elicit information. That is a poor way for the Government to behave. Can you give me any guidance on how I can ensure that it does not happen again?

Madam Speaker: The hon. Gentleman is a long-standing Member. I cannot give guidance on how to prevent it from happening again, but I deprecate the fact that the information with which he has been supplied is not as accurate as it might be.

I will look favourably on an application for an Adjournment debate if the hon. Gentleman would like to seek one. He could then find out precisely where the information came from and about the inaccurate information with which he has been supplied. I select the subjects for Adjournment debates on Thursday evenings, and I shall look favourably on an application from the hon. Gentleman.

Opposition Day

[4TH ALLOTTED DAY]

Public Services

Madam Speaker: I have selected the amendment in the name of the Prime Minister.

3.34 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): I beg to move,

That this House believes that Britain's key public services, in particular education, health and social care, have been underfunded and undermined by 18 years of Conservative rule; condemns the Government for continuing Conservative spending plans and council-capping and for spending less in the present year in real terms on education, health and social services; expresses alarm at the effect of the last budget inflation forecast, which will reduce the real value of government spending plans for next year by around £5.3 billion; believes that the cumulative effects of government policies will be larger classes, longer waiting times, and less care and treatment, when what the public services need is to be rescued from the vicious circle of cost shunting and crisis management, with sufficient resources to allow the raising of quality and standards for all; and calls on the Government urgently to put the necessary resources into public services, by such measures as switching monies from other departments and by limited but targeted and earmarked increases in taxation.

It is a great pleasure to move this motion in the name of my right hon. and hon. Friends. When my party last had the choice of subject for debate, it was in a Parliament where 20 Liberal Democrats had been returned at the previous general election. This is our first opportunity to choose the subject following May's general election, when 46 Liberal Democrats were returned. We may not be Her Majesty's official Opposition, but we have made our position clear—we are the people's constructive opposition, and the people's credible opposition.

On an issue such as public services and their financing, the Conservative party will never be a credible opposition, which is why we are not only proud to have tabled the motion, but determined to hold the Government to account. After six months, they show much verbal commitment to public services, but less action and finance to back up those services.

Over the past six months, the Government have tried to reconcile two different commitments to the electorate. They came to power on the back of a clearly underfunded set of public services. We acknowledge that, and we share their concern about it.

However, from 1 May it was the Government's responsibility to rescue Britain from that position. Instead, sadly, they have held to—at least in theory—the spending programme to which the Conservative Government had committed the country. The Government have also held to their commitment that they would not raise income tax.

The result is that this year and next year, public services will be not only less well funded than they should be, but this year they will be less well funded than even the Tories had planned them to be, and next year they will be less well funded than they would have to be if there are not to be huge difficulties in health, education, social care, police, the fire service and so on.

Three sorts of spending restrictions are hampering the Government in each day of their new Administration. First, there are the planned Tory spending cuts, under which budgets are planned to fall in real terms—for example, local authority budgets this year and next year, and the budgets for further and higher education. Secondly, there are real cuts to the original planned education and health budgets this year, because the Government have had to contend with higher inflation, but have not made up for the money lost, because inflation has risen from an estimated 2 per cent. to 2.8 per cent. Thirdly, there will be real cuts to almost every other planned budget across public services.

We know that the Tories left a very tight ship—so tight that the outgoing Chancellor of the Exchequer described his spending plans as "for the birds". The right hon. and learned Member for Rushcliffe (Mr. Clarke) knew that it was impossible to sustain that level of public spending. Of course, there were lots of things that he did not predict or plan for, such as the issue that has been attracting growing interest in the House: how we will find the money to put computers in order in time for the millennium, at an estimated cost of £7 million. That is not yet provided for, and it will make things especially difficult for the health service and the Ministry of Defence.

The Chancellor had two opportunities to do something, and he has fluffed both of them. In July's Budget, he could have improved the situation for public services, but he left it worse. Independent work by the Library's statisticians and economists and the Budget's inflation forecast have shown that, next year, there will be £5.3 billion less for public services. That will be a real cut of £5.3 billion. Later in the debate, other Liberal Democrat Members and I will address the practical issues of the cut, but I say now that an enormous burden will be placed on public services in every constituency if those clearly announced reductions are not dealt with.

Tomorrow, when Health Ministers announce the new health service waiting lists, it will not be surprising if they rise considerably again. It will not be surprising, either, if reports show that secondary school class sizes continue to rise. We will also hear reports that police forces will have fewer officers on the beat. We know also that, not only this winter but next spring and next year, not only in the capital city but elsewhere, the fire service and, even more crucially, social services—about which I hope my hon. Friend the Member for Sutton and Cheam (Mr. Burstow) will catch your eye, Madam Speaker—will be under exceptional difficulty.

Yesterday, I travelled from Southwark and Bermondsey to Winchester. The two constituencies have three things in common. First, they both have cathedrals. Secondly, last month, they both had a Liberal Democrat Member of Parliament. Thirdly, next month, they will both have a Liberal Democrat Member of Parliament. Otherwise, as hon. Members will be well aware, they are very different places. Nevertheless, they share some common problems.

The Lambeth, Southwark and Lewisham health authority, for example, is hugely in deficit; and Winchester's local health trust says that, next year, it too will be in deficit, by £500,000. In inner London, education budgets are being reduced; in apparently affluent Hampshire, the local authority is under similar pressures in meeting education demands.

[Mr. Simon Hughes]

The health service is in the worst position it has been in since the beginning of the decade. The figures published last week show that, when the Government took office, 97 per cent. of England's health authorities were in deficit—to the tune of £238 million—and that 32 per cent. of health trusts were in deficit, by £51 million. There has never been a worse legacy in health service funding. A more significant response, in commitment and funding, has never been needed more.

Several hon. Members *rose—*

Mr. John Bercow (Buckingham): I am rather surprised by the sheer richness of the hon. Gentleman's reference to Hampshire. Will he take this opportunity to confirm the truth of the following statements? When in control of Hampshire county council, the Liberal party had a planned underspend on education for 1997–98. Since the Conservatives took over control of that county council, they have increased this year's planned expenditure by £2.8 million.

Mr. Hughes: My hon. Friend the Member for Bath (Mr. Foster) will deal with those points in more detail—[HON. MEMBERS: "Oh."] I will deal with the points, but my hon. Friend will deal with them in more detail—if the hon. Member for Buckingham (Mr. Bercow) really wants the House to concentrate on education funding.

In Hampshire, we overspent the assessment. The hon. Gentlemen well knows that, in education, local authorities have only two choices left to them: rob Peter to pay Paul, by taking money from social services and spending it on education; or take on the Government—whether the previous Government or this Government—and try to have capping limits lifted. The previous Government would not agree to that, and nor will the new Government. The reality is that if money cannot be raised locally, it has to be provided centrally. If the outgoing Tory Government and the incoming Labour Government will not provide the funds, they have to carry the can.

Mr. Gordon Prentice (Pendle): The hon. Gentleman mentioned underfunding in the health service. Will he concede that, in my area, the East Lancashire health authority received an extra £600,000 this financial year, and will receive £12.24 million next year, a real-terms increase higher than any increase over the past five years?

Mr. Hughes: The hon. Gentleman is welcome to take me on over the health service too, because I am going to make a specific allegation. I am afraid that, when Ministers announced the allocation to the health service in England about two weeks ago—there were many planted oral questions to the Prime Minister about it last week—they did not tell the whole story.

Mr. Phil Willis (Harrogate and Knaresborough): Not for the first time.

Mr. Hughes: Indeed. It is an old trick. Tory Secretaries of State for Health did the same, and news management is now becoming a regular feature of the new Government, too.

Mr. Prentice: Are the figures wrong?

Mr. Hughes: Yes, they are wrong, and I shall explain why.

Ministers announced that the allocations to local health authorities in England were the highest for five years. That is true: they were 0.01 per cent. higher than last year. It is true, but not by much—an increased figure only just squeaked home.

The health service in England gets money in two ways: the initial funding comes from the local health authority, and additional moneys are either bid for or distributed centrally. In the past, the two sums were added together, but the Government did not do that this time.

Why not? It was for the obvious reason that, if the two sums are added together, it is clear that the allocation for the health service in England next year represents not the highest percentage real growth increase for five years but the lowest percentage growth for five years. The increase is 1.7 per cent., the lowest for five years, while, in their 18 years in office, the Tories managed an average of more than 3 per cent.

The hon. Member for Pendle (Mr. Prentice) may say that health authorities have more money, but if he believes that the average 1.7 per cent extra across the country will meet the demands of the health service, he has another think coming. No one else believes that it will meet the needs of the health service in the north-west, the south-east or anywhere in between.

Mrs. Alice Mahon (Halifax): What does the hon. Gentleman think about the extra £1.6 million that Calderdale and Kirklees health authority received to help us through the winter? Is that not real money? Will it not translate into more beds to help us meet the winter crisis? Have I been lied to by the chief executive, the nurses and the local unions, who have assured me that they will not—thank goodness—have to put people on trolleys this year?

Mr. Hughes: I respect the hon. Lady for her commitment to and understanding of the health service. She has touched on a good point. So that the House understands, I should explain that the Government realised that they did not want people on trolleys this year—

Mrs. Mahon: Is that not a good thing?

Mr. Hughes: Of course it is a good thing. Originally, the Government said that they would not transfer money from one Department to another. Indeed, the Prime Minister said at the Dispatch Box that it could not be done, but in September the Chancellor did it.

The Government allocated £269 million extra, which was raided from money allocated to defence and trade and industry, to the health service this year. That is correct. It will stop people being put on trolleys, which I welcome, but it will not be used to stop waiting lists rising, nor will it deal with the hidden crisis in the health service. It will do nothing to speed up cataract operations.

It will not allow the people needing hip replacements to be operated on. If the hon. Member for Halifax (Mrs. Mahon) believes that that amount of money will rescue the health service in Calderdale, Winchester, Beckenham or anywhere else, she is wrong.

Mr. Andy King (Rugby and Kenilworth): It is a start.

Mr. Paul Burstow (Sutton and Cheam): A false start.

Mr. Hughes: As my hon. Friend says, it is a false start.

Even with the extra allocation, the health service will, because of inflation, get less this year from this Government than it was planned to receive from the previous Government.

Is the hon. Member for Halifax, as a socialist, pleased that her Government are delivering less to the health service than the Tories had planned? If she is not, I suggest that she takes it up with her Front-Bench colleagues. The Tories would have spent £160 million more this year than the Government. I am embarrassed for the hon. Lady, but I am troubled not by the embarrassment of hon. Members, but by the thought of those people outside who will be affected directly.

The health service has lost £430 million because of inflation. Over the Government's first two years, there will barely be an increase for the health service over what the Tories planned. When the hon. Member for Halifax and her hon. Friends were in opposition in years gone by, they said how greatly underfunded the health service was, but the Labour Government have provided the health service with the lowest increase for five years.

Patients waiting for operations, doctors and nurses will not be satisfied. [HON. MEMBERS: "What would you do?"] I am being asked by Government Front Benchers what we would have done. We made it clear that the health service needed at least £0.5 billion this year, and the same amount next year, of real, new money. Even if we accept what the Government have said—that that money should not come from income tax—there are other ways in which we could raise it.

We could take some money from tobacco tax—5p on a packet of 20 would raise £200 million. Increasing employers' national insurance contributions could raise about £350 million a year of additional money. When the Government abolished tax relief on private medical insurance—raising £120 million—they could have put that money into the health service. Because of inflation, tax revenues have gone up by £350 million this year, and will increase by £750 million over two years—money that could have gone into the health service. That could have provided £1 billion of real money.

The reality is that no new, real growth has been provided. The Government are condemning the people who depend on the health service to struggling, to waiting, in many cases to growing more ill, and, in some cases, potentially to dying.

Mr. Bob Blizzard (Waveney): What has happened to the extra 1p on income tax proposed by the Liberal Democrats "if necessary"? How would that 1p extra pay for all the hon. Gentleman wants in the health service and education, as well as pensions, student grants and tuition fees? Is not the magic penny, as I call it, one of the most dishonest pieces of political propaganda that we have seen in a long time?

Mr. Hughes: I will not misrepresent the Labour party's position, and I ask the hon. Gentleman not to misrepresent ours. We went into the general election saying clearly that the education service needed at least £2 billion more. That was equivalent to 1p on income tax, and all that money would have gone to education—not health. We made it clear that our priority was schools, and that we did not think that students should pay tuition fees. Unlike the hon. Gentleman's party, we have not changed our position.

We made commitments to the health service—additional commitments funded through tobacco tax and national insurance. If the Government have been trapped by their own dogma into saying that there will be no income tax increases, if they believe that people earning £17 million a year should not pay a higher rate of tax, and if socialists, Labour party members, Labour Back Benchers and Labour Ministers think that it is justifiable for nobody to pay any more, they will have to look for other taxes.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Hughes: No.

We say that the tax revenues are there, that there are fair and reasonable taxes, and that the public services will not survive without them.

Mr. Bercow: Will the hon. Gentleman give way on that point?

Mr. Hughes: No.

I have two last points to make on the health service. There are six health authorities that, even with the money allocated around the country a couple of weeks ago, will still be in deficit this year—some by as much as £8 million. Those include areas such as Surrey, part of which is represented by a former Secretary of State for Health, the right hon. Member for South-West Surrey (Mrs. Bottomley).

It is no good believing that the Government will straightforwardly say that they made only one pledge on the health service—one early pledge, that they would cut waiting lists, but—

Mr. Dennis Skinner (Bolsover): Over five years.

Mr. Hughes: The hon. Member for Bolsover (Mr. Skinner) says that that was over five years. If an early pledge is over five years, the English language is understood differently in Bolsover than in the rest of the country.

Mr. Skinner: As one of those who went into the Lobby when the Liberals voted against the cut in income tax, I can speak from a position of authority; but I find it odd that we are hearing this spin-doctoring statement today, even though spin doctoring was invented by Liberal "Focus" leaflets.

On that night, I voted against the Tory Government along with the Liberals, but later on that night, there were several other Budget propositions—the airport tax and so

[Mr. Skinner]

on—and, oddly enough, the Liberals went into the Lobby and spent the money, or at least a lot of it. Yet now they have the cheek to tell us that they would spend it on health, education, student fees and all the rest of it. At least when I voted against the income tax cut, I was not daft enough to go into the Lobby later and spend it—I wanted money spent on health and education, but the Liberals spent it that night.

Mr. Hughes: The hon. Gentleman is raising an old argument in trying to deal with two embarrassments afflicting him and his colleagues. The first embarrassment is that the Liberal Democrats had a costed manifesto, while Labour did not—the figures did not add up. One cannot defend public services or

"save the NHS in 14 days"

without raising the money to do it. The hon. Gentleman knows that as well as I do, and his voters know that as well as ours.

The second embarrassment, which the hon. Member for Bolsover cannot cover, is that those on his Front Bench spend more time on news management than on health service management. They manage the figures on allocations to health authorities, and they will try to manage tomorrow's figures on the waiting lists so as to pretend that they are not going up as much as they would have done, but actually have come down a bit—although that is only because of summer. Their attempt at news management has not worked well over the past few weeks over tobacco, and it is not working well on anything else in the health service.

Mr. Skinner: Your "Focus" leaflets are full of lies.

Mr. Hughes: The hon. Gentleman and the rest of his colleagues know that the public services are funded from taxation raised by Government and spent by Government. Until his Government understand that they cannot make promises without asking people fairly to pay, it will be his side that is in increasing difficulty, not ours. We said the same thing before the election, during the election and after the election, and, in the by-elections being fought this week, people will know that that is the truth.

The Labour amendment asks us to be grateful for the money that has gone into these services—of course we are grateful for it. It is right to put extra money into the health service; but the much trumpeted £1.5 billion amounts, after inflation, to only £400 million. For the person waiting for an operation, that means a much longer wait—if he ever gets to have one at all. The capital building programme under Labour is the same as it was under the Tories: there has been no increase in public money at all.

It amounts to £1.3 billion this year of public money—

The Minister of State, Department of Health (Mr. Alan Milburn) *indicated dissent.*

Mr. Hughes: I am talking about public money for which the Government are responsible. If the Minister of State is saying that public money does not count, he had better come clean and tell the public that they will henceforth be paying out private money for the NHS, for education, and for social services.

My party stands for public investment in public services. We do not believe it right to tell people that, if they cannot pay for something, they must go without.

As for the Conservative amendment, the Conservatives say that my party cannot hold the Government to account, because we are in effect in a coalition with them. The Conservative amendment is notable for the absence of a single word about health. I wonder whether the voters of Winchester will be interested in that; given the candidate there, it might indeed be wiser to say nothing. Nor is there a word in the amendment about social services.

We are willing to engage in partnership politics. Indeed, we were willing to engage in that when the Conservatives were in office, on issues such as Ireland, Europe and the middle east.

Mr. Keith Simpson (Mid-Norfolk): Hard choices.

Mr. Hughes: We are quite willing to make hard choices, and we have trooped through the Lobbies in the past when hard choices had to be made. We are happy to engage in partnership politics when it comes to cleaning up politics, dealing with sleaze, recording donations and so on.

We do not, however, want partnership politics when the Government go in to the election saying that they will ban tobacco advertising, when they then say that they will ban tobacco sponsorship, and when they then suddenly take formula one off the agenda. As I have told the Secretary of State, there can be partnership politics for the future of the NHS. We want it to be secure beyond party politics; but we will be merciless in our attacks on the Government when they claim to want to save the NHS, but do not come up with the goods to enable them to do so.

We are in favour of partnership politics when it comes to constitutional reform, but we will be very determined on issues such as fair voting, to ensure that Labour does not perpetuate a con. If we are to have reform, it must result in a fair, not a rigged, system.

The Tories ask people to look at the Liberal Democrats' record in local government. We are proud of that record. That is why our colleagues in councils throughout the country win awards as the most popular local authorities, and gain satisfaction ratings of 80, 85 and even 89 per cent. That is why we are now the second party in local government, having overtaken the Tories. We are willing to go back to the electorate, and fight for our local services.

Mr. Gordon Prentice *rose—*

Mr. Bercow *rose—*

Mr. Hughes: I will not give way. We are not involved in simplistic calls for higher taxation. We believe in fair taxation and sufficient taxation. When there is a crisis in the public services, we believe that it needs a crisis response. The public services in Scotland, Wales, Northern Ireland and England—ask any councillor or employee in the public service—are clearly under threat.

New Labour promised much, but is not delivering. We do not trust the rhetoric: we look at the figures and the facts. Public services are the common bloodstream of our people—they keep the heart of the nation beating. They

are the very activities that preserve the common wealth. Without public services, there can be no private success. Unlike some people in the House, therefore, we do not believe that there is no such thing as society. We believe that there is such a thing, and that it is held together by decent, properly funded public services.

We therefore say to the Government, "You are on trial. So far, you have let the people down. So far, you have promised much but delivered less. So far, you have asked the people to believe you, but you have not delivered the goods."

The Tories are incredible. The Labour party is rapidly becoming less credible. We say to the people in Beckenham, Winchester and every constituency in the country, "If you want people to fight for the public services and argue for the money to be put in them, we are here to do that, and we will hold the Government to account today and every day."

4.5 pm

The Secretary of State for Health (Mr. Frank Dobson): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the extra £1.5 billion the new Government has made available to the National Health Service since taking office; notes that this is more than the Liberal Democrats promised in their Election Manifesto; further welcomes the £100 million shifted this year out of NHS red tape and into frontline patient care, including £10 million for breast cancer treatment and £5 million for children's intensive care; further welcomes the £1.3 billion hospital building programme announced since the election; welcomes the £2.3 billion extra over Conservative spending plans announced in the Budget for education, including £1.3 billion to tackle the backlog of repairs in schools and to bring further improvements for education in the future; further welcomes the public/private partnership approach adopted in education which will increase that sum further to £2 billion by 2002; welcomes the start that has been made on achieving the Government's pledge to reduce infant class sizes and to phase out the assisted places scheme; welcomes the enormous strides that have begun in improving standards in schools; and congratulates the Government on the commitment that has been thus shown to the public services, in particular in education, health and social services.".

The problem with the motion moved by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) on behalf of the Liberal Democrats is that it is plain wrong. It says that the Government will spend less on the national health service than did their predecessor. That is untrue. This year, we have found an extra £300 million to help with the winter pressures.

Mr. Mike Hancock (Portsmouth, South): It is not in real terms.

Mr. Dobson: We hear a cry from the Liberal Democrat Benches, "It is not real money." I can tell the hon. Gentleman that the doctors think it is real money, the nurses think it is real money, and it will be a real benefit to—

Mr. Hancock: The spin doctors.

Mr. Dobson: Not the spin doctors—the doctors and nurses working in hospitals. They welcomed that announcement because they have a bit of common sense, which is more than can be said for many Liberal Democrat Members.

We are finding an extra £10 million to treat breast cancer this year. That is real money, bringing real benefit to women suffering from breast cancer. We are finding an extra £5 million for children's intensive care. That will bring real benefit to real children who need children's intensive care.

Next year, we are finding an extra £1.2 billion—£1,200 million—for the national health service. On top of that, with the agreement of the Chancellor, we can keep any money that we save on prescription fraud and any money that we save on the preposterous spending on insurance that was introduced under the Tory system. We shall be able to keep all the money that we raise under the Road Traffic Act 1988 when we have changed the law so that we get in the money that was supposed to be collected over the years.

The hon. Member for Southwark, North and Bermondsey has invented a new way of measuring the money that goes to the health service—the NHS current account. That is not a good measure of what gets to hospitals, because that figure, NHS current, includes the running costs of the Department of Health, including my civil servants, and that certainly has not increased, because we have cut spending on the Department's running costs by 2.7 per cent. I hope the hon. Gentleman agrees that that is a good cut.

The hon. Gentleman should also know that that budget, NHS current, includes family health services, the stuff people get when they visit the general practitioner's surgery, and we have increased that, not by 1.9 per cent., but by 4.7 per cent. That is money going where people want it—into primary care, which is what they receive when they visit their doctor or the practice nurse.

It is not true that the increase in that current account is the smallest for five years. Our increase was the same as last year and it is higher than that in the previous year, even on the measure that the Liberal Democrats have chosen. Then they shift to saying that the growth is less than an average of 3.1 per cent. That is not true: it has not been 3.1 per cent. in the past five years, but has averaged 1.7 per cent. during the past five years.

The Liberal Democrats are asking the House to believe that the extra money that we have provided for the national health service will not go as far as the smaller sum that the Tories provided. That may make statistical sense to a statistician, but it makes none to a human being.

The Liberal Democrats are comparing the Tories' November 1996 Budget, using the 2 per cent. gross domestic product deflator, with our July 1997 Budget, using the honest 2.75 per cent. GDP deflator. They are therefore not comparing like with like, but are giving the Tory Budget the benefit of 2 per cent. deflation and judging us against 2.75 per cent. They must apply one deflator or the other.

Let me explain. To meet the cost of the Tory Government's plan in 1998–99, taking account of the new, higher, honest deflator would have cost £258 million. That amounts to just 14 per cent. of our planned increase of £1.8 billion for the national health service next year. In July, Labour's Budget gave the NHS in England £1 billion extra, an increase of 2.35 per cent. in real terms using the tougher deflator of 2.75 per cent. The Tories' November Budget allocated £33.5 billion for 1998–99 at 1996–97 prices. Now the health budget will be almost £34.5 billion, an increase of £1 billion.

[Mr. Dobson]

To put it another way, if we had applied the Tories' 2 per cent. deflator, that would have resulted in an increase of just 0.25 per cent. next year. Applying the 2 per cent. deflator to our plans would have resulted in a 3 per cent. increase next year. Applying the realistic deflator of 2.7 per cent. to the Tories' plans would have resulted next year in a cut of 0.5 per cent., and applying a more realistic deflator to our plans produces a genuine real-terms increase of 2.35 per cent. That is what is happening, and it will be real money. It will go to real doctors, nurses and hospitals, and will bring real benefits.

Mr. Simon Hughes: I understand that, even if the Secretary of State does not. Let me put two simple questions to him. First, should the Government be working on the inflation figure of 2.8 per cent.? If so, why do they not make up for inflation? Secondly, does the Secretary of State accept the Library figures, which show that next year's total spend—allocations and current—on the health service in England will result in the lowest real growth for five years?

Mr. Dobson: The answer to the hon. Gentleman's second question is no. On his first question, we shall spend more next year than the Tories intended to spend—a substantial real-terms increase of 2.35 per cent. I should have thought that Liberal Democrat Members would have noticed that their constituents have done well from the Labour Government's spending decisions on the health service. They should know that, because I generously sent details to hon. Members from all parties.

To help with the winter pressures, areas with Liberal Democrat Members will receive an extra £42 million, which is nearly a million quid a constituency. This year, those areas are receiving an extra £2.25 million for breast cancer and an extra £1.5 million for children's intensive care. I have checked and found that that is more than their entitlement on the basis of the number of Liberal Democrats in the House. They are not getting proportional representation—they are getting more than they are entitled to. Next year, under our plans, Liberal Democrat Members of Parliament will be getting an extra £257 million for their areas. If they do not think that that is real, and if they do not want it, I am sure that there are dozens of hon. Members representing other constituencies who would be more than willing to take it.

Let me give some individual examples. The hon. Member for Southwark, North and Bermondsey will get an extra £3.9 million this winter, £235,000 extra for breast cancer, £700,000 extra for children's intensive care, and next year £19.8 million extra. He ought to be grateful, but he shows no sign of it. The other leading health spokesman for the Liberal Democrats, the hon. Member for Oxford, West and Abingdon (Dr. Harris), is getting £3.3 million extra for this winter, £112,000 for breast cancer, £275,000 for children's intensive care, and £11 million extra next year.

Dr. Evan Harris (Oxford, West and Abingdon) *rose—*

Mr. Dobson: I look forward to the hon. Gentleman saying thank you.

Dr. Harris: May I bring the Secretary of State back to his early pledge on waiting lists, which is what the people in Oxford, West and Abingdon, who are now waiting up to 15 months for hip operations, want to know about? They are even less interested in the Secretary of State's figures than are we on the Liberal Democrat Benches. When will the Government implement their early pledge to reduce waiting lists by 100,000 as a first step? The answer had better not be, "In five years." That is not early action, and it is not a first step.

Mr. Dobson: I shall deal with waiting lists in a moment.

It is perhaps unfair, on a Liberal Democrat motion, to compare our funding with the previous Government's. After all, it is not a Conservative motion. The Liberal Democrats have put forward their own proposals. They said that they would add £250 million to the £300 million that we put in this year—presumably, the £250 million coming from them would be real, whereas ours was unreal—which would make £550 million. Then they said that they would put in another £550 million next year. That totals £1.1 billion, which the Liberal Democrats say they would put in over a two-year period. We are putting in £1.5 billion, so they are actually proposing a reduction on our spending plans.

The Liberal Democrats are very good at local campaigns, and they have been campaigning in Cornwall, for instance. The Cornwall and Isles of Scilly health authority has proposed closing four cottage hospitals. The Liberal Democrats told the people of Cornwall that that was because the Labour Government were underfunding the health service in Cornwall. That is not true. The chief executive of the Cornwall and Isles of Scilly health authority admitted on television that he would try to close those four cottage hospitals, no matter how much money was available.

Mr. Andrew George (St. Ives) *rose—*

Ms Candy Atherton (Falmouth and Camborne) *rose—*

Mr. Dobson: It is not a shortage of funds that threatens those cottage hospitals, but I do not suppose that the hon. Member for St. Ives (Mr. George) will apologise to the people of Cornwall—that is, my hon. Friend the Member for Falmouth and Camborne (Ms Atherton)—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the Secretary of State. Hon. Members seeking to catch the eye of the hon. Member who is speaking must establish whether they are going to be allowed to come in. If they are not, they must sit down.

Mr. Dobson: The Liberal Democrats should apologise for their misleading campaign.

In response to representations that we have received from people all over the country, we have added a new factor to be taken into account in the allocation of funds, to allow for the special problems of rural areas. That will help Cornwall, among others. In the coming year, Cornwall will get an extra £10 million from the Labour Government. That is in the allocations for next year. It is

not some theory—we are getting on with it, but I suppose that it is too much to expect the Liberal Democrats to get up and thank us.

Ms Atherton *rose—*

Mr. Andy King *rose—*

Mr. Andrew George *rose—*

Mr. Dobson: I give way.

Mr. Deputy Speaker: Order. Will the right hon. Gentleman make it clear to whom he is giving way?

Mr. Dobson: I give way to the hon. Member for St. Ives.

Mr. George: I thank the Secretary of State for giving way. Has his Department asked the chief executive of Cornwall and Isles of Scilly health authority whether his alleged words—that he would close those services anyway—were true? In a conversation with me today, he denied that he made that statement. Does the right hon. Gentleman recognise that Cornwall and Isles of Scilly health authority is facing a year-on-year cut of £5 million, which will result in the biggest cuts in the health service that Cornwall has experienced since the inception of the NHS? Does he agree that that is not acceptable, especially in an area that has suffered enough?

Mr. Dobson: Apparently we are now talking about unreal words. I have seen the transcript of the chief executive's comments to Westcountry Television, and he said that he would close the hospitals even if he had enough money to keep them open—or words to that effect. If he did not mean that, Lord knows what he meant to say—but one never knows.

Ms Atherton: I inform my right hon. Friend that, at a meeting with Liberal Democrat Members from Cornwall, the chief executive and the chairman reiterated that they would close the hospitals, regardless of funding. There is much concern about those issues in Cornwall. Will my right hon. Friend confirm that a Conservative Government would have allocated only £4 million extra to Cornwall next year, while the new Labour Government will allocate more than £10 million?

Mr. Dobson: I can give my hon. Friend that confirmation. On top of what we have provided by way of extra revenue, we have set in train a large hospital building programme. Some 15 hospitals are promised under the private finance initiative. Work started at Dartford a few weeks ago and—if you will excuse the expression, Mr. Deputy Speaker—the first sod was turned today for the hospital in Carlisle. Schemes are expected to proceed in south Manchester, Hereford, Bromley, Swindon, Worcester, Norfolk and Norwich, Halifax, Durham, Bishop Auckland, Greenwich, south Tees, Wellhouse in Barnet and in south Buckinghamshire. In addition, within the past two weeks we announced two new hospitals in Sheffield and in Reading. However, apparently they do not count: they are not new hospitals, but a figment of the imagination.

Mr. Andy King: I am amazed by some of the comments from Liberal Democrat Members: they clearly do not speak to hospital staff in their constituencies. Staff have thanked me for the extra allocation to the health service. They have said, "Thank you for helping us this winter. This is the first time in our memory that there has been proper planning for a winter crisis before it happens instead of everyone running around like headless chickens after the event."

I thank my right hon. Friend for the £1.47 million that Warwickshire health authority will receive this winter. I thank him also for next year's allocation. It is not just a matter of one-off payments: we must sustain our support. A Conservative Government would have given £3.7 million extra next year, but this Government will allocate £8.6 million extra in order to enhance—

Mr. Deputy Speaker: Order. If the hon. Gentleman is making an intervention, he should relate it to his right hon. Friend. He should not make a speech that he hopes to deliver later in the debate.

Mr. Dobson: In order to save time, I shall not comment at length on my hon. Friend's excellent and accurate intervention.

Mrs. Mahon: As my right hon. Friend has said, Halifax is to get a new hospital after 30 years—thanks to this Government. Is he aware that local Liberal Democrats—there are no Liberal Democrats on Halifax council, just a defector from the Tories—have opposed the new hospital root and branch, even though they know that it is in the health interests of the people of Calderdale, Halifax and Calder valley? Those people need that new hospital, but the Liberal Democrats have fought it tooth and nail.

Mr. Dobson: I pay tribute to my hon. Friend's efforts in that area over the years. She has been joined by my hon. Friend the Member for Calder Valley (Ms McCafferty) in her attempts to ensure that a new hospital, which is desperately needed, is built in Halifax. No hospital was forthcoming, except under the private finance initiative. It is perfectly legitimate for the Liberal Democrats to express doubts about the PFI—which will raise £1.3 billion for hospital building programmes—but it is also legitimate for me to ask: where would the Liberal Democrats get that £1.3 billion to pay for those hospitals?

Mr. Richard Allan (Sheffield, Hallam) *rose—*

Mr. Dobson: I give way to the hon. Gentleman with the beard.

Mr. Allan: I am glad to see that some of us still uphold these venerable traditions.

I should like to record my thanks on behalf of the people of Sheffield for the proposal for a women's hospital in Sheffield and for getting on with it. The Government have taken great steps to sort out some of the mess caused by the previous Government's dallying over the PFI, but our gratitude for the capital investment in the proposed Sheffield hospital does not detract from our principal argument about year-on-year revenue funding of the NHS.

Mr. Dobson: The hon. Gentleman rather spoiled his intervention towards the end.

[Mr. Dobson]

We have introduced measures to end two-tierism, with its unfairness and inequality. We have started to tackle the problem of assaults on staff. We have switched money from bureaucracy to patient care. We have started to overhaul the breast and cervical cancer screening systems, which have scandalously let women down in some parts of the country. We have opened up the NHS appointments system to every elected Member of the House. We have opened up trust meetings to the public.

We face major problems in the health service. The 1 million people who work so hard in it day in, day out every hour of the working day face problems. We have inherited waiting lists—the highest ever, rising faster than ever before. As I have said, waiting lists are rather like a supertanker. It will take time to slow them down, to stop them, to turn them round, but turn them round we will. Tomorrow I shall announce further measures to tackle waiting lists. They will include a task force in each national health service region to target attention on hospitals with special problems, trying to bring the worst performers up to the standard of the best by getting the best people to give them the best advice. Those measures will draw on local experience and will depend on the expertise and enthusiasm of local professionals. I believe that we shall manage that.

As well as getting on with the practical job of turning round the waiting lists, the regional task forces will provide solid information on which to base sound and achievable targets for future reductions, and those reductions will come about.

Mr. Edward Leigh (Gainsborough): I do not know whether the Secretary of State recalls—I certainly do—that, during the general election campaign, Labour opponents such as mine had five little cards, which they kept next to their heart. One said, "Cut waiting lists". It was an absolute pledge. I saw mugs with various pledges on them on sale at the Labour party conference, and "Cut waiting lists" had been replaced by "Treat more patients".

Does the right hon. Gentleman agree that this is straight out of a scene from "Nineteen Eighty-Four"? This is a pledge that the Labour party clearly could not make, but instead of honestly admitting it, it is now trying to change history.

Mr. Dobson: The hon. Gentleman must be a mug if he is going round trying to find out what is written on mugs at Labour party conferences. The fact is that we promised that we will cut waiting lists, and we will.

Mr. Bercow: Will the Secretary of State give way?

Mr. Dobson: Not any more.

All the measures that I have talked about deal with problems that we inherited. We inherited the problem of winter pressures. We are addressing that. The Under-Secretary of State for Health has been going round the country, ensuring that social service departments and the national health service work together this winter, getting down the Berlin wall between the two services to ensure that people are properly dealt with.

As a result of the very hard work of the Minister of State, Department of Health, my hon. Friend the Member for Darlington (Mr. Milburn), we shall shortly publish our White Paper on the new national health service, spelling out what we are doing—not just to end the unfairness and bureaucracy of the competitive system so stupidly introduced by the Conservatives. We shall go much further than that. We are committed to raising the quality, reliability and fairness of the national health service; spreading best practice, clinical and managerial, in partnership with the staff, who are dedicated to quality, reliability and fairness. We shall ensure, with their help and in partnership with them, that we enter the new century with a modern and dependable health service that will provide the best services for all, that is the best for all. We shall ensure quality and equality. That is the basis on which the Labour party founded the national health service, and it is the basis on which we shall renew it.

Mr. Norman Baker (Lewes): While we are talking about the origins of the NHS, I should just like to mention that Beveridge was a Liberal.

The Secretary of State has spoken about his inheritance from the Conservatives—the mess in which they left the national health service—and the fact that the NHS is in crisis. We agree about that, so, in those circumstances, why has he decided that the budget that the Conservatives left is suitable for the new Government? The spending targets that have been identified by the Chancellor are those which the Conservatives put in place before the election. Given the crisis in the national health service, why has it been deemed appropriate by the Secretary of State and the Government to keep to the previous Government's budget levels?

Mr. Deputy Speaker: Order. May I try to regularise matters? First, that intervention was far too long and, secondly, the Secretary of State surprised the hon. Gentleman and surprised the Chair by finishing and sitting down, but perhaps he might care to respond briefly to the hon. Gentleman's question.

Mr. Dobson: I would do anything to help whoever is in the Chair—I may be dependent on your good will, Mr. Deputy Speaker, at some time in the future.

The hon. Member for Lewes (Mr. Baker) made the same point, admittedly more briefly and cogently, as his hon. Friend the Member for Southwark, North and Bermondsey, and I offer the same reply. We have found £300 million extra for this winter and £1.2 billion extra for next winter. That is not what the Tories were going to spend—it is an awful lot more.

4.31 pm

Mrs. Angela Browning (Tiverton and Honiton): The speech of the Secretary of State was such fun.

Two weeks ago, I took part in a television debate with the Liberal Democrat Chief Whip, whom I am pleased to see in his place this afternoon. He invited the audience to take note of the influence that his party has had on the Labour Government since 1 May. It therefore comes as no surprise that, having formed an alliance with the Labour Government, marked by the announcement on 23 July this year of the formation of a joint Cabinet Committee, Liberal Democrats in Parliament are rightly seeking influence with the Government.

Last year, on "Breakfast with Frost", the leader of the Liberal Democrats, the right hon. Member for Yeovil (Mr. Ashdown), when asked whether his party would join a formal coalition, said:

"Of course. If the mathematics said that, if the policies were agreed between us, if they were putting into practice the things that we believe in, that's a possibility."

Of course, they have done just that. Yesterday—

Mr. Bob Russell (Colchester): Where is my card?

Mrs. Browning: The hon. Gentleman has just heard about the pay-off from the Secretary of State, who spoke about how many of his hon. Friends are mentioned in dispatches and receiving preferential treatment in the health service.

Mr. John Burnett (Torridge and West Devon): Will the hon. Lady give way?

Mrs. Browning: I will give way in a moment.

Yesterday the leader of the Liberal Democrats appeared again on "Breakfast with Frost", as he does quite regularly, and was asked specifically about his coalition with the Labour Government. This time, the right hon. Gentleman peered into the middle distance, squinted his eyes and quoted from Kipling. One was reminded immediately of another line from Kipling which advises:

"don't look too good, nor talk too wise"

Yesterday, the right hon. Gentleman did not look too good because of the obvious embarrassment that he and his party now feel about the close coalition in which they are linked and because they must now answer for their judgment in joining it.

Given that the Prime Minister was forced to go in front of the television cameras yesterday lunchtime to explain the actions of his Government, and given the saga that has unfolded in the past 10 days, the Liberal Democrats must be getting a little uncomfortable about having joined a coalition with the Labour Government. Despite the impassioned pleas and the representations of the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), this debate is not about public services, health, education and social services: it is an attempt by Liberal Democrats to put distance between their party and the Labour party now that the Labour honeymoon is clearly over. The union between those two parties is now well and truly consummated, for better or worse, and the Liberal Democrats are stuck with it. That is what has prompted this debate.

Mr. Burnett: May I take the hon. Lady back three or four minutes—before the consummation? Does not part of her constituency fall within the North and East Devon health authority, as does my constituency?

Mrs. Browning: Yes, of course it does. I am sure that the hon. Gentleman has a point to make, although he is being somewhat obtuse about it. I shall touch on health matters in the North and East Devon area in a moment.

Let us examine the motion. I shall come to health later, but first I will deal with education. The Liberal Democrats and Labour are natural bedfellows on the subject of education: a consummation "Devoutly to be wish'd", as Shakespeare said. One of the first measures that the Labour Government introduced after 1 May was the abolition of the assisted places scheme—a policy to which the Liberal Democrats had been pledged for a long time. That was done on the bogus assumption that class sizes would be reduced as a result. Given the Government's lack of preparation prior to being elected, it is clear that they are unlikely to achieve anything like a result in reducing class sizes for five, six and seven-year-olds by abolishing the assisted places scheme—a vindicative little policy affecting the least well-off families.

Mr. Andy King: We like it.

Mrs. Browning: That is fine. Of course Labour Members like it: they have to like it, and they would not say anything other than that they like it. It should be a matter of some concern to Liberal Democrat Members who represent rural constituencies, however, that it is clear from the responses given at the Dispatch Box by the Minister for School Standards that the Government have not yet worked out how they will deliver the reduction in rural areas. They will have either to fill up empty places in other schools away from the area of choice and away from where it is convenient for infant children to be transported, especially first thing in the morning, or to increase the number of children in primary school classes above the age of eight. The policy will not work, but there is little difference between the Liberal Democrats and Labour.

The Liberal Democrats and Labour are also bedfellows on the abolition of grant-maintained schools—or the supposed abolition: we have noted the wording carefully. Liberal Democrats have long opposed and campaigned against grant-maintained schools and it does not worry them that substantial changes to the financing of grant-maintained schools in the future—which is how their demise will be overseen—will have an effect on teachers' jobs in those schools. A Liberal Democrat chair of education recently wrote to *The Times Educational Supplement* saying that teachers' jobs in grant-maintained schools would go, but that that was a price that he was prepared to pay.

Mr. Don Foster (Bath): The hon. Lady is absolutely right in saying that Liberal Democrats are opposed to grant-maintained status and concerned that the Labour party is not intending to abolish grant-maintained schools totally. Does she admit that under the Conservative Government grant-maintained schools received additional money, over and above that received by local education authority schools? That is the implication of what she has just said.

Mrs. Browning: What the grant-maintained schools were given was the opportunity to manage their own budget rather than county hall managing it for them.

I noted the hon. Gentleman's not surprising implication that he shares the Labour Government's view. He need not be too disappointed, however. The Labour Government may not say in so many words that they intend to abolish grant-maintained schools—it would be difficult for them to do that because too many of their children already attend such schools—but they will change the funding formula so that the schools will no longer have the flexibility to manage such a high proportion of their budget. That will, in effect, bring about

[Mrs. Browning]

the demise of grant-maintained schools. So the hon. Gentleman need not be too worried: his coalition partners across the Chamber will not let him down in the end. He need not waste too much time over that pledge, for they will undoubtedly fulfil it.

The same applies to grammar schools. Liberal Democrats who are present this afternoon have grammar schools in their constituencies. They must surely know that the parents of children who go to those schools choose to send them there and want the schools to continue. I am looking at the hon. Member for Torbay (Mr. Sanders) because I know that he has an interest in the matter. Liberal Democrats will have to explain to their constituents—

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Lady, but she should be looking at the Chair.

Mrs. Browning: I am sorry, Mr. Deputy Speaker. The hon. Gentleman wore such an engaging smile that I was momentarily distracted.

As for policies affecting older children, we have seen that the Labour Government intend to introduce tuition fees, thus depriving children from less well-off families of a university education. The Liberal Democrats say that they oppose that. This will be a marvellous test for them to demonstrate clearly the influence that they have around the Cabinet table. In some ways, we Conservatives look to them to exercise that influence, and to show us just how much influence they will bring to bear on behalf of young people seeking higher education.

It has already been said this afternoon that the Liberal Democrats went into the general election with a policy that they have had for some time—to put a penny in the pound on income tax specifically to fund education. The hon. Member for Southwark, North and Bermondsey has demonstrated today that raising money through taxation for hypothecated purposes is still a fundamental Liberal Democrat policy. On Tuesday 23 September, *The Times* stated—in an article by its chief political correspondent, reporting on the Liberal Democrat party conference in Eastbourne—

> "The Liberal Democrats are preparing to drop their flagship policy of raising income tax by a penny to boost education spending. The change is seen as an attempt to bring policy in line with Labour's."

We should be most grateful if the hon. Member for Southwark, North and Bermondsey would refute that.

Mr. Simon Hughes: Our position has always been clear. We are talking about the money that is needed to fund the education service. We estimated that it needed at least £2 billion, which is approximately the amount that would be raised by an extra penny in revenue—by putting a penny in the pound on the basic income tax rate. That is the amount that we committed at the last election. If in a year's time we find that we do not need to raise the amount through income tax, we will assess the position and give our answer in a costed budget next year as we did this year.

Mrs. Browning: Having seen quite a lot of Liberal Democrat literature at the last general election, and having read some of the famous "Focus" leaflets that have already been mentioned, I cannot honestly say that for the general public the clarity of that policy is as the hon. Gentleman has suggested. As his party prides itself on integrity and so forth, when the general public are told, "Just another penny on income tax"—usually the slogan is not even "a penny in the pound" but "Just a penny on income tax", which will apparently cover all that the party claims that it will provide for education—perhaps the hon. Gentleman will be a little more honest and explain, as he has today, that this is a moveable feast.

Mr. Menzies Campbell (North-East Fife): Who wrote this?

Mrs. Browning: I wrote it all myself. Hon. Members should not worry about that.

It is not very honest for the Liberal Democrats to pose—as they have today—as an independent party seeking to distance itself from its coalition partners across the Chamber. They have responsibility, and we see that responsibility in practice in the council chamber. Increasingly, we see that Liberal Democrat councils cost people more. There is no mention of caveats such as that given today by the hon. Member for Southwark, North and Bermondsey about the need to raise taxation being dependent on an annual budget. Raising taxes at local government level is the Liberal Democrats' stock in trade.

Mr. Adrian Sanders (Torbay): Has the hon. Lady not realised that when the Labour Government introduce Liberal Democrat policies we support them, and that when they do not we oppose them? That is surely the responsible position of a constructive Opposition party.

Mrs. Browning: Given the power that the Liberal Democrats now have at the Cabinet table, they have every opportunity to ensure that the subjects that we are debating today are put on the agenda for the next Cabinet meeting that they attend. We shall be interested to learn what progress is made. The Liberal Democrats are not bound by collective Cabinet responsibility, but the right hon. Member for Yeovil and four of his colleagues sit around the Cabinet table with Labour. I take it from the intervention of the hon. Member for Torbay that we can expect health, education, social services and local government expenditure to be part of the programme of issues that the Liberal Democrats consider important, and on which they can influence their Labour Cabinet colleagues.

In 1996-97, Liberal Democrat-controlled councils charged nearly 30 per cent. more on average in council tax than Conservative-controlled councils. For a band D home, that meant £139 more tax than under the average Conservative council—more than £2.50 a week. The slavish policy whereby they say, "Yes, tax more, tax more for local services," would be a little more intellectually justifiable if in areas controlled by Liberal Democrats and with increased taxes the provision of services was better than, or even comparable with, that of Conservative councils. Up and down the country, however—in Essex, Kent, Waltham Forest, Cambridge, Mid-Suffolk, the Vale of White Horse, Windsor and Maidenhead—Conservative councils have proposed alternative budgets.

My constituency contains two district councils, East Devon and Mid-Devon. Mid-Devon, which is controlled by the Liberal Democrats, imposes higher taxes and

provides less good services for those who live in my patch. By their actions the Liberal Democrats can be judged. Increasingly, we find that theirs is simply a knee-jerk reaction: they are constantly wringing their hands and constantly begging for more money; yet when they have the authority, the way in which they use the money can be called into question.

Mr. Menzies Campbell: If Liberal Democrat councils are so inefficient and think that the solution to every problem is to raise taxes, why are the Liberal Democrats running so many more councils than the Conservative party, and why has the Conservative approach to local government been in retreat in the United Kingdom for the past 10 years?

Mrs. Browning: That is not what we have found recently. We have found that in local government by-elections Conservatives are winning seats. Council seats that Liberal Democrats considered safe are either being lost or being run extremely close.

The hon. and learned Gentleman will find, now that he is in coalition with Labour, that where there is a partnership between Labour and Liberal Democrats—as well as where the Liberal Democrats control a council themselves—they must expect more disappointments in the future. I hope that the salvation for people will be that in local government by-elections the trend will increase—as it has since 1 May—for Liberal Democrat councillors to be rejected in favour of Conservatives.

Mr. David Heath (Somerton and Frome): The hon. Lady talked about an average among Conservative authorities. As there was only one Conservative local education authority last year, it is not difficult to find an average. Does she agree that when local education authorities such as mine in Somerset wanted to spend more, and to put it into education to produce decent services for our people, we were told no by the Conservative Government and we have been told no by the Labour Government?

Mrs. Browning: Those at the Cabinet table will just have to try harder.

Mr. Bercow: Did my hon. Friend notice the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) flailing in a pitiful fashion when challenged on the subject of Hampshire education finance? He could not deny that £2.8 million more is being spent under a Conservative-controlled county council than was spent when his party was in office. Would it not be good if the Liberal Democrat party were capable of practising partnership politics within its own ranks?

Mrs. Browning: Indeed—and that brings me to the subject of health. The Liberal Democrats want to apply the same expertise to health care as they do in county halls. It is Liberal Democrat policy to put more councillors in control of health authorities—a policy which, on analysis, they have stated is barmy. It fills me with horror that the way in which bureaucracy and mismanagement lend themselves to Liberal Democrat thinking at county hall should become the way in which our health authorities and health trusts are run.

Dr. Peter Brand (Isle of Wight): Is it the hon. Lady's experience in May that makes her so distrustful of the democratic process? Should there not be some democratic accountability at local level in the health service?

Mrs. Browning: There are many ways in which local people can make their views known on health matters—for instance, through community health councils. The wider consultation conducted by trusts, with public meetings, is right and proper—local people should have input in that way. However, if the Liberal Democrats' only health policy is that they want more money, as they do in local government—without defining how they would use the extra money or minimise bureaucracy—more money will go simply into administration and less will go in at the sharp end.

Dr. Brand: Will the hon. Lady give way?

Mrs. Browning: I have given way to the hon. Gentleman. If he wishes to catch your eye, Mr. Deputy Speaker, he will have an opportunity to expand on his thesis later.

We have already heard that there is anxiety about the way in which the Labour Government are managing the health service. Many of us share that concern. I listened with interest to the point that even the hon. Member for Southwark, North and Bermondsey conceded: in real terms—I re-emphasise that—the present Government are not spending what the Conservative Government spent or pledged to spend. Indeed, during our tenure in office we not only increased health service spending in real terms but pledged, again at the last general election, to continue to increase spending in real terms.

That is what has caught the Secretary of State off balance because since 1 May inflation has increased—the interest rate rises from the Bank of England are testimony to that. Figures are bandied about by hon. Members on both sides of the Chamber, but I repeat to him: it is spending in real terms that matters to patients, because that is what provides additional treatment and underpins existing provision. Where there is a shortfall, as there is this year because of inflation—the figures for next year do not look too encouraging either—it is incumbent on the Secretary of State, if he is to claim that the health service is safe in his hands, to increase funding in real terms.

Mr. Blizzard: Is the hon. Lady aware that this year, North and East Devon health authority has already had £157,000 extra to treat breast cancer, is receiving £1.8 million more to see it through the winter and will receive nearly £9 million more next year, which is £5 million more than was provided for in the Conservative budget?

Mrs. Browning: I am fully appraised of the position in North and East Devon health authority because on Friday I attended a one-day conference in which it participated and where the whole region was discussed, not just that part appertaining to my constituency. The Secretary of

[Mrs. Browning]

State washes his hands of community hospitals. It is all very well for the Government to say, "We will take the credit and thank you very much when a new one is built, but we do not think that it is our responsibility when one is closed," but that is not responsible government. In my constituency, the community hospitals help to alleviate peak demand in winter when elderly bronchitic patients often need to leave the general hospital and go into their community hospital.

Mr. Blizzard: Is the hon. Lady not grateful for the money?

Mrs. Browning: The hospitals in my constituency are not under threat, but hospitals in other parts of the health region are. It is no good the Secretary of State saying that that has nothing to do with him. If under the health service budget community hospitals in the south-west are being threatened, and no doubt other Members will make their case for their constituents, no one in the south-west will view that as an improvement in health care under this Government.

Mr. Dobson: Will the hon. Lady withhold her judgment of my views of what is happening in Devon and Cornwall until any proposals for hospital closures come to me? After all, the propositions which will eventually have to come to me are being made by the trust and health authority boards, which were appointed by the previous Government.

Mrs. Browning: I am encouraged by that comment as it seems to show that, whatever the decision of the health authority in the west country, the Secretary of State, who has the final say, will take a sympathetic view. I simply thank the Secretary of State if he is tonight pre-empting the health authority's decision. We shall all be grateful, but that was not what he indicated when he mentioned community hospitals in the south-west earlier.

Mr. Dobson: I am sorry to interrupt for the second time. The point that I made was that the threat to close the four community hospitals in Cornwall apparently sprang not from any shortage of funds but from the plans of the health authority and trust boards, which were appointed by the previous Government. The boards apparently want to close the hospitals, whether the money is available or not.

Mrs. Browning: If the Secretary of State is saying that the future of those hospitals is secured, I repeat that Conservative Members will support that. I assume that Liberal Democrat Members whose constituents are personally affected by the matter will make their representations during the debate, but this is not satisfactory when we are given figures about impending problems during the winter months and when we know that community hospitals can help to alleviate those problems, among others.

We know from their track record in local government, at both county and district levels, that Labour and Liberal Democrats do not disagree with one another about much, so this debate is somewhat bogus. The Liberal Democrats have taken fright that somehow they might be seen out there—perception is all these days in politics—to be too closely aligned with the Labour Government and their difficulties. However, it bears recalling that since 1 May young parents can forget about having a choice for their children in schools because both the Liberal Democrats and Labour agree that parents should be denied that choice. A young person who wishes to go to university should try to be born Scottish or German as it will cost less than being from England, Wales or Northern Ireland. Above all, young persons should try to be born to well-off families; then they will not have to pay so much back.

Elderly people should not bother to make provision for independent health care because people who had independent health care can now simply join the longer waiting lists for knee, hip and cataract operations. The Labour Government, supported by the Liberal Democrats, have ensured that independent health care will not be an option for elderly people.

People in receipt of disability benefit can wait for the knock on the door because the Government are having yet another review to see if that benefit should be taxed or even handed over to local authorities so that socialist Labour and Liberal Democrat councillors can decide on those people's behalf how the benefit is to be spent.

Many Liberal Democrat authorities will want more money from ratepayers and from the Government. However, people should take heart and remember that that should not be a problem because the Liberal Democrat and Labour parties are now, to use their own words in the debate, in partnership.

It is a sad tale when the most star-crossed party in history has to initiate such a debate. The debate is full of serious issues, but its sole purpose is for the benefit of the people of Beckenham and Winchester—two constituencies mentioned by the hon. Member for Southwark, North and Bermondsey.

Mr. Willis: I will mention them again.

Mrs. Browning: I shall also mention them again to maintain the status quo. The Liberal Democrats have taken fright that the electorates in Winchester and Beckenham will be worried about the coalition from which the Liberal Democrats cannot extricate themselves and in which they have little influence on issues that matter to people. That is what has motivated the debate.

Liberal Democrat romantic dreams, from the Lib-Lab pact of the 1970s to the flirtation with the gang of four and the liaisons dangereuses with Dr. Owen and the SDP, always end in tears. Just when Liberal Democrats thought that Mr. Right had come along they suddenly found that they had thrown in their lot with a Prime Minister and a party who are likely to let them down. If education, health and welfare mean anything to them, they should bring those subjects up at the next Cabinet Committee meeting. We look for a pledge from them that the subjects that they have raised in the debate will be on the agenda for that meeting.

At his party conference in September, the right hon. Member for Yeovil said:

> "Yes, sometimes it is easier to shout than to talk: to trade insults than to shake hands: to confront than to converse. But if we are to make a new start in Britain, we must tread the more difficult path. If the Prime Minister is serious, as I believe he is, about changing the culture of politics, I will work with him on that. Because that is the way we can make a difference, just as we said we would."

We await that difference with bated breath.

5.2 pm

Mr. Vernon Coaker (Gedling): I rise to defend the Labour Government and to congratulate them on what they have achieved in their first few months. We do not live in the Shangri-la that has been described by the Liberal Democrats, in which we can spend two, three, four or five times an amount of money. They want to bid it up and spend a few hundred million here and there. The Government live in the real world and they are determined to create priorities.

We were elected because we said to people that we would deliver on our promises. That is in contrast to the Conservative Government, who undermined and attacked public services to the extent that people decided that they had had enough. Those who oppose the Government propound the myth that they are doing nothing to extend and deliver public services. I am surprised that the Liberal Democrats are trying to perpetuate that myth. Instead of discussing what could or may happen, let us look at some of what the Government have done in their first few months. That will dispel the myth.

Yes, we accepted the Tory spending plans for the first two years. That is because they give us the structure and the tightness that are needed for a proper economic structure. In the Government's first few months, £3.5 billion has been put into the welfare-to-work programme to put young people and those who have been unemployed for a long time back to work. That will give them hope and opportunity and enable them to have fulfilling lives. Liberal Democrats voted against the windfall tax which provided that £3.5 billion.

We are told that the Labour Government have done nothing about education. In their first few months, £2.3 billion of additional money is going to education. Teachers and head teachers say that that is not enough and I and everybody else agree, but people also say, "It is nice to know that the Government are starting to address the problems of underfunding that have existed for years." The Opposition say that that money could be doubled, that education could be given £5 billion or £6 billion, but that is not the real world. We have delivered an additional amount that will provide more books and more teachers and will help to reduce class sizes. That is the real world and teachers and head teachers appreciate that.

We have put more money into improving school buildings over the life of the Parliament. We shall hear the cry, with which I agree, that that is not enough, but I am proud to be part of a Government who have started to help kids who still use outside toilets and sit in classrooms with leaking roofs. This year, six months after a Labour Government took power, and following years of neglect, two schools in my constituency are carrying out roof repairs and replacing temporary classrooms. That is not all. Next year, the authority in Nottingham and others hope to spend additional money on school buildings, and every hon. Member will be able to bid for some of that for his constituency. Of course it is not enough, but we are starting to address the problem of 18 years of neglect.

We are told that an additional £300 million for the health service is not enough. I have spoken to the chairman of Nottingham health authority and to the chairmen of other health authorities and to doctors and nurses in the health service. They are pleased that the Government are supplying an additional £300 million this winter because it will help them to tackle some problems. Of course it is not enough, but it is a start. As we live in the real world, we cannot promise everything to everybody. The Liberal Democrats have told us that that is not real money, but people in Nottingham health authority are delighted to have £2.3 million because it will enable them to start to tackle bed blocking, a problem that faces all trusts and hospitals. As my right hon. Friend the Secretary of State has said, if we can begin to break down the Berlin wall between health authorities and social services departments, we shall start to move on.

Not only this winter but next year the Government will put extra money into health authorities. The Secretary of State has been in office for only six months and has provided an additional £1 billion to be spent next year. For my health authority in Nottingham, that will mean an extra £14.2 million. People are pleased about that because it will improve the quality of care and patient provision.

A few weeks ago, I visited the breast cancer unit at Nottingham city hospital. It is one of the finest units in the country. Because of the reforms introduced by my right hon. Friend the Secretary of State, the unit has now received £145,000 in additional funding—which has enabled it to reduce waiting times from three to two weeks. That unit and its patients are not complaining about the Government neglecting public services; they are pleased that the Government are trying to deal with the problems. Of course the unit still has problems with accommodation and other provision. Of course it needs more money. However, I am sure that, when the resources are available, that money will be provided.

My last point, which is crucial, is that my right hon. Friend has announced more than £1 billion for new hospital buildings, and he listed the hospitals that will be built. The Liberal Democrats say that they do not want that because it was private money. My constituents want new hospitals and they do not care whether the funding is private or public, provided that it is all part of the national health service and there is access for all. Within six months of the election, my right hon. Friend has managed to unblock funds and release £1 billion for the hospital building programme, yet the Liberal Democrats say that the Government do not care about public services.

One point that has not been mentioned is the Government's decision to allow councils to use capital receipts to provide housing in their areas. That will help to restore the social fabric of the country. In my constituency, which includes most of Gedling borough, that means that £600,000 can be spent on new windows, insulation, repairs and other improvements. Is that the action of a Government who do not care about public services?

The Government have put billions of pounds of additional money into supporting public services because they are determined to repair the damage done by 18 years of Tory government. Instead of making political points, the Liberal Democrats should join us in the real world and the real economy. They should help us in our attempts to improve public services for the benefit of everybody. Together, we can find even more money for schools, hospitals and a range of other public services. The Government will provide additional public services, but within the context of the real world in which we live.

5.12 pm

Mrs. Virginia Bottomley (South-West Surrey): The Conservative party does not need to spend too long debating the question of funding because, under

[Mrs. Virginia Bottomley]

successive Tory Governments, resources for the health service rose from £7.5 billion to £34.5 billion. That is a substantial increase.

It is disappointing that, so far in the debate, there has been a lack of serious consideration of how to manage public services, make them more accountable, achieve value for money, and get the traditional staff in schools and hospitals to work more flexibly to provide better education and better health care.

As it happens, the Conservative Government spent rather more than other countries on our education service, although we do not yet have the standards that we want. The Conservative Government increased by one percentage point the amount of gross domestic product spent on health, at a time when virtually every other Organisation for Economic Co-operation and Development country was reducing its percentage of GDP.

Dr. Brand: Does the right hon. Lady accept that the Conservative Government's GDP expenditure on health still made Britain second from the bottom in the western world?

Mrs. Bottomley: The hon. Gentleman—whom I know extremely well—is aware that the figures are not clear because we do not know whether the table takes into account Government spending on health, private sector spending on health or the link with social services and the care of the elderly. His party's debate is about the volume of resources—Liberal Democrats are not interested in anything else. They have effectively demolished the Government's position. I do not need to do that because I do not want to deal only with the volume of resources. I entirely endorse the points made by my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning). Unfortunately, I live in an area where there is a Liberal Democrat council which has raised council tax by 30 per cent. more than the average under the Conservatives. It is spending money on empire building, locality offices and, in particular, consultants' reports when all else fails.

I want to talk about the more serious issues surrounding public services. If the Government cannot take a more serious long-term attitude to public services in their first year of government, it bodes ill for the future. As we approach the 50th anniversary of the national health service, and as we want to increase participation and achievement in education, we must address the serious issues. I take great pride in the role of the citizens charter in making public services more accountable, in providing more information and in making services more sensitive to their users. I worked in the public sector before I entered Parliament, so I know only too well how remote, monolithic and municipal were housing, health and education services in the past. My memory of the Lib-Lab pact is that it was the only time ever that real spending on the health service was cut, so the present regime offers little hope or encouragement.

I enjoy seeing the Secretary of State in his role, especially when he cites Department of Health statistics. I used to be a past master at citing statistics, until I was told that, the more statistics I cited, the less people believed me. That was disappointing for me, as a social scientist, who had always been told that we had to supply the hard evidence and that comment was not good enough. I congratulate those who have drawn up examples of new hospitals and developments in health care. However, the right hon. Gentleman did not answer the questions that are important to millions of people across the country, especially those 1 million people in the NHS—

Mr. Andrew Stunell (Hazel Grove): Does the right hon. Lady accept that one of the statistics that she might enjoy, but that others in the House would not, is that, when she left office, 97 out of 100 health authorities were running a deficit? Is there not a gap between what she says and what she practises?

Mrs. Bottomley: I cannot confirm the hon. Gentleman's statistics as I was Secretary of State for National Heritage when I left office. However, I can tell him that, when I went to the Department of Health, 213,000 people had been on the waiting list for a year. When I left, there were only 30,000. When I went to the Department, the hours worked by junior doctors were very much longer than when I left. The number of deficits fell substantially during my six years at the Department. I can send the hon. Gentleman the figures if he would like them.

I always felt that it was important to deliver a health service managed by objectives. I am concerned that the Secretary of State is already ducking and weaving and changing the objectives, which makes matters difficult for those in the NHS. He said that he would reduce hospital waiting lists, but already the words are being massaged. Like everybody else, I appreciate the additional money that is going to my health authority, but the right hon. Gentleman has created an appalling precedent. In every year until the next general election, the NHS will require its mid-year crisis intervention. I regret to say that the Secretary of State will recreate the old system—in which the more people howled, the more likely there was to be a mid-year bail out. That is not good for long-term health care planning.

I should like to feel that the Secretary of State will take a serious view on priorities. I should like to feel that the objectives that he has set were not simply those fed back by focus groups but those that were necessary for health gains and the long-term well-being of patients and of the British people.

I commend some announcements made by the Secretary of State. Today, I have decided—because, on every occasion on which I have asked him a question, he has subjected me to personal abuse and political invective—to try a different tactic. I will commend some of his actions, to see whether he might be lured into providing answers to some of the questions that I keep asking him.

Mr. Andy King: She likes beards.

Mrs. Bottomley: No, she does not like beards.

I commend the way in which the Secretary of State has continued with prevention. He will probably be aware that, when I introduced "The Health of the Nation" strategy, not every Conservative Member was particularly supportive of the preventive approach, which was thought to be a little nannying. Nevertheless, I think that it is right for the NHS to continue to take prevention seriously.

I hope that the right hon. Gentleman will continue also to give priority to mental health—an NHS sphere that is all too easily overlooked. He talks about the popular issues, such as breast cancer and paediatric care, but could he, please, also remember unfashionable health care issues—among which mental illness is perhaps the most important?

I commend the right hon. Gentleman also for floating the idea of a national institute of clinical effectiveness. If we are to have an NHS of the 21st century, examining effectiveness will be enormously important. Effectiveness is at least as important as the volume of resources that are invested in the health service, and necessary health gains will be delivered only if money is spent wisely and well on effective treatments.

I commend the right hon. Gentleman for having talked about being a good employer. He will know that the previous Government joined Opportunity 2000, issued new guidance for ethnic minorities in the NHS, and, in many ways, treated NHS staff well, so that they could better do their job. Such action is a fundamental part of his role, and I have been pleased to hear him making comments on the matter.

I have not been so happy, however, about the right hon. Gentleman's persistent attack on what he calls NHS bureaucrats. Although the Secretary of State has softened his line, the Prime Minister, at last week's Prime Minister's Question Time—as on every occasion when the Prime Minister mentions the NHS—gratuitously attacked NHS managers.

The NHS is a tribal organisation. Doctors have their agenda, nurses have their agenda and professions allied to medicine have their agenda. NHS managers, however, have the difficult task of bringing together the different tribes and of delivering objectives. It would be absolutely deplorable if the Secretary of State and, particularly, the Prime Minister were gratuitously to attack NHS managers on every occasion.

In my new approach of being more emollient—in trying to get answers from the Secretary of State—I commend the Labour party and the Prime Minister for giving a life peerage to Philip Hunt. Philip Hunt, of the national health service confederation, is an outstanding example of an NHS manager. I hope that, in future, he will have great influence.

Although—as I said—I should like to elicit a favourable response from the Secretary of State, it is difficult for me to address my comments in a positive frame of mind when dealing with the matter of the huge number of non-executives who have entered the NHS, adding their skills and leadership to health authorities or trusts. There is despair over the total shambles in the NHS appointments system. A vast number were due to— *[Interruption.]* Would the hon. Member for Rugby and Kenilworth (Mr. King) like to say something?

Mr. Andy King: I hope that we shall soon put right the matter of Tory placepeople, who are still in the health service, doing a great disservice to the health service.

Mr. Deputy Speaker: Order. Before the right hon. Lady continues her speech, I should like to tell the hon. Gentleman that he has now seen a demonstration of how easy it is to intervene properly, and not from a sedentary position.

Mrs. Bottomley: The hon. Gentleman has also intervened as I thought that he might. He might like to read Lord Nolan's report. Lord Nolan said that there was no evidence of widespread political appointments— *[Interruption.]* Is the hon. Gentleman saying that he was a member of a health authority or trust?

Mr. King: I do wish that the right hon. Lady would come to Rugby, where I live, because it was rife with Tory placepeople. When the trust was established, every single person who was not a Tory placeperson was immediately dismissed from the trust—or proposed trust. The fiasco ended with the trust crumbling, just before the general election. The chairman, chief executive and everyone else resigned, because they had let the people down. The situation was totally unviable.

Mrs. Bottomley *rose—*

Mr. King: Shall I continue?

Mr. Deputy Speaker: Order. The hon. Gentleman has already heard my statements on the need for brevity in interventions on an hon. Member who has the Floor. The right hon. Lady has perhaps seen how awkward it can sometimes be to give way.

Mrs. Bottomley: I have learned my lesson, Mr. Deputy Speaker. As I said, however, I am trying a more emollient style, and I thought that it was only courteous to give way.

I cannot comment on the example given by the hon. Member for Rugby and Kenilworth because I do not know of its veracity. I know what Lord Nolan said. He dismissed ideas that there were widespread political appointments, and he not only commended the changes that have been introduced but proposed changes to make the matter even more open.

I can tell both the hon. Member for Rugby and Kenilworth and Liberal Democrat Members that people such as Baroness Jay, Baroness Hayman, Baroness Dean, Baroness Neuberger and Baroness Thomas all served in NHS appointments. I do not know whether, under the previous Government, serving on the board of an NHS trust or health authority was a prerequisite to becoming a life peeress. It is extremely important, however, for the Secretary of State urgently to examine the matter of appointments.

The Secretary of State will know that his predecessor, the late Lord Ennals, dismissed about 150 health authority leaders when he came to office. It would be a grave error and misjudgment if the Secretary of State were to behave in a similar manner.

Currently, the despair is that nothing is known about appointments. It was said, for example, that anyone who used private health care would not be appointed to an NHS trust or authority. Labour Members are nodding and showing their approval of such statements. It makes one wonder why Greg Dyke was appointed as the guru of the patients charter. Although I greatly applaud Greg Dyke's activities in the media world, it seems as if the Labour party believes that a media guru is the answer to every

[Mrs. Bottomley]

problem. The millennium company has been filled with media gurus, and Greg Dyke—excellent man though he is—has been put in charge of the patients charter. Labour Members have not said much about that appointment.

I urge the Secretary of State to respond at the earliest opportunity to people's concerns over appointments.

Mr. Dobson: Mr. Greg Dyke was appointed because the Government wanted someone to take a fresh look at the matter. Last week, he had a day-long meeting with people who work in the health service, people from community health councils and people who advise on producing better health service publications. So far as I know, all those who turned up—there were about 30 of them—thought that it was a most excellent start to Mr. Dyke's review. We need someone who takes a fresh look. We cannot keep going to the usual suspects, as the previous Government did.

Mrs. Bottomley: If his job is to examine NHS communications and publications, I am sure that he will do a better job than Mr. Joe McCrea. Providing authoritative information for people in the NHS and for those using it is certainly a laudable goal, but it is not one in which the Secretary of State has given people much confidence so far. My point was that, if the use of private care was a disqualification, the Secretary of State must have had great difficulty with the man who was, presumably, imposed on him to take responsibility for the patients charter, excellent man though he is.

Mr. Gareth R. Thomas (Harrow, West): The right hon. Lady is in danger of straying from her new emollient style. That would be a tragedy because she was doing so well in praising my right hon. Friend the Secretary of State for Health for a number of initiatives. Perhaps I might suggest a new emollient track for her. Will she apologise to the House for failing to open up NHS trust boards and for allowing some of the people she appointed to take decisions on NHS matters behind closed doors?

Mrs. Bottomley: Whether NHS trusts should sit in public is a vexed and difficult question because confidential matters need to be debated privately by a small group of people. The danger of trust boards meeting in public is that such meetings could become artificial—controversial or ambiguous information is kept separately, and boards or authorities might have separate meetings to deal with it.

Having said that, in many cases it will essentially be a matter of evolution. My personal view is that the NHS should be as open as possible, subject to the fact that patient material is confidential. Staff issues are often highly sensitive and confidential, too. I do not really take issue with the hon. Member for Harrow, West (Mr. Thomas) on that matter, but I believe that public meetings may lead to a certain artificiality. There are other ways to communicate with the public, and communication should be the aim.

Valerie Davey (Bristol, West): Might I suggest that it is the financial aspects of health authority trusts that have been kept most secret? Indeed, it is the competitiveness between the trusts that has caused the difficulty. Surely the right hon. Lady welcomes the fact that the two-tier system is going to be abolished under the new Labour Government and that that will bring the necessary openness. Such a move will bring to an end the secretiveness of the old trusts.

Mrs. Bottomley: It is a great shame that neither the Secretary of State nor the Liberal Democrat spokesman dealt with precisely that issue. Many commentators have described GP fundholding as the real engine for change and innovation in the NHS. It is important that all GPs should have the opportunity to become fundholders, but the current worry is that the Secretary of State's soundbites give the impression of levelling down, just as with Labour's plans to get rid of assisted places in schools.

One of the challenges in the public services has been to allow diversity and to allow people to improve, innovate and change. Fundholders who were able to spend their money more cautiously and then invest in various services found that there was a virtuous cycle of reward, instead of the vicious cycle of disincentives which was so pervasive in the past. We are all looking forward to hearing from the Secretary of State whether he is introducing change for change's sake in a service that has seen great improvements. Is he suggesting talking shops? There have been leaks in the press about the changes but, as is typical of the Labour party, the right hon. Gentleman does not inform the House. The press are informed first, and the House is told only in the fulness of time. We are all getting used to his doing business that way.

Mr. Dobson: I deplore the leak of an early draft of our White Paper on the NHS, which is why I have ordered a full leak inquiry with the support of the head of the civil service. I hope that the log showing every telephone call made from the Department of Health will be examined in an effort to track down the people responsible. I believe that the House has a right to hear about things first—I believed that in opposition and I believe it now that we are in government.

Mrs. Bottomley: Once again, the Secretary of State has a very different way of doing business from No. 10, but I appreciate his point. Nevertheless, the House wishes to hear his thoughts. It is important to know whether there is simply going to be a talking shop with more layers of bureaucracy and consensus management whereby difficult decisions are never taken.

It is clear that the challenges facing our education service, health service and other public services are linked not only to the volume of resources and the interests of those who work within them, important though they are. Those services have to go through further changes to deliver a better quality of care and research excellence and to meet the needs of an aging population with increasingly high expectations.

So far, we have heard nothing from the Secretary of State, and certainly not from the Liberal Democrats, about how they are going to exercise stewardship of this great national service. Their irresponsibility in opposition in failing seriously to consider the underlying problems is well understood, but people working in the NHS and, indeed, people across the country are becoming extremely impatient waiting for decent answers and more thoughtful comments than we have heard today as to how the 50th

anniversary of the NHS is to be marked. They want to hear about levelling up, not levelling down, and they want courageous long-term decisions to be made.

5.36 pm

Dr. Alan Whitehead (Southampton, Test): I have some difficulty with this debate because in my experience there is a considerable gulf between the lectures that we have heard from the Liberal Democrats and what that party does when attempting to get into power and trying to run or gain power in local authorities.

This afternoon, we have heard a panoply of sea-green rectitude and determination to spend more and raise more taxes to pay for public services. One might expect that approach to percolate down to the people running the Liberal Democrat campaigns across the country—we might expect those working in support of their party to be saying the same things, but, unfortunately, that is very far from being so.

Let me take the House to the battlefront of the Winchester by-election. I am sure that the Liberal Democrats could not have failed to see the coincidence in having this debate today and the fact that the by-election is approaching. However, in case they had not noticed, I am happy to point out that coincidence. Their candidate, Mr. Mark Oaten, is allegedly fighting for local health services. A big notice on the front of his campaign headquarters in Winchester says just that. The "Focus" leaflets published on his behalf say, for example:

"Give Winchester hospitals the £½ million they need"

to get them through this winter, and claim that the Government have failed to act.

The Liberal Democrats always bid up any amount of money that is being suggested—we have seen an example of that this afternoon—so one might expect that the Government are providing perhaps £200,000, £300,000 or even £400,000 to get the health services in north and mid-Hampshire through the winter. The actual figure is £1.52 million—three times that which the Liberal Democrat candidate in the Winchester by-election claims is needed. Liberal Democrat literature contains not a word about what the Government are doing in terms of health care in this country.

Mr. Simon Hughes: The hon. Gentleman ought to realise that there are two issues here. I think that he understands that, but he must not misrepresent the issues. We are talking about the allocation announced two weeks ago for the health authorities, several of which cover Hampshire, and the separate budgets for the trusts. When I was in Winchester yesterday, I heard the chief executive of the trust say on television that the trust was £500,000 short this year. That was the chief executive—not a politician or party candidate.

Dr. Whitehead: The words I mentioned were:

"Give Winchester hospitals the £½ million they need"

to avoid a crisis this winter. That was written in a Liberal Democrat campaign leaflet, the implication of which was clear—winter payments that were needed were not forthcoming. The Liberal Democrat candidate mentioned that in a public debate, but that is far from the case.

Next year, the North and Mid-Hampshire health authority will receive an increase of £8.566 million, which compares readily with the £3.74 million which would have been allocated had we stuck with the Conservatives' proposals—proposals which have been endorsed by the Conservative candidate in Winchester, Mr. Gerry Malone. The Liberal Democrats cannot be taken seriously as partners in government, as claimed by the Conservatives, or as a serious Opposition party, as they claim themselves, because of the enormous gulf between what they say here and what they do elsewhere.

I wish to talk about the Liberal Democrats in local government, and there are many examples that one could give. My charge against them is that they misrepresent public services by systematically simplifying them in the eyes of local government electors. A "Focus" leaflet I received recently showed a picture of a Liberal Democrat councillor pointing at a fence. The leaflet said that the councillor had noticed that a fence by the B and Q store had fallen down, and that she had reported it. That was the main thrust of a leaflet about local government services. The public are led to believe that local government services are smaller and more simple than they are in real life.

The local authority next to mine—while putting out similar leaflets—failed to notice that the direct labour organisation had lost £3.5 million and had to be closed down. The authority put out a leaflet saying, "We are sorry that we did not notice, but we are only councillors; it is the fault of the officers."

The House ought to know that there is an airport in the middle of the borough of Eastleigh which—unfortunately for Eastleigh—is called Southampton international airport. The authority put out a leaflet in the north of the borough, demanding that planes take off from the south of the airport. The authority also put out a leaflet in the south of the borough, demanding that planes take off from the north of the airport.

In the country as a whole—although not necessarily in this Chamber—the Liberal Democrats are a franchise party; the McLiberal Democrats, or the Chicken McNuggets party. Whoever happens to have control of the local duplicator gets to decide the local policy of the Liberal Democrats.

Mr. Willis: I am delighted that the hon. Gentleman has read every single "Focus" leaflet that we have produced. That goes to show how effective the campaign has been. In terms of franchising, could he say which version of the Labour party the Prime Minister was franchised to when he told the *Evening Standard* that Labour had no plans to introduce tuition fees?

Dr. Whitehead: The Prime Minister set out a proposal that the Government were considering. As the hon. Gentleman knows, the processes of government mean that one must take decisions on what one finds when one gets into power. The Dearing committee, instituted before the Government took power, made a number of recommendations that the Government took seriously. It is a part of government to take seriously the issues with which one is presented, and that underlines my point. Liberal Democrats in local government often fail to be remotely consistent with the local authority next door or their party in Parliament. They do what the fancy takes them to obtain power.

Mr. Bercow: As I think the House will have recognised, the hon. Gentleman was visibly stumped by

[Mr. Bercow]

the intervention from the hon. Member for Harrogate and Knaresborough (Mr. Willis). Will he call to mind the specific wording of the statement on 14 April in the *Evening Standard*—

"Labour has no plans to introduce tuition fees in higher education"?

Will he acknowledge the U-turn and apologise for it?

Dr. Whitehead: If continuing to speak while being on one's feet is a sign of being "visibly stumped", then I was.

The Government must, of necessity, take decisions in relation to the consistency of a long-term programme in government to make sure the funds add up. In this case, we must make sure that we expand student numbers and overcome the stop-start policies of the previous Government, who marketised higher education and brought all sorts of new students into higher education without providing the funds. As the hon. Member for Buckingham (Mr. Bercow) will know, funding per student over the past few years has dropped by 25 per cent.

In panic, the previous Government put a cap on student numbers. The hon. Member for Buckingham is presumably expecting us to reduce student numbers back to the level of a few years ago, when only those from a relatively privileged background could get into higher education. He is no doubt proposing that as a solution to the funding crisis in higher education, rather than attempting to find the money to carry on funding higher education, so that more people—particularly those from less privileged backgrounds—have the opportunity to get the higher education that they deserve.

Our decision is consistent and honourable, and will ensure that a long-term policy of this party—wider access to higher eduction—is maintained. It was a hard decision, but it was consistent with our long-term plans for government, and it will ensure that those plans are carried out.

The charge I am making is that the Liberal Democrats have no such consistency. My difficulty with the debate is that, although the Liberal Democrats bring their policies and principles into this Chamber and offer them to the party in government, they have a sorry record of campaigning on half-truths and smears, which seriously mislead the public at local level. I will not embarrass and burden them with the sorry story of Tower Hamlets, as that would be too painful for them to contemplate. All I would say is that the right thing for the Liberal Democrats to do now is to go back to their constituencies and prepare for consistency.

5.48 pm

Mr. Paul Burstow (Sutton and Cheam): It will soon be the time of year when many of us take part in the sending and receiving of Christmas cards and gifts. Unfortunately, not everyone welcomes that Christmas mail: up and down the country are people for whom Christmas cheer is sadly lacking.

Who are these people and what makes them regard December with such foreboding? They are local authority treasurers, for it is they who have to translate the spin of local government settlements, both past and present, into the cold reality of local council budgets. It is their job to be the bearers of bad news for local councillors, for council staff and, above all, for the people who rely on local services.

For the past 18 years, the arrival of the brown envelope from Marsham street or Marsham towers has been greeted in town halls of all persuasions and all political colours with growing despair and anger. For the past 18 years, the Conservatives have turned the screws on local services, forcing local councils to cut, cut and cut again, and denying councils and the communities that elected them the right to take a view about the level of council tax and local services.

The result has been a steady erosion of local services. At the same time, Parliament has shown an incredible ability to pass laws that impose new duties and give powers to local authorities—but although this place wills the ends, it has not always willed the means to allow local authorities to do the job.

The question is, will the Labour Government be any different? Judging by their rhetoric in opposition, there is every reason to expect a much better deal for local services, but will the Government make a difference? Do they trust local government, much of which they control? The answer to both of those questions is no, and I shall explain why.

The Government will not make a difference, because they are sticking to the Tories' spending plans for local government. For many, the news will be bleak: more cuts in local services, and tough choices about which services to protect and which to sacrifice—not so much a case of new Labour as of hard labour.

As for trust, as long as capping remains in place, there can be no trust. Over the past 18 years, the Conservative party has developed a unique relationship with local government: one based on distrust, a belief that Whitehall knows best, and universal rules to stamp out the crimes and misdemeanours of a few high-profile councils. That relationship was blind to the fact that, outside the spotlight, there was and still is much that is good, excellent and innovative in local government. The Conservatives paid the price of that relationship: year after year, the party lost seat after seat and council after council, and now the Conservative party is the third party of local government.

It is time to start undoing the damage done by the Tories; that is why capping must end, and end now. With the cap and Tory spending plans, the Labour Government will be rightly condemned for delivering the very Tory cuts that Labour campaigned against. Next year, even after efficiency savings, local services will be short-changed to the tune of £1.1 billion. That is not the result of local government profligacy, but the cost of Tory neglect.

Let me give some examples: more frail elderly people and fewer NHS beds are increasing demands on social services; the legacy of rising crime requires more police officers to stem the tide; and increasing pupil numbers require more teachers simply to keep class sizes as they are. Those pressures will not go away, but will continue to increase, and failing to invest in those services now is a false economy that will lead to short-term decisions with long-term consequences.

Mrs. Louise Ellman (Liverpool, Riverside): Does the hon. Gentleman not recognise that the new Labour

Government have already made available an additional £1.3 billion for education; that they have already taken steps to reduce class sizes in infant schools; that they have already made available more capital receipts to enable more public housing to be developed; and that they have financed that through the windfall tax—a great redistributive tax, which he should welcome?

Mr. Burstow: I am sure that, with her long and distinguished career in local government, the hon. Lady will understand the heartache experienced every year by council leaders when they receive the detailed figures from the Government, and will accept that this year will be no different. The reality is—

Mrs. Jackie Ballard (Taunton): Will my hon: Friend give way?

Mr. Burstow: Let me finish with this intervention before moving on to another.

I hope that the hon. Member for Liverpool, Riverside (Mrs. Ellman) will accept the Local Government Association's figures, which clearly show that, in order to put the extra money she mentions into education, councils will have to allocate money away from other services—in other words, there will have to be cuts elsewhere.

Mrs. Ballard: Does my hon. Friend share my concern that seven out of 10 social services authorities say that they will have to tighten eligibility criteria for care in the community if the Government continue the Tory spending plans for local authorities?

Mr. Burstow: I do indeed, and that brings me to my next point.

The problems facing social services can be summed up by three Fs: funding, fragmentation and false economy. In funding terms, local authorities are battling against Whitehall. I lay the blame for that not specifically at the Government's door, but at the door of a system which underestimates the actual cost of delivering community care.

This year, the average local authority social services department is spending 9 per cent. more than its standard spending assessment on social services. I sometimes wonder what would happen if every local authority social services department in this country spent down to its SSA—I suspect that the results would be devastating to many people.

Even the extra money the Government have promised to help social services and social work departments this winter seems far from certain to reach its destination. Written answers from Health Ministers suggest that far too many ifs and buts litter the path of funds from the Treasury to front-line care, so I hope that Ministers will offer an assurance this evening that the money will reach its destination and not be used to reduce NHS deficits, of which we know there are many.

Funding is not the only problem—fragmentation also plays a part. First, there is a lack of symmetry between the benefits system and social services. The objectives of the two conflict, to the disadvantage of the vulnerable in our society, and put barriers in the way of greater independence.

Secondly, the interface between health and social care is not clear. The concept of a seamless service between health care and social care is a myth—the reality is better described as pass the parcel, and the price is expressed not only financially, but in terms of the individual's loss of dignity. Thirdly, there is fragmentation in legislation and case law governing the delivery of social care. Judgments like those involving Gloucestershire and Sefton have exposed the stark reality—that community care is not needs-led, but is about resource-led rationing.

It is now time for Parliament to address those issues, which is precisely why I have taken up Jack Ashley's Chronically Sick and Disabled Persons (Amendment) Bill. The House must debate how we can make progress with comprehensive reform of community care law, and the Government should give a wider remit to their royal commission on long-term care, so that we can tackle the issues raised by fragmentation.

Taken together, the problems of funding and fragmentation lead to false economy. Evidence gathered by the National Association of Citizens Advice Bureaux shows how the original objectives of community care have been distorted. Although targeting of support is a clear aim of community care, the reality for many people is that of care rationing—longer waits for assessment and care provision, tightening eligibility criteria and more and increasing charges, as my hon. Friend the Member for Taunton (Mrs. Ballard) described.

The consequences represent a false economy for society. As the NACAB report, "Rationing Community Care" states:

> "Excessive targeting of scarce resources on those in greatest need is leading to inadequate preventative measures in terms of support services in the community for both carers and care users, which may result in more costly institutional remedies becoming necessary".

It is a false economy when one agency manages its budget by simply shunting its costs on to another, either directly or by storing up costs for the future, in education, housing, health and the criminal justice system. Increasingly, that is what is happening in an underfunded public service.

Unless the Government act now, the vicious circle of crisis management will not be broken, and those who put their faith in a Labour Government will be betrayed. We Liberal Democrats have our plans for raising extra resources, but the Government set the fiscal reality in which we must live, and it is in that context that I challenge them to invest a little extra money now, so as to avoid wasting far more later. There is nothing shameful about relaxing Tory spending restrictions, which even their Conservative architect dismissed as "for the birds".

Why will the Government not make use of the extra tax revenues their Budget will generate? The country can afford it, and the Treasury can afford it. Why not redirect some of the £5 billion tax windfall? Why not rechannel some of the £25 billion that will accrue to the Treasury as a result of the abolition of the pension funds tax credit? Why not invest some of these resources to protect local services now? Failure to do so will cost more in the long run.

The public will not thank the Government when they announce a spending bonanza in a few years' time, if the human costs continue to mount now. The social damage has been done, and service infrastructure and assets have been so undermined that they can no longer deliver—

Miss Melanie Johnson (Welwyn Hatfield): Would the hon. Gentleman care to comment on the record of

[Miss Melanie Johnson]

Cornwall county council, which I understand is Liberal Democrat-controlled, which underspends its SSA on education, and which last year cut its adult education provision by half? How does that compare with the record that he has just been describing? Will he further comment on the fact that 47 per cent. of three and four-year-olds are found places in Liberal Democrat nursery education provision, compared with an average of 70 per cent. in Labour-controlled authorities?

Finally, the hon. Gentleman might like to comment on the record of Devon county council, also Liberal Democrat-controlled, in whose area I heard Bradley Rowe infant school—

Mr. Deputy Speaker: Order. The hon. Lady must not make a speech; she must remember that she is making an intervention and be brief.

Mr. Burstow: I have not been to that primary school, but I can deal with the hon. Lady's other points. Cornwall had a glowing Office for Standards in Education report for the excellence of its education. Secondly, I hope that later this year the hon. Lady will go through the Lobbies with me to vote against capping, because it was capping that led to the cuts that she has described.

Thirdly, head teachers and others in Cornwall accept that it was the LEA in Cornwall—as she rightly says, it is Liberal Democrat-led—which managed to minimise the damage done by the Conservative Government with their capping policies. So I am proud to be associated with the work that Cornwall does. The hon. Lady should take a closer look at the record before intervening next time.

Rather like Ebenezer Scrooge in "A Christmas Carol", the Government, I hope, have now seen Christmas past: they have rightly condemned Tory spending cuts. Now we are approaching Christmas present, and the Government are about to implement those Tory spending cuts. But there is still Christmas yet to come. Will it be a bleak one, with rundown, impoverished public services; or will the Government, like Scrooge, heed the warning signs, and act now before it is too late?

6.1 pm

Mr. Gareth R. Thomas (Harrow, West): It is certainly true that until 1 May this year all local authorities and public services faced considerable financial pressures. Moreover, morale in many of the public services was falling and standards were under intense pressure. Had this debate taken place before 1 May, many of the points that we have heard Liberal Democrats make today would have been apposite.

The problem with this debate is the Liberal Democrats' failure to recognise the progress that the Government have made in tackling the problems that faced the public services when we came to office. They have wasted their opportunity to look at how we can move the Government's agenda forward to improve education, the health service, social services and policing.

It is worth recounting some of the additional resources that the Government have provided for the public services. They have given an extra £1.3 billion for schools revenue spending this year; and £1.2 billion more for the capital works needed to restore so many of our crumbling schools. The tragedy is that the Liberal Democrats have failed to deal with the other important education issues that require attention—it is not just a question of resources. We must also consider the standards attained by the education service.

The Liberal Democrats have failed to support the Government's White Paper on standards; nor have they offered any praise for the Government's commitment to additional support for head teachers and to improving the qualifications of teachers and head teachers alike. The Liberal Democrats have offered no commitment to support the Government's work on establishing a general teaching council, nor have they praised the Government's requirement that local education authorities prepare education development plans for schools and their local partners.

I have heard no praise from the Liberal Democrats for our guarantee of a nursery place for every four-year-old, nor for the fact that we have begun the task of providing a place for every three-year-old. They have given us no praise for abolishing the assisted places scheme and using the released resources to reduce class sizes for five, six and seven-year-olds. There has been no praise for the campaign for literacy launched in the summer by my right hon. Friend the Secretary of State for Education and Employment.

Mr. David Heath: Is the hon. Gentleman worried by the fact that another 55,000 students are set to increase secondary school class sizes next year, at the same time as teachers continue to lose their jobs?

Mr. Thomas: That is precisely why the hon. Gentleman should commend the Government for giving schools an extra £1.3 billion. The mealy-mouthed nature of that and other Liberal Democrat contributions bears testimony to the short-term, narrow-minded focus of their party on Beckenham and Winchester, where they are desperately trying to hold on to their seat. If they continue making interventions like that, I suspect that they will struggle to do so.

The Liberal Democrats have failed to praise the requirement to establish early-years plans and early excellence centres.

When I made my maiden speech, I acknowledged the enormous pressures under which hospital staff and GPs were working. My health authority was one of those in deficit at the end of March this year, and two of the trusts that serve my constituents were also in deficit at that time. The Government have given the NHS in my area more resources; the same applies to the areas of all other hon. Members. This year the NHS will receive an extra £1.2 billion, and the commitment for next year is to real-terms growth in funding for my area's NHS. The Government have allocated another £9 million to Brent and Harrow health authority for next year. Under the spending plans of the previous Government, that would have been only £4 million—so we have doubled the available resources. Yet we hear no praise for the Government's initiative from the Liberal Democrats.

The Liberal Democrats have also failed to consider the structural problems in the NHS: the internal market and the enormous bureaucracy caused by the previous Government's reforms. Until 1 May we were spending an extra £4 million a day on bureaucracy. That is why I am

surprised that the Liberal Democrats have not welcomed the additional money, found from cutting bureaucracy, for the breast cancer initiative and for children's intensive care. In my area, £97,000 has been found for breast cancer work. That will reduce waiting times for appointments from four weeks to two. It is odd that the Liberal Democrats have not welcomed that initiative.

Globally speaking, we have already saved £100 million in the management costs of the NHS internal market—

Mrs. Virginia Bottomley: If the hon. Gentleman is so concerned about unnecessary bureaucracy, why did his party vote against the abolition of regional health authorities, which resulted in 1,500 fewer managers?

Mr. Thomas: I am surprised that the right hon. Lady is unwilling to praise this Government's efforts to tackle NHS management costs. One hundred million pounds saved in management costs; the abolition of the eighth wave of GP fundholding and stopping that process in its tracks, saving £20 million—I am surprised that the right hon. Lady has not welcomed those savings. When so many problems in the national health service were caused by the internal market of which the right hon. Lady was an enthusiastic supporter, it is no good for the Conservative party not to praise those savings in bureaucracy.

I draw attention to the £1.4 million that has been made available to Brent and Harrow health authority, to enable it to cope with the additional pressures that winter always brings to the national health service. As a result of that money, extra resources will be put into the discharge services that are provided in our area. Elective surgery will now be maintained over the winter at our local hospital. There will be additional community care placements. Additional resources will go to the very social services department that the hon. Member for Sutton and Cheam (Mr. Burstow) was talking about, providing additional community care and additional support for the elderly in our borough.

The hon. Member for Sutton and Cheam made a pertinent point—it is a pity that other Liberal Democrat Members did not, because it might have led to a useful debate—about his concern about the fragmentation in health and social care and the artificial division that exists between health and social care boundaries. However, the hon. Gentleman did not praise my right hon. Friend the Secretary of State for Health for his work and the pressure that he has brought to bear to reduce those boundaries further. The hon. Gentleman is being mealy-mouthed in not acknowledging the work that is being done.

Several other measures have been taken to improve public services. In my intervention on the right hon. Member for South-West Surrey (Mrs. Bottomley), I mentioned the welcome opening up of trust board meetings, which will make the national health service more accountable to the patients and users, who demand that openness and who should be entitled to know what is going on. Decisions should not be taken behind closed doors, as in the past.

My hon. Friend the Member for Gedling (Mr. Coaker), who is no longer in the Chamber, mentioned the capital receipts initiative and the additional support that will be provided to housing. That is welcome news for people in my constituency: Harrow has benefited to the tune of about £620,000.

Mr. Sanders *rose—*

Mr. Thomas: I have given way a couple of times and I should like to move on.

Considerably more resources will be allocated next year. They will be spent on helping to tackle the problems of an estate represented by Liberal Democrat councillors, who have taken absolutely no action in the past 10 years to try to solve the problems there.

I am one of those unfortunate Members of Parliament who has to cope with a Liberal Democrat-run council. It may be worth asking Liberal Democrat Members to take some action on the state of that Liberal Democrat group. As recently as last week, there was yet another resignation from the Liberal Democrat group in Harrow. On leaving the group, the councillor said that he had become more and more dissatisfied with the attitude of members of his group. He was the second Liberal Democrat councillor to resign in disgust from the Harrow Liberal Democrat group. Four other Liberal Democrat councillors have resigned from the council, and the leadership of the Liberal Democrat group has changed three times in the past three and a half years.

It is no surprise to the people of Harrow that the legacy of those changes has been incompetence and a failure to grasp the problems facing my constituents. I am sure that those people would want to join me in condemning the plans of that Liberal Democrat group in each of the past two years to try to cut school budgets. The group attempted, despite the existence of obvious alternatives, to cut school budgets by up to 8 per cent. for each school. At the start of September, the first cuts that the group successfully introduced this year bit, and more than 50 teachers lost their jobs in schools in my constituency. I ask Liberal Democrat Members to tackle that tragedy behind the scenes, to raise the standards in that group.

This debate could have been a useful opportunity to consider how we can make progress on the Government's agenda of raising standards. I am afraid that instead it has been a mere party political effort by the Liberal Democrat party, in the light of the two forthcoming by-elections. Liberal Democrat Members must accept responsibility for failing to consider how to make progress on the Government's agenda, and failing to consider the opportunities to raise standards further in our public services.

6.14 pm

Mr. John Bercow (Buckingham): There is an attack to be made on the Government's handling of the education and health services of this country, but the Liberal Democrats are the worst placed people to deliver that attack.

Mr. Simon Hughes *indicated dissent.*

Mr. Bercow: The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) affects to be surprised by my opening lines, but his pitiful contribution is testimony to the correctness of what I am saying.

I noticed, and I am sure that my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) noticed, that the leader of the Liberal Democrats, the right hon. Member for Yeovil (Mr. Ashdown), graced us fleetingly with his presence in the Chamber.

Mr. Hughes: He will be back.

Mr. Bercow: I am glad to hear that, but it is very good news indeed for the hon. Gentleman that his leader was not present to hear his contribution, because he got himself into a frightful pickle.

The truth may be succinctly stated. The Liberal Democrats are puffed up with self-importance by their membership of a Cabinet Committee. The problem is that their right of free expression is constrained by it, and in attempting to square the circle, to manoeuvre themselves out of the unprincipled mess into which they have plunged, they have chosen today, of all days, to launch an attack on the Government.

People will recognise the cynicism of the timing of the debate. No doubt the press releases in Winchester and Beckenham have already spewed out of the fax machines so that a campaign of disinformation can be waged, but let it be clearly understood: the Liberal Democrats have every opportunity to raise the subjects of education, of health, and of the quality of our public services on that Cabinet Committee. They fail—indeed, decline—to do so. People in the country ought beyond peradventure to understand that the similarities that unite Liberal Democrat Members and the Government are always, everywhere and without exception greater than the differences that divide them.

Let me turn, as Iain Macleod would have said, briefly but with relish, to the subject of funding, because that was a lamentably handled feature of the speech of the hon. Member for Southwark, North and Bermondsey. Being an emollient and kind-natured fellow, I am all in favour of partnership politics, but it would be helpful if the Liberal Democrats were capable of practising partnership politics within their own ranks. They are not. The inconsistency is manifest. The contradictions are plain for all to see.

For ages, the Liberal Democrats have been telling us that there should be another penny on income tax to finance education. On one occasion they told *The Times* that they had sought a change of stance and that they really sought to convey to the masses that a penny of income tax should be devoted additionally to education, but that income tax should not be increased.

This evening, the hon. Member for Southwark, North and Bermondsey stuck to the traditional line, saying that the additional penny raised by income tax should be spent on more books, special needs provision, reductions in class sizes and commitment to lifelong learning. He does not seem to be conscious of the fact that, on 4 July 1995, the hon. Member for Bath (Mr. Foster) adopted an entirely different position. In the course of a by-election campaign in the north-west, he owned up to the reality that Liberal Democrat plans would cost another 2½p on the basic rate of income tax.

In case the hon. Member for Southwark, North and Bermondsey is looking bemused by that contradiction, as undoubtedly the House will have noticed he is, the explanation is readily available. He ought to consult his hon. Friend. They are sitting next to one another; one should be able to establish a partnership with the person next to whom one is sitting in the Chamber. There is a difference because in the course of that by-election, true to form, typical of Liberal Democrats' chameleon behaviour and consistent with their opportunist stance in by-elections, the hon. Member for Bath then spoke about additional expenditure on higher education and argued for universal social security benefits for part-time and full-time students in higher education. On the strength of that, it was dragged out of him under pressure that an additional 2½p would be required on taxation rather than the 1p with which the hon. Member for Southwark, North and Bermondsey has contented himself in other speeches.

The Liberal Democrats are getting into great difficulty. Why was *The Times* briefed during the Liberal Democrat conference that the party was considering abandoning its commitment to increased taxation altogether? Liberal Democrats always say, in sanctimonious sermons to the public, that what we need is clarity and consistency. They say that the public demand clarity and principle, but what we get from the Liberal Democrats is twisting and turning—one statement one week and a different statement the next; one statement in one part of the country and a different statement in another.

Mr. David Jamieson (Plymouth, Devonport) *indicated assent.*

Mr. Bercow: The hon. Member for Plymouth, Devonport (Mr. Jamieson) is nodding. Given the area from which he comes, he will be aware of the sheer unbelievability of Liberal Democrats' opportunism and of their capacity to change their minds regularly, apparently without embarrassment.

People should understand that the Liberal Democrats and the Government are an alliance. They are an alliance against choice, competition, efficiency and value for money. They are an alliance for greater bureaucracy and stopping parental choice, and for believing that funds are always the answer and nothing else is in the equation. They are against both grant-maintained and grammar schools. In my county of Buckinghamshire, whose education results are unsurpassed in the United Kingdom, people on the doorstep have no doubts about how they should vote if they want choice, quality and competition, and if they favour the pursuit of excellence. The Government know that they are poorly represented in my county and will continue to be.

Voters in Buckinghamshire know that the Liberal Democrats are against grammar and grant-maintained schools. The hon. Member for Southwark, North and Bermondsey must therefore try to rescue himself from the difficulty into which he has plunged, on the subject of funding. He must seek to answer his constituents, and particularly the electors in Winchester and Beckenham, on his party's record. Liberal Democrats prattle on about the need for additional funds, but since the Conservatives took control of Hampshire county council on 1 May, spending on education is £2.5 million more than it was when the Liberal Democrats were in power.

We recognise that, although funds are a necessary condition of improvement in the quality of public services, they are not and never can be a sufficient condition. We believe in markets, choice and the power of competition. We believe in the right of parents to go elsewhere if they do not like the service that is provided in the state sector or a particular school. The Liberal Democrats are plainly ignorant of that because they are steeped in the orthodoxy of the 1960s. They are fanatics for egalitarianism but know nothing of excellence.

Excellence, choice, quality and competition form no part of the Liberal Democrats' lexicon, which is why, for the bulk of the time, they are on splendid terms with the Government. The Minister for School Standards is an agreeable fellow and an effective exponent of the Government's case, but he is also very chummy with the Liberal Democrats because they agree on most points.

What we have witnessed is in no sense a dalliance; nor is it a flirtation or an attempt at an affair. The relationship has been consummated. What we have witnessed between the Liberal Democrats and the Government is a full-blown marriage in which the contract has been clearly signed. Those people know nothing about what is needed to bolster education or health today.

Miss Melanie Johnson: Would the hon. Gentleman care to welcome the £12 million extra that Buckinghamshire health authority will receive from the Government next year to fund services? Does he accept that Buckinghamshire would not have received those funds under a Conservative Government?

Mr. Bercow: If the hon. Lady were factually correct, I would welcome that intervention, but as she is not, I do not. I accept that there has been a modest increase, but it is nothing like as much as the service providers in that part of the world need, nor anything like as much as a future Conservative Government choosing better priorities would deliver.

The choice open to voters in Winchester and Beckenham is to vote either for a party that wants to improve the quality of services or for a party obsessed only with inputs. I am concerned with outputs, as is my hon. Friend the Member for Tiverton and Honiton; my right hon. Friend the Member for South–West Surrey (Mrs. Bottomley) devoted an extremely thoughtful speech to the subject. On that subject and on the results of the expenditure dedicated, the Liberal Democrat party has nothing coherent or intelligible to say.

6.25 pm

Mr. Don Foster (Bath): My hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) referred rather eloquently to the underfunding and undermining of public services during the 18 years of Conservative rule. He also said that many people were concerned that under new Labour those services might continue to be undermined and underfunded.

The hon. Member for Harrow, West (Mr. Thomas) accused my hon. Friend, a little unfairly, of not spending most of his speech praising the new Government. Today was not the most appropriate day to do that. It is important to recognise, however, that whenever the Liberal Democrats have considered it appropriate to do so and have agreed with the Government's proposals and propositions, we have been willing to support them. We have much sympathy with the hon. Gentleman's remarks about trying to overcome the artificial boundaries between health and social services. We would be more than willing to work with him and the Government to deal with that question.

Labour Members, particularly Back Benchers, do not realise the full import of today's debate. The hon. Member for Halifax (Mrs. Mahon), in an intervention on my hon. Friend the Member for Southwark, North and Bermondsey, praised the Government for the additional money being put into the health service in Halifax. However, she failed to note that in her local education authority area of Calderdale the Labour-controlled local education authority is in the process of planning a 1.5 per cent. cut in the education budget for next year. That cut will take place under a Labour Government. There are many other examples of that happening.

The hon. Member for Gedling (Mr. Coaker) was keen to defend the Government, but in so doing even he admitted that the money going into our schools was not enough. He went on to say that we must remember that we live in the real world. In the real world, local education authorities and health services are planning for further cuts in services. Local education authorities in Oxfordshire, for example, estimate that they need to make a £3.5 million cut in the education service.

Let us move closer to home and to the current Prime Minister. In Islington, the local authority is planning cuts of £9 million in overall services next year under a Labour Government, with £1.3 million likely to come off education services. In Brent, as a further example, cuts of £3 million from schools and a further £1.3 million from children's services are planned. That is the real world, of which the hon. Member for Gedling should be aware.

Only the right hon. Member for South–West Surrey (Mrs. Bottomley) and my hon. Friend the Member for Sutton and Cheam (Mr. Burstow) did not mention Winchester in their speeches. I should hate to be out of order, Mr. Deputy Speaker, so let me point out that in the real world of Winchester further cuts in the education budget are planned. Schools such as Twyford primary school desperately need—but will not get—the money to replace temporary classrooms, where metal props are holding up the roof, making it difficult for some of the pupils to see the blackboard.

That is true not only of education services, but of other public services. The Local Government Association recently conducted a survey on the impact that the new Labour Government's budget for local government will have on care services in local authorities around the country. The survey showed that seven out of 10 local authorities will have to tighten the eligibility criteria for their care services; more than six out of 10 say that they will close establishments which provide much needed care; six out of 10 say that they will have to increase charges above the rate of inflation; and four out of 10 say that they will introduce new charges. Those are the real facts of the real world that are the subject of the debate.

It was a great pity that when the Secretary of State addressed the House he was not prepared to deal with the real figures. When asked by my hon. Friend the Member for Southwark, North and Bermondsey whether he would accept the independent figures prepared by the Library of the House of Commons, he said that he was not prepared to do so.

[Mr. Don Foster]

Perhaps the Secretary of State will be prepared to accept the figures presented by the Minister of State, Department of Health, the hon. Member for Darlington (Mr. Milburn), in a parliamentary answer to my hon. Friend the Member for Gordon (Mr. Bruce) on 4 November this year. When asked what would be the spending on health in the current financial year on a constant price base under the new Labour budget, as opposed to what it would have been under the previous Tory budget, the Minister's answers were revealing. Under Labour's budget, it would be £33,306 million; the Tory budget would have been £33,422 million. Simple arithmetic shows that less money is being spent this year by the Labour Government under their budget than would have been spent under the Tory budget, on a constant price base. Those are not the independent House of Commons Library figures, but the figures prepared by the Minister of State, the Department of Health.

Mrs. Ellman: Is it not the case that the hon. Gentleman will not allow the facts to stand in the way of his polemic? Does he agree that in his own constituency of Bath, under the Labour Government's plans, the health authority—

Mr. Peter Bottomley (Worthing, West): On a point of order, Mr. Deputy Speaker. I have noticed two occasions when information from the official Box has come not to the Front Bench, but to Government Back Benchers. Would it be possible to draw hon. Members' attention to the convention of the House that the official Box is there to provide information to hon. Members on the Government Front Bench?

Mr. Deputy Speaker (Mr. Michael Lord): The hon. Gentleman is correct. That would normally be the case, and it would be helpful if hon. Members could observe the conventions.

Mr. Foster: I regret giving way to the hon. Member for Liverpool, Riverside (Mrs. Ellman) if she was merely reading out the brief just passed to her. She will surely understand that I am not trying to make up figures: I am giving figures that have been quoted by the Minister in the past two weeks and which make clear the case that my hon. Friend the Member for Southwark, North and Bermondsey was arguing earlier.

It is a great pity that by wafting in front of the House a large number of statistics the Secretary of State seemed more interested in the language of the spin doctor than in the language of real doctors.

We heard from the hon. Member for Southampton, Test (Dr. Whitehead) his concern that one Member of Parliament sometimes says something different from another Member of Parliament. In that context, it is interesting to consider the comments of the Secretary of State in relation to Hereford hospital. He said that the move was wonderful and had been welcomed by everybody, and that there had been widespread consultation. I would say to the Secretary of State, were he here, that I, like my hon. Friend the Member for Hereford (Mr. Keetch), believe that it is a wonderful move forward, but it would be wrong to say that it was widely welcomed, because the Labour party candidate in the general election opposed it, and it would be wrong to say that there had been widespread consultation about it, as in the past few weeks a delegation from Unison has been to see my hon. Friend to complain about the lack of consultation on the matter.

A great deal of spin has been put on health service figures during the debate. We all remember the card produced by the Labour party during the general election showing Labour's five early pledges, which the party made clear that it would get on and implement straight away. One of those five early pledges was to

"cut NHS waiting lists by treating an extra 100,000 patients as a first step".

Interestingly, if one went to the Labour party conference and bought the mug displaying Labour's five early pledges, that pledge was not worded in quite the same way. I wonder why that was. The Minister of State has made it clear that he knows that those figures will not come down during the lifetime of this Parliament.

We heard an interesting contribution from the shadow Minister, the hon. Member for Tiverton and Honiton (Mrs. Browning), who told the House with great glee that she "wrote it all myself". The majority of the House would no doubt share my view that it might be a good idea if she found herself a speechwriter. Not only did she spend most of her time moving hither and thither, but the one clear theme that emerged from her speech was her fascination with people getting in bed together. She referred in an obsessively prurient way to matters such as liaisons dangereuses, but all was revealed when she said that she now understands that getting in bed together is about sitting round a table. One wonders what happened at the Tory party's bonding session in Eastbourne.

Mr. Simon Hughes: Before my hon. Friend leaves the subject of relationships, may I tell him that the hon. Member for Tiverton and Honiton (Mrs. Browning) is more up to date with the gossip than with the facts? She alleges that we have relationships only with Labour. After the debate, she may wish to comment on the fact that one of her colleagues in the other place, Lord Hugh Thomas of Swynnerton, has today left her party and joined ours because he believes that we are more in touch with the people than her party ever has been.

Mr. Foster: My hon. Friend makes a telling point and brings me a piece of information that I had not heard. I am grateful to him. The problem with the hon. Lady's contribution to the debate—

Mrs. Browning: I hope that the hon. Gentleman is aware that the noble Lord was a Labour peer before he was a Conservative peer. It shows the rather wayward nature of such relationships.

Mr. Foster: The noble Lord has clearly moved around—he was head of the Tory party think tank at one time—but however much he may have wandered over time, he has at last found the holy grail and he is very welcome.

The hon. Lady was clearly not talking about the holy grail in her speech. She tried desperately—and unsuccessfully—to defend 18 years of Tory misrule. How could anyone come to the Dispatch Box during a public services debate and fail—as she did—to mention

the appalling cuts that took place under the Tories? Public services were cut to the bone during 18 years of Conservative government.

The real point of today's debate is to express concern about the effect that those cuts are now having. We must know whether the new Government are prepared to do something about that—as the Liberal Democrats would.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Foster: No, the hon. Gentleman promised to make a brief speech and then took more than 16 minutes. I must press on.

Are the Government prepared to do something about the state of our public services? The evidence to date is slightly worrying. My hon. Friends and I have cited worrying figures for health, and the situation is equally disturbing in education. The Liberal Democrats were chastised for not praising the Government for the good things that they have done. I acknowledge that the Labour Government have done some good during their short time in office, but they have also imposed spending cuts on various local authorities, heralding teacher job losses and rising class sizes, while threatening local education authorities with hit squads, cutting school budgets and introducing university tuition fees. The Government's education budget offers jam tomorrow—and very little of it.

I will explain why that is so. We have had far too much spin recently. When the Government get into a spin—as they did over the tuition fees issue—they spend money that could have gone to education trying to stop people's heads from spinning. The Government have spent about half a million pounds on a publicity campaign explaining their new policies.

The Secretary of State also tried to put a spin on the allocation of additional money. The other day he announced £83 million for further education, as though he had found some wonderful new money, but in reality the Government did not find a single penny of additional money: £20 million came from employers, £48 million was recycled money from existing training schemes, and the remaining £15 million came from accounting changes within the Department. That is the reality: despite the Secretary of State's spin, there was no new money.

What about the Government's Budget that claims to give new money to education? If we take into account the impact of rising inflation on education, we find that local authorities will lose £157 million in school funding this year. The Government claim that local authorities will have extra money next year. However, the carry-forward of the teachers' pay award reduces that sum to £673 million. Local authorities will face severe pressures as a result of rising pupil numbers, which reduces available money to £404 million.

Local authorities were expecting to make a 1 per cent. funding cut next year and they must make reductions of £1.3 million overall, which will cut school funding still further. That reduces the money available to a £34 million increase. Sadly, however, £333 million is set aside for capital expenditure. So the net effect of the Budget hailed as providing new money for this year and next is that it will leave schools £157 million short this year and nearly £300 million short next year.

In the run-up to the general election, Labour candidates around the country campaigned against Tory education cuts. However, the Labour party is now delivering those Tory cuts in government. Before the debate, the hon. Member for Bolsover (Mr. Skinner) mentioned that the Government were having to deal with a "lousy Tory budget". It does not have to be like that; I believe that there is another way. The Government believe that extra money will come from a successful economy: the Liberal Democrats believe that increased investment in education is an essential ingredient for creating that successful economy.

6.44 pm

The Minister for School Standards (Mr. Stephen Byers): The Government welcome this opportunity to debate our public services. After 18 years of neglect, it is time for the House to address the vital issue of the future of our public services. After those 18 years of neglect and four Parliaments, what did we inherit on 2 May? We have record levels of debt in the national health service, record levels of crime on our streets, and public housing starts at an all-time low. As a result, the nation is divided.

Nowhere is the division and failure more clear than in the education service, where four out of 10 11-year-olds fail to reach the target standard for their age in mathematics and English; where only one in two 16-year-olds gets five good GCSEs; where 20 per cent. of adults have literacy or numeracy problems; and where 50,000 16-year-olds left school last year without a qualification and nothing to show for 11 years of statutory education.

That is the legacy of our predecessors: a legacy of shame and of failure. The Conservatives failed to provide the people of this country with a decent health service, good housing, freedom from the fear of crime, and a high-quality education service. That failure is not just social, but economic. The previous Government failed to equip our country with the education and skill base that we need in order to compete in the modern world. Investment in education, training and lifelong learning is essential if we are to put right the neglect of the past two decades.

I share many of the concerns expressed by the Liberal Democrats this evening, and we welcome the choice of subject. We have a huge task if we are to convert Britain into a modern, successful economy capable of providing decent public services. While I regret the tone and nature of some Liberal Democrat speeches, there is an important principle on which we agree that distinguishes our two parties from the Conservative party. While the Conservative party is hostile to the very idea of public services, we believe in strong public services that respond to people's needs and not to the wealth of those who use them.

As a Government, we shall act for all our people and not just a few. We recognise that, in order to govern for our whole nation, we must look beyond groups of individuals and families struggling on their own and treasure the fact that there is such a thing as society.

Mr. Bercow: I am following the Minister's argument closely. Does he acknowledge that, when he says that the Conservatives are hostile to publicly funded and publicly provided services, he is being not only very immature but

[Mr. Bercow]

deeply insulting to those of us who have used, and have been proud to use, public services—including health and education—for years?

Mr. Byers: If the hon. Gentleman had represented an inner-city seat on Tyneside for the past five years under a Conservative Government, he would know only too well the destruction and the chaos that that Government inflicted upon essential public services. The Conservative Government believed that the market should determine essential public services. From our experience, that approach clearly fails our people and those essential public services.

We believe that there is such a thing as society. We want to see a society that is both strong and united, in which we marshal the power of society to advance and benefit the individuals within it—the power of all for the good of each. Efficient, accessible and accountable public services do precisely that. They harness the power of all for the good of each.

The previous Government—the Government of the hon. Member for Buckingham (Mr. Bercow)—allowed dogma to triumph over reason, with services sacrificed on the altar of the market. It was an approach based on winners and losers. Let the position of this Government be clear. We reject a philosophy for essential public services, such as health, social services and education, that is based on the belief—the belief of the Conservative party—that some of our people must be losers for others to be winners. Our commitment is to ensure that all our people benefit from good public services.

Mr. Willis: I shall raise a point that has not come out in the debate, but first we welcome the Minister's comments about some of the values that we share.

One of the great issues, to which I would like a straight answer, is that much of the new money that the Minister claims is going into health and education is from reserves or the windfall tax. What will happen when that money runs out?

Mr. Byers: That was a very interesting intervention, because for the past two and a half hours we have heard from the Liberal Democrats that no new money will be made available to fund health and education. Now we hear the truth—there is new money. It is coming from the reserve in the short term. We are investing in education and health to build a future, so that the economic growth will eventually provide the wealth for our country and fund those essential public services. We are spending from the reserve to save for the future, and redirecting it into essential public services. That is exactly what we are seeking to do.

It is important, however, as we consider the future of public services, that we recognise that public services themselves must change. By definition, they exist to serve the public, but all too often they are seen to operate for the convenience of producer interests. Well, no more. The Government will defend, protect and support public services only where they are accountable to their public; where they provide a high-quality service and are committed to raising standards.

Although we share a principal support for public services with the Liberal Democrats, we do not understand how they would pay to put right the legacy of neglect. During the election, they told us that we needed an extra penny on income tax to spend £1.8 billion on education—or did they? The briefings that they put out during their party conference neither confirmed nor denied where they stand on this issue. It is unfortunate that the hon. Member for Gordon (Mr. Bruce), the Liberal Democrat Treasury spokesman, is not in the Chamber—*[Interruption.]* I am sorry, he is here. I am grateful. He has just arrived in the debate. [HON. MEMBERS: "No he has not."] The reason why it would be of interest to the Liberal Democrats is that, during their party conference, the spin doctors were spinning away about the Liberal Democrats' pledge to increase spending on education.

Mr. Malcolm Bruce (Gordon) *rose—*

Mr. Byers: I hope that the hon. Gentleman will use this opportunity to clarify the position for the House.

Mr. Bruce: Our position was unequivocal. We said that to fund education we would put a penny on income tax if necessary. We said that it was necessary and we made that commitment. We have not backtracked on it.

Mr. Byers: I am grateful for that very important condition. It is no longer a cast-iron commitment for a penny on income tax to fund the £1.8 billion. Instead the condition is "if necessary". We do not know what conditions will be attached or what criteria will need to be met, if necessary, to put that money into the education service.

The Government have already put more than £1.8 billion into the education service. The Budget introduced on 2 July by my right hon. Friend the Chancellor of the Exchequer ensured that there was real money, in real terms, for education and health. The Government believe in spending when it is prudent to do so. We make no apology for that.

A central part of the Government's commitment to prudent spending is our comprehensive spending review: a root and branch review of public spending in all Government Departments, with a view to reordering our spending priorities. We will do precisely that. We are taking a fundamental look at Government spending from a zero base; starting from basics, asking whether the Government need to spend money in the way that we do. There may be other ways to meet public needs. If there is a case to continue any programme, we will aim to do so in the most efficient and cost-effective way.

In just six months we have begun to reorder our priorities. We have allocated £1.2 billion to the national health service; £1 billion to schools from the reserve next year for day-to-day education spending to employ more teachers, reduce class sizes, and update books and equipment. We expect more than £2 billion to be spent through the new deal on capital for schools. We have released a further £900 million under our capital receipts initiative. Spending on the police service will rise by 3.7 per cent. to £7.3 billion. That is not underfunding. It is a commitment to fund priority areas. It is targeting resources to help the most vulnerable: the sick, the unemployed, the young and the old. We will enable them to get the help that they need and deserve. We will ensure that the money is passed on to fund those essential public services. We will improve education standards in schools and the standards of schools.

We are committed to reducing class sizes for five, six and seven-year-olds. One of the key pledges—we heard about key pledges from Liberal Democrat Members—in our election campaign was that, by the end of this Parliament, the class size for five, six and seven-year-olds would be reduced to 30 or fewer. I can tell the House that we shall begin to implement that pledge not in 2001, not in 2000 or 1999, but from the next school year. In September next year we will provide an additional £22 million to employ 1,000 extra teachers, all of whom will be used to reduce class sizes for five, six and seven-year-olds.

We will also invite local authorities to submit plans for capital spending under our new deal project for next year to carry out the necessary building alterations to deliver our class size reduction pledge. On the latest figures, nearly 500,000 infants are being taught in classes of more than 30. That is unacceptable. We must begin cutting class size as a matter of urgency. We will begin to do so from the next school year.

The Government are not complacent about the work that is still to be done. The neglect of two decades will not be put right over night. Service standards matter, and the Government will ensure that service standards are improved. The Government will put in place policies that will allow us to invest in education, social services and health, instead of having to pay the high costs of economic failure, criminal behaviour and social squalor. If we do not change course, we will have two classes of health service, two classes of state school, and, as a result, a fractured and divided country.

Under this Government there will be change. Public services have a crucial role to play in ensuring that we become a nation united, working together for the common good. In just six months, we have already begun the task of turning around 18 years of neglect. We shall rebuild our public services so that our people can once again take pride in them. Those public services will be efficient, accountable and accessible, and they will meet the needs of the many, not the few. That is why I commend to the House the amendment standing in the name of my right hon. Friend the Prime Minister.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 48, Noes 300.

Division No. 88] **[6.59 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Baker, Norman
Ballard, Mrs Jackie
Brake, Tom
Brand, Dr Peter
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Dafis, Cynog
Davey, Edward *(Kingston)*
Ewing, Mrs Margaret
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Kirkwood, Archy
Llwyd, Elfyn
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Swinney, John
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Wallace, James
Webb, Steve
Wigley, Rt Hon Dafydd
Willis, Phil

Tellers for the Ayes:
Mr. Paul Tyler and
Mr. Donald Gorrie.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobson, Rt Hon Frank
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hood, Jimmy

Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Ms Tessa
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, Peter
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Greg Pope and
Mr. David Clelland.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 298, Noes 43.

Division No. 89] **[7.12 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobson, Rt Hon Frank
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike

Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Ms Tessa
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, Peter
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Milburn, Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Greg Pope and
Mr. David Clelland.

NOES

Allan, Richard
Baker, Norman
Ballard, Mrs Jackie
Bell, Martin *(Tatton)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Dafis, Cynog
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Kirkwood, Archy
Llwyd, Elfyn
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Wallace, James
Webb, Steve
Wigley, Rt Hon Dafydd
Willis, Phil

Tellers for the Noes:
Mr. Paul Tyler and
Mr. Donald Gorrie.

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the extra £1.5 billion the new Government has made available to the National Health Service since taking office; notes that this is more than the Liberal Democrats promised in their Election Manifesto; further welcomes the £100 million shifted this year out of NHS red tape and into frontline patient care, including £10 million for breast cancer treatment and £5 million for children's intensive care; further welcomes the £1.3 billion hospital building programme announced since the election; welcomes the £2.3 billion extra over Conservative spending plans announced in the Budget for education, including £1.3 billion to tackle the backlog of repairs in schools and to bring further improvements for education in the future; further welcomes the public/private partnership approach adopted in education which will increase that sum further to £2 billion by 2002; welcomes the start that has been made on achieving the Government's pledge to

reduce infant class sizes and to phase out the assisted places scheme; welcomes the enormous strides that have begun in improving standards in schools; and congratulates the Government on the commitment that has been thus shown to the public services, in particular in education, health and social services.

Mr. Ian Bruce (South Dorset): On a point of order, Madam Speaker. I am grateful to the Minister for Transport in London for being present, because I gave her notice that I would raise an important point of order. It arises from a point of order raised with you, Madam Speaker, by my hon. Friend the Member for Gosport (Mr. Viggers).

As my hon. Friend has already told you, earlier today we were surprised to hear that two coastguard stations were to close and to be merged into a single station. Last Wednesday, I asked the Minister, in Committee, whether the rumour had any foundation, and was told that it was empty speculation, and that simply repeating what had been in the press for some time was fanning the flames of scaremongering.

I have now seen a press release that describes the move as not reducing the number of people employed in the coastguard service. It talks of 200 new jobs. That refers to 200 people who were recruited recently to replace 500 who had lost their jobs last year; in fact, there are 75 new job losses. I hope that the Minister will be prepared to make a statement to put the record straight, and to promise that hon. Members who represent constituents in the areas involved will be consulted about such life-threatening issues. We should at least have had the chance of being consulted before, rather than—I do not know how to describe the words that have been given to me.

The Minister for Transport in London (Ms Glenda Jackson) *rose—*

Madam Speaker: Order. It is not for Ministers to answer points of order; it is for the Speaker to do that. If the Minister wishes to raise a point of order, as she has indicated, I will deal with it.

Mr. James Wallace (Orkney and Shetland): Further to that point of order, Madam Speaker.

Madam Speaker: Does it relate to the point of order?

Mr. Wallace: Yes, Madam Speaker. Although I was not in the Chamber at the time, I noted the point of order raised by the hon. Member for Gosport (Mr. Viggers), and what you said in response. Since press reports about two and a half weeks ago that a coastguard station in my constituency, and one in the constituency of my hon. Friend the Member for Argyll and Bute (Mrs. Michie), were threatened with closure, we have both been seeking meetings with the Minister to put our case before a decision was made; but our requests have been turned down. That makes things very difficult after an event has taken place. Will you look at that, Madam Speaker?

Madam Speaker: When hon. Members seek an interview or a meeting with a Minister, it is customary for the request to be granted at the earliest opportunity. The Minister is present, and may wish to respond.

Ms Glenda Jackson: Further to the last point of order, Madam Speaker. It is not within my knowledge that meetings have been requested. Had such meetings been requested, I would of course have agreed to them.

Further to the first point of order, a response to a parliamentary question is in today's *Official Report*. As for the question of whether two coastguard stations would be closed and reduced to a single station, I made the point—very succinctly—that two stations would, in effect, be housed under one roof, and that there would be no diminution of either manpower or coverage.

Madam Speaker: In my response to the hon. Member for Gosport (Mr. Viggers), I suggested that he apply for a half-hour Adjournment debate. As other hon. Members are involved, perhaps I can make this clear to the House. A number of hon. Members may like to write in, and who knows? They may be given a debate lasting an hour and a half on a Wednesday morning. In any event, they can all be given five or 10 minutes in which to deal with their own areas, and we can get this properly on the record.

Standards and Privileges

[Relevant documents: First report from the Committee (HC30-I, II and III) and memoranda laid before the Committee (HC 30-IV).]

Motion made, and Question proposed,

That this House approves the Seventh and Eighth Reports of the Committee on Standards and Privileges (HC 240, 261).—[*Mrs. Ann Taylor.*]

Madam Speaker: Let me tell the House that I have no intention of putting a 10-minute limit on Back-Bench speeches. So many Members wish to speak, however, that I expect Members to discipline themselves.

I have selected the amendment standing in the name of the hon. Member for Aldershot (Mr. Howarth), which can be divided on, if necessary, at the end of the debate.

7.27 pm

Mr. Robert Sheldon (Ashton-under-Lyne): I think that the House should first understand the difficulties facing my colleagues in finishing the business of the former Committee. Doing that is always difficult, but it is even more difficult in such a complicated case.

The reports that we are considering originate in a statement that you, Madam Speaker, made to the House on 14 October last year, after Mr. Neil Hamilton withdrew from his libel action against *The Guardian*. You pointed to the serious allegations that had been widely made about the conduct of a number of Members of Parliament. You said that those matters must be resolved as soon as possible, and you called on the Select Committee on Standards and Privileges to make an early special report to the House so that the full nature and scope of any investigation that it undertook could be made known.

On 20 October, the former Committee reported to the House that it had asked the Parliamentary Commissioner for Standards, Sir Gordon Downey, to investigate the allegations as a matter of urgency. The Committee arranged for the Commissioner to have the additional legal and administrative assistance that he asked for. It went on to say that, when the Commissioner had established the precise allegations and had assembled the supporting evidence, he would

"determine whether there is prima facie evidence of a case to answer and, where possible, reach conclusions on whether the allegations have been substantiated."

I emphasise those words. The task that the former Committee gave the Commissioner was not simply to find out whether there was a prima facie case, but to go further and, where possible, to reach conclusions on whether the allegations had been substantiated.

When the new Committee met for the first time after the general election, Sir Gordon Downey presented us with his findings on the allegations against 25 Members and former Members. The Committee published his findings, with the oral and written evidence on which they were based, as its first report.

I am pleased to say that the majority of Members against whom allegations have been made were completely exonerated of any wrongdoing and I need make no further reference to them. Five former Members—Sir Andrew Bowden, Mr. Michael Brown, Sir Michael Grylls, Mr. Neil Hamilton and Mr. Tim Smith—were criticised by the Commissioner. They made written representations to the Committee, which were published at the same time as the Commissioner's findings. Apart from Mr. Neil Hamilton, with whom I shall deal separately, those Members challenged the Commissioner's interpretation of the facts, rather than the facts themselves.

Having considered the Commissioner's findings and what the Members concerned said in their defence, the Select Committee on Standards and Privileges considered whether the rules of the House had been broken and to what extent the conduct of the former Members had fallen short of the standards expected of them.

In the cases of Mr. Brown and of Sir Andrew Bowden, the Commissioner found failures to register or to declare financial interests. We concluded that their conduct fell below the standards that the House is entitled to expect of its Members. Had Mr. Brown still been a Member, we would have recommended a period of suspension from the service of the House, and we would have considered recommending a similar penalty for Sir Andrew Bowden.

In the case of Sir Michael Grylls, the Commissioner found that he persistently failed to declare his interests in dealings with Ministers and officials. Moreover, he deliberately misled the Select Committee on Members' Interests by seriously understating the number of commission payments that he had received from Mr. Ian Greer and by omitting to inform the Committee of other fees received from Mr. Greer. In doing so, he committed a contempt of the House. We found that the conduct of Sir Michael Grylls fell seriously below the standards that the House is entitled to expect of its Members. If he were still a Member, we would have recommended a substantial period of suspension, augmented to take account of his deceit.

In the case of Mr. Tim Smith, the Commissioner found that he had accepted substantial cash payments from Mr. Al Fayed in return for lobbying services and that he had concealed those payments. The Commissioner also found that the form in which Mr. Smith had registered his interest in the House of Fraser was totally unacceptable, and that he had persistently and deliberately failed to declare his interests in dealings with Ministers and officials. The Committee found that his conduct fell seriously below the standards that the House is entitled to expect.

We noted that Mr. Smith had admitted a substantial part of the allegations against him and made a full public apology. Nevertheless, if he had still been a Member, we would have recommended a substantial period of suspension from the service of the House.

Therefore, of the 25 Members, 20 were exonerated by the Commissioner and the conduct of five was found to be unacceptable. Only one of those 25 has sought to overturn the Commissioner's findings—Mr. Neil Hamilton.

The Commissioner concluded that there was compelling evidence that Mr. Hamilton received cash payments directly from Mr. Al Fayed and that the way in which those payments were received and concealed fell well below the standards expected of Members of Parliament. The Commissioner also criticised Mr. Hamilton for failing to register hospitality received from Mr. Al Fayed at the Ritz and elsewhere, for failing to register two introduction payments from Mr. Ian Greer, for deliberately misleading the right hon. Member for Henley (Mr. Heseltine) about his financial relationship

[Mr. Robert Sheldon]

with Mr. Greer, for failing to register a consultancy fee from Strategy Network International, and for persistently and deliberately failing, in dealings with Ministers and officials, to declare his interests.

The Commissioner did not uphold other allegations against Mr. Hamilton. In particular, he found no evidence that Mr. Hamilton received cash from Mr. Al Fayed indirectly through Mr. Greer, and he found that there was insufficient evidence to show that Mr. Hamilton received Harrods vouchers. Mr. Hamilton has now admitted, and apologised for, many of the failures to register and to declare interests, but he denies that he received any cash payments from Mr. Al Fayed.

The conclusions that the Select Committee on Standards and Privileges reached in Mr. Hamilton's case deal, first, with the issues of non-registration and non-declaration. We concluded that

"cumulatively this list of omissions adds up to a casualness bordering on indifference or contempt towards the rules of the House on disclosure of interests. Mr. Hamilton's conduct fell seriously and persistently"—

I repeat: seriously and persistently—

"below the standards which the House is entitled to expect of its Members."

That is the only occasion when we have used the words:

"seriously and persistently below the standards".

The Committee goes on:

"Had Mr. Hamilton still been a Member we would have recommended a substantial period of suspension from the service of the House".

I emphasise that that is the view of the Committee as a whole and that we formed that view irrespective of whether Mr. Hamilton took undeclared cash payments from Mr. Al Fayed.

That issue—the cash payments—was the most difficult that the Committee had to deal with. As I have said, the Commissioner found the evidence compelling. It included Mr. Al Fayed's first-hand account, with corroborative evidence provided by several of his employees, in particular Alison Bozek, a key witness, who provided evidence that she put the £50 notes in brown paper bags and wrote Mr. Hamilton's name on them, to be collected by Mr. Hamilton. She had been out of Mr. Al Fayed's employment for two and a half years when she gave the evidence to the Commissioner. At that time, she was in training to become a solicitor in a leading firm of City solicitors.

Mr. Edward Leigh (Gainsborough): In his report, the right hon. Gentleman's Committee said:

"This was a parliamentary inquiry and there was no attempt to replicate the procedures of a court action."

Surely the point of a court action and of our procedures, which have been built up over hundreds of years, is to ensure that justice is done and seen to be done. Many people cannot understand why his Committee did not give Mr. Neil Hamilton a chance to cross-examine his accusers. That is an absolutely elementary part of natural justice and I hope that the right hon. Gentleman will explain why Mr. Hamilton was not given that opportunity.

Mr. Sheldon: I will come to that, but it was not a court action. In fact, as the House will know, Mr. Hamilton withdrew from the court action because his colleague withdrew.

Alison Bozek was interviewed by the Commissioner two and half years after her period of employment with Mr. Al Fayed, when she was training to be a solicitor at Allen and Overy Solicitors. A partner, Mr. House, said this about her:

"I am very happy to provide a reference for Alison, who is currently working as a trainee in my department.

Alison applied for a training contract in September 1992. Her application was not given preferential treatment because of her position with Mohamed Al-Fayed. She was interviewed in February 1993 during our normal recruitment season and offered a position as a trainee solicitor on her own merits. After completing law school, she joined Allen and Overy on a two-year training contract in February 1996.

In November 1992 we took up a reference from Birkbeck College, University of London, where Alison studied for her BA as a part-time student. The reference is very positive in all respects and includes the statement 'I can vouch for her integrity'.

During her year with the firm Alison has met the high standards we expect of our trainee solicitors. I have never had the slightest reason to doubt her honesty and reliability.

I have formed a high opinion of Alison. She has been working for some time with me and other lawyers on a demanding case, and our regard for her is such that we have extended her period in the Litigation department, when in the normal course she would have moved on to another part of the firm.

She is mature, sensible and reliable. I do not believe she would lie in order to support her former employer's contentions. I hope this is sufficient for your purposes, and I will be happy to provide any further information you require. Once again I apologise for the delay in replying."

Mr. Quentin Davies (Grantham and Stamford): Is it not rather curious that the right hon. Gentleman should read to the House a long testimonial for a witness whom he prevented us from calling to the Committee? I was never able to put any questions to Ms Bozek. The right hon. Gentleman prevented the Committee from seeing that witness and forming its own view about her.

Mr. Sheldon: The Committee decided differently from the hon. Gentleman. I am giving the evidence that was received and acknowledged by the Commissioner.

Mr. Gerald Howarth (Aldershot): How long was it before this lady came forward to give evidence? That is a material factor.

Mr. Sheldon: She came when she was called by the Commissioner and Nigel Pleming. I shall deal with some other points when we come to the hon. Gentleman's amendment and if he wants to ask questions at that stage I shall be happy to answer them. I have outlined one part of the evidence which, in my view, is important. Other evidence is documentary and it has been tested forensically in private one-to-one meetings between Mr. Al Fayed and Mr. Hamilton, apparently at Mr. Hamilton's request.

Mr. Hamilton's letter to Mr. Al Fayed on 23 July shows a commitment strongly suggesting a financial relationship. Paragraph 142 of the report states:

"In his letter to Mr Al Fayed Mr Hamilton explained that he had now been elected Secretary of the Conservative backbench Finance Committee and Vice-Chairman of the backbench Trade and Industry Committee, which, as he put it, 'gives me a better position from which to act on your behalf', adding: 'Previously, as a PPS, it was less easy'. Mr Hamilton concluded by saying that he would shortly be writing to Mr Francis Maude, the new junior Minister at the DTI."

It is not a matter of one man's word against another. Mr. Hamilton submitted a lengthy memorandum in which he challenged the Commissioner's findings. We asked the Commissioner for his comments on Mr. Hamilton's submission, and he gave them to us. Mr. Hamilton then appeared before us. He continued to deny the charge and questioned at some length the credibility of the witnesses but did not present relevant new evidence that might have formed a basis for further examination.

We had to consider whether it might be appropriate for us to take the matter further by calling the witnesses whom Mr. Hamilton sought to discredit. For reasons that I understand and respect but do not share, the right hon. Member for Maidstone and The Weald (Miss Widdecombe) and the hon. Member for Grantham and Stamford (Mr. Davies) argued that we should, but we decided not to do that. If we had called further evidence, in my view and in the view of the Committee, we would inevitably have been drawn into reopening the whole of the Commissioner's inquiry.

The Commissioner's findings were based on the evidence of more than 60 witnesses and documents consisting of about 14,000 pages. A considerable proportion of that evidence related to Mr. Hamilton. If we had attempted to re-do the Commissioner's work, I do not think that we would have been able to take the matter any further than the Commissioner had done.

In the context of the amendment that has been tabled by the hon. Member for Aldershot (Mr. Howarth), the hon. Gentleman is naive to think that calling Mr. Al Fayed would be the end of the matter. Mr. Hamilton accuses many people of lying. He accuses of lying Mr. Al Fayed, Mr. Macnamara, Mr. Webb, Mr. Cole, Ms Bond, Ms Bozek, Mr. Bromfield, Mr. Preston, Mr. Hencke and Mr. Mullen. Mr. Hamilton says that all those people are liars and he is not.

Mr. Douglas Hogg (Sleaford and North Hykeham): Will the right hon. Gentleman confirm that the Commissioner did not take any evidence on oath? In paragraph 72 of his report, he gives his reasons for not taking evidence on oath and says that, in part, it was because he understood that the Committee was in a position to take evidence on oath. The result of the Committee's decision not to do that is that no evidence has been taken on oath or, to put it differently, none of the evidence was given on oath.

Mr. Nicholas Winterton (Macclesfield): Except for Mr. Hamilton's.

Mr. Hogg: Yes, except for Mr. Hamilton's evidence.

Mr. Sheldon: The Commissioner had with him Mr. Nigel Pleming QC and, as I have said, they conducted the investigation by calling more than 60 witnesses and having submitted to them documents consisting of more than 14,000 pages. They produced 900 pages for the Committee to examine. That was the consequence of the Commissioner's undertaking. As a result, our report concluded:

"We are satisfied that the Commissioner has carried out a thorough inquiry which took the evidence presented to him fully into account. The Committee did not arrive at a practicable way of reaching a judgment which adds to or subtracts from the Commissioner's findings. So the Commissioner's findings stand."

Our problem was that, if we had taken just bits of evidence rather than the evidence of the 10 who have been accused of lying, each of those witnesses would be involved in other accusations and, as a result, we would have to do not only the work of the Commissioner all over again but even more.

I want to see the Committee succeed. It is difficult to take over a problem that was being dealt with by an earlier Committee, but that was the task before us. Our problem was to conduct an investigation through a Committee which, by its nature, reflects political party strengths. The Commissioner, a man of repute and high standing, conducted his affairs extremely well and thoroughly.

Three misapprehensions have been given currency since the Committee's report was produced. The first, which Mr. Hamilton himself has put about, is that the Committee has found against him on a series of trivial complaints and has been unable to reach a conclusion on the only complaint that matters. Mr. Hamilton has used the term "parking offences" and has compared the allegation about cash payments to a murder charge. That is disgracefully wrong. The other offences are not trivial and, taken as a whole, they are serious breaches of the rules of the House—serious enough to warrant a substantial period of suspension.

On the matter of the cash payments, the Committee decided by nine votes to nil that it could neither add to, nor subtract from, the Commissioner's findings. That is a clear majority for the Committee's decision. On that basis, as I said before, the Commissioner's report stands.

The second misapprehension is that the Commissioner has somehow exceeded his proper role. It has been suggested that the Commissioner's task is merely to find whether there is a prima facie case of a breach of the House's rules and that, if his finding of a prima facie case is contested by the Member concerned, it is for the Committee to hear the case and reach conclusions. I remind the House of the wholly exceptional complexity of this case. Allegations were made about a large number of Members.

Miss Ann Widdecombe (Maidstone and The Weald): The right hon. Gentleman has said that, when we reached a conclusion, we had no practicable method of adding to, or subtracting from, the Commissioner's findings and that that meant that the Commissioner's findings stood. Is it not true that, when an amendment was proposed by the hon. Member for Workington (Mr. Campbell-Savours), I explicitly told the Committee, "If this is a concealed endorsement and that is the agenda, I will not support it"? I was assured by the hon. Member for Workington that it was not a concealed endorsement. In view of what the right hon. Gentleman has said, I believe that I was grossly misled. Let me put it plainly on the record. I do not endorse the Commissioner's findings.

Mr. Sheldon: That is a matter for the right hon. Lady. I am saying that if we neither subtract from, nor add to, a report, the report stands. I found no other way to handle the matter.

Mr. Gerald Howarth: The words moved by the hon. Member for Workington (Mr. Campbell-Savours) were to substitute for the following words in the original draft—

[Mr. Gerald Howarth]

[Interruption.] This was in the report. The words in the original draft were:

"We have no reason to question his"—

that is, the Commissioner's—

"findings and we therefore endorse them."

The Committee struck out those words and instead inserted the words moved by the hon. Member for Workington.

Mr. Sheldon: We say in our report that there was no other practicable way. That is a sensible observation. We accepted that we could not add to, or subtract from, the Commissioner's findings. I have only one interpretation of that—even though the right hon. Member for Maidstone and The Weald, whom I greatly respect, thinks differently—and it is that the Commissioner's report stands.

Sir Peter Lloyd (Fareham): Will the right hon. Gentleman give way?

Mr. Sheldon: We are rather tight for time, but I shall give way.

Sir Peter Lloyd: I listened with interest to what the right hon. Gentleman said. It appears to me, and I hope that he will agree, that the procedure adopted by the Committee will stand up only when the essential facts are not in dispute. When they are in dispute, the procedure that he described does not stand up and provide a satisfactory outcome. When the facts are heavily in dispute, as they are in respect of the brown envelopes, should not those making the allegations and those seeking to rebut them be cross-examined and heard, on oath, by the Committee?

Mr. Sheldon: The problem remained that a vast amount of information was available. If we had proceeded along the lines the right hon. Gentleman suggested, we would have done more than just copied the work in the 900-page report and the 14,000 pages of documents because further allegations would have been made. We could not cancel out some of the evidence, because it would take too long. I could find no way to deal with such a procedure.

Mr. Hogg: Will the right hon. Gentleman give way?

Mr. Sheldon: I am sorry, but I must make some progress. I shall try to give way later.

As I have said again and again, the major problem was that of a major investigation replicating the work of the Commissioner and carried out by a Committee that reflected party strengths. It was an inevitable problem. We gave the task to the Commissioner—an Officer of the House of Commons. We had confidence in him. He was not a prosecutor. The offences were not trivial and, taken as a whole, they were serious breaches of the rules of the House.

The second misapprehension is that the Commissioner has somehow exceeded his proper role. It has been suggested that his task is merely to find out if there has been a breach of the rules of the House and that, if his finding is contested by the Member concerned, it is for the Committee to hear the case and reach a conclusion.

I remind the House of the great complexity of the case, with the large numbers of witnesses to be examined and the huge bulk of documents to be examined. I also remind the House that the matter originated not with a complaint where the onus was on the complainant to submit the supporting evidence, but from Madam Speaker's statement. The Commissioner had to define the allegations and assemble the evidence.

The former Select Committee asked the Commissioner not merely to assess whether there was a prima facie case but, where possible, to reach conclusions on whether the allegations were substantiated and to report his findings to the Committee. That was the task an Officer of the House of Commons was given and he did it. Any other course would have left the Committee with an impossible task to perform.

The third misapprehension is that Mr. Hamilton has somehow been denied natural justice and that the Committee has failed to give him an opportunity to appeal against the Commissioner's findings. The procedures adopted by the Commissioner were inquisitorial, not adversarial. He was not a prosecutor; his aim was to arrive at the truth, not to secure a conviction. The procedures were shown in advance to the former Select Committee and to the hon. Members whose conduct was under investigation. They are described in full in the Commissioner's 900-page report. Not many people will have read all 900 pages, but they should at least read some of the most relevant parts.

The parties to the investigation were given the opportunity to comment on evidence produced by other parties which was relevant to the allegations against them. The Commissioner did not discuss his findings with those being investigated, at the request of the former Committee. I believe that the procedures adopted were fair to all concerned.

The Committee considered a great deal of material from Mr. Hamilton. The written and oral evidence that was before the Commissioner is all on the record. There is also a lengthy memorandum from Mr. Hamilton in which he challenges the Commissioner's findings. In addition, he appeared before the Committee and addressed it for two and a half hours in a public session. The Committee has bent over backwards to give Mr. Hamilton every opportunity to put his case to it and to respond to the Commissioner's findings. Had he presented new evidence that was not available to the Commissioner, I have no doubt that the Committee would have examined it carefully. He did not introduce relevant new evidence. Had he persuaded us that the Commissioner's proceedings were flawed in some way, I am sure that the Committee would have reopened the inquiry. He did not persuade us that the manner in which the Commissioner's inquiries were conducted was at fault. Had Mr. Hamilton persuaded us that the Commissioner's conclusions were such that no reasonable Commissioner could have reached them, we would have reopened the inquiry. He did not persuade us of that. His case was, in essence, that the Commissioner had heard all the witnesses and read all the papers, but came up with the wrong answer.

I have explained to the House that, in the unique circumstances of the case, a Select Committee is wholly unsuited to undertaking the investigative role which a full rehearing of the inquiry undertaken by the Commissioner inevitably would have involved. However, the Committee recognises that this case has highlighted the need to consider some of its procedures and to define them more clearly, in particular the Commissioner's responsibilities and those of the Committee. It is our intention to report to the House on those matters in due course.

I want to place on record the fact that this House owes a great deal of gratitude to an Officer of the House, Sir Gordon Downey, for the skill and care with which he has carried out an inquiry of enormous complexity. He served this House well as Comptroller and Auditor General and he has now served it extremely well as the Parliamentary Commissioner for Standards. I also thank Mr. Nigel Pleming QC, who acted as counsel to Sir Gordon's inquiry and as a specialist adviser to the Committee.

When Mr. Hamilton withdrew from his libel action in the courts, he said that he would accept the Commissioner's judgment on the allegations. On the "Today" programme he said:

"I'm going to put all the material which relates to me in this libel action, before the Parliamentary Commissioner for Standards, Sir Gordon Downey, who used to be the Comptroller and Auditor General, who is perfectly capable of assessing this evidence".

In another part of the interview, he said:

"I will seek the opportunity to have this matter considered by the Commissioner for Standards in the House of Commons, who will be able to take a measured view".

Finally, he said:

"I have absolute confidence that I will be vindicated in a matter of weeks by Sir Gordon Downey".

Neither the Committee nor the Commissioner has vindicated Mr. Hamilton. He now seeks to discredit the findings of both the Committee and the Commissioner. I ask the House to uphold our conclusions and to approve the seventh and eighth reports of the Committee.

7.58 pm

Mrs. Gillian Shephard (South–West Norfolk): It is clear that there are extremely strong feelings about this matter on both sides of the House, not least within the Select Committee on Standards and Privileges itself. I congratulate and thank all members of the Committee for their work. They have had to conduct their examination in the glare of publicity and media interest, but they were not distracted from their responsibilities. The responsibilities have been heavy, because nothing less than the reputation and the integrity of the House is at stake. Important as is the reputation of individuals, the House's reputation and integrity and its ability to regulate itself are also important.

I want to make it clear from the outset that Conservative Members absolutely do not condone any conduct that falls below that which the House is entitled to expect from its Members. The work of the Committee, in its various reports, has shown that some hon. Members on this side of the House, and on the other side, engaged in such conduct. It is true that Conservative Members have paid the price for their conduct, but their behaviour has affected the standing of the House, of the Conservative party and of public life. I wish to place it on record that we most sincerely regret that consequence.

Mr. Terry Lewis (Worsley): On a point of order, Madam Speaker. I do not recall any Labour Members being accused in that report. Will the right hon. Member for South–West Norfolk (Mrs. Shephard) clear up that point?

Madam Speaker: That is not a point of order for the Chair, but a matter of argument.

Mrs. Shephard: I think that the hon. Gentleman will agree that Labour Members had to face investigation by the Commissioner and by the Committee. That is a matter of record. It is true also, of course, that one of his colleagues is currently suspended by the House. His colleague has appeared before the House, and other hon. Members remain suspended. It is therefore true that hon. Members on both sides of the House have had to be investigated both by the Commissioner and by the Committee.

It is perhaps worth pointing out that we would not be having today's debate without the establishment of the Committee on Standards in Public Life in July 1994, by the then Prime Minister, my right hon. Friend the Member for Huntingdon (Mr. Major). That Committee was given the following terms of reference:

"To examine current concerns about standards of conduct of all holders of public office, including arrangements relating to financial and commercial activities and to make recommendations as to any changes in present arrangements which might be required to ensure the highest standards of propriety in public life."

Subsequently, my right hon. Friend the Leader of the Opposition has stated his personal determination to ensure the highest standards of behaviour in the Conservative party. As part of the wider reform and renewal of the Conservative party, we shall ensure that no one individual will ever again demean the reputation of either the House or the party. We shall establish an ethics and integrity committee—the full details of which will be announced next year—to rule on cases of misconduct. Conservative Members intend to ensure the highest standards of propriety in public life at all levels—including, of course, in local government and public bodies.

In the reports, the Committee itself recognises the limitations of its own role. When the conduct of those who are not hon. Members has a material bearing on judgments made on those who are, the Committee is clearly not empowered to act. As the Committee states in its seventh report:

"We recognise that, in practice, the powers of the House to punish non-Members are limited. In a future report we shall offer advice to the House on appropriate penalties and sanctions for Members, former Members and other persons involved in unacceptable behaviour."

The Committee also makes it clear, in paragraph 10 of its eighth report, that the scale and scope of the report are

"wholly unlike anything envisaged by the House when it created the new system for examining complaints against the conduct of Members and appointed a Commissioner for Standards."

Normally—if one can use that word in this context—the onus would have been on an individual complainant to submit evidence supporting any complaint to the Commissioner. In this case, however, the

[Mrs. Shephard]

Commissioner—following a statement to the House by Madam Speaker—was asked to define the allegations and assemble the evidence.

The Committee has consequently concluded that it will need to examine further whether there should be an appeal against the Commissioner's findings or the Select Committee's conclusions, except in consideration by the House. That is welcome. The fact that the Committee was unable to produce a unanimous report on that vitally important matter, despite the very best efforts of all its members and its Chairman, poses the question whether it has been the most appropriate vehicle for the task. That is a question that will have to be tackled by the entire House, because, as I said, at stake is not only the reputation of individuals but the principle of natural justice, and the House's ability to regulate itself.

On the case of Mr. Hamilton—*[Interruption.]*

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): Before the right hon. Lady deals with the particular case, will she endorse the view expressed by the Committee Chairman, that the Commissioner is the proper person to conduct the inquisitorial proceedings that were conducted in this case, and that no Select Committee would be appropriate for that task?

Mrs. Shephard: I shall quote later in my speech from the Committee's report, which seems to call into question the inquisitorial process. I will therefore not answer the right hon. Gentleman's question now, but will tackle the issue later.

In paragraph 7 of the eighth report—which the Chairman has already quoted—the Committee has ruled that Neil Hamilton's

"conduct fell seriously and persistently below the standards which the House is entitled to expect of its Members. Had Mr. Hamilton still been a Member we would have recommended a substantial period of suspension from the service of the House. These conclusions are justified by paragraph 6 alone."

The report makes it clear that Mr. Hamilton accepted that he had failed to register a number of interests—which, of course, were serious breaches of the rules of the House.

The Committee's clear statement puts an end to what has been a difficult matter for the House and a personal tragedy for Mr. Hamilton. The former Member for Tatton has endured considerable public opprobrium, and he now faces the end of his chosen career. He will not stand on the official Conservative party candidates list again.

The Committee has been able to draw a line under the affair, and both sides of the House are indebted to it for that. However, the case of Mr. Hamilton—in respect of Mr. Al Fayed's allegations against him—precisely highlights the limitations of the Committee's role.

In paragraph 3 of the eighth report, the Commissioner is quoted:

"This was a parliamentary inquiry and there was no attempt to replicate the procedures of a court action . . . The approach was inquisitorial, not adversarial. Its sole purpose was to arrive at the truth, not to achieve a 'conviction'."

Given the effects on Mr. Hamilton's life and future, however, he would have had more rights in calling witnesses and producing evidence to support his case against the allegations made against him by Mr. Al Fayed had it been a court action. He would also have had a right of appeal—something that he has been most specifically denied by the entire procedure.

Mr. Tom Levitt (High Peak): The right hon. Lady has told the House that Mr. Hamilton will not appear again on a list of Conservative candidates. By what inquisitorial method within the Conservative party has that decision been reached?

Mrs. Shephard: I do not have to answer the hon. Gentleman about matters that take place within the Conservative party.

The House will wish to examine the important questions raised by the Committee's own limitations. It cannot be right that anyone is denied simple natural justice by a procedure of the House or the Committee, and the House itself should be concerned so to reform matters that that cannot happen again. That is something for the future.

Mr. Gordon Prentice (Pendle): What weight should we give to Mr. Neil Hamilton's decision to withdraw from his libel action against *The Guardian*, which initially triggered the procedure?

Mrs. Shephard: The Committee will have drawn its own conclusion on that matter. I think, however, that no weight should be attached specifically to Mr. Hamilton's decision on the matter. I am concerned about the way in which the Committee's procedures reflect upon the House's ability to deal with matters affecting its own reputation.

Mr. Dale Campbell-Savours (Workington): Should not some weight be given to that fact in so far as two people—Mr. Greer and Mr. Grylls—lied in 1989 and 1990 to the Select Committee on Members' Interests, in writing in the case of Mr. Grylls and during oral evidence in the case of Mr. Greer?

Mrs. Shephard: I have no comment to make on that. Any kind of dissembling or lying is obviously regrettable and not acceptable. That is one of the things that the Committee uncovered.

I have accepted that certain Conservative Members have fallen below the standards of conduct appropriate for Members of Parliament. Without exception, they have paid a heavy price, but it should not be forgotten that such conduct is not the prerogative of this party.

As I said, there are very strong feelings on both sides of the House and on all sides of the argument. While recognising those and the effect on individuals of the limitations of the Committee's role in this case, we accept the reports, but we expect that the Committee and the House will bend their efforts to a reform of their procedures, so that those limitations will be corrected.

8.10 pm

Mr. Tony Benn (Chesterfield): I served on the Select Committee on Privileges for 10 years, and I greatly regret to have to tell the House that I am unable to support the recommendation before us. I shall explain why.

My uneasiness about the report centres on a number of matters, some of which have been aired. The first is the method of inquiry, which was secret. However one looks at it, it was in many ways a judicial inquiry into the conduct of a Member of Parliament who was denied representation. Thirty-seven years ago, I appeared before the Privileges Committee and sought to be represented. That request was denied, because the Committee does not work that way.

Secondly, I am uneasy because the Committee sub-contracted its judgment to the Commissioner. It is no good saying, "We have found nothing to add or subtract," because by doing that, the Committee sub-contracted its judgment to the Commissioner, who also sat in secret.

Thirdly, the scope of the inquiry is far too narrow. It does not deal with wider questions that I shall outline, and the recommendations are too limited.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Before the right hon. Gentleman passes over that point, saying that the Committee has somehow sub-contracted its work, I should point out that what the Committee did was follow exactly the terms of the resolution passed by the House in the previous Parliament. That is the fact of the matter, not the construction that the right hon. Gentleman has put on events.

Mr. Benn: It is a matter for the House to determine whether the Committee would have been entitled to go further. I was thrown off the Committee three years ago because I was not prepared to sit on a secret Committee considering matters of this kind. I do not know whether the hon. Gentleman voted for my removal—I would be surprised if he had not. I have held the view for a very long time that Committees dealing with individual cases should not meet in secret. That is a view that I now reaffirm.

I have no brief for Mr. Hamilton. What he did was utterly disreputable, so I have no complaint about what was said about him, but one thought occurs to me: did he break the law? I say that because the one thing that the House of Commons has totally failed to deal with throughout this matter is its own failure to lay down standards for all Members of Parliament. That is the issue that I wish the Committee had found time to consider.

What Mr. Hamilton did may or may not be widespread; I do not want to go into that. It may or may not extend to all parties; I do not want to go into that. Certainly, the sale of peerages has been known. It is a problem that has to be viewed in a very broad context. However, the whole debate has been overtaken by a wider question—not just cash for questions but cash for politics. On what condition should money be made available for political action, either by an individual or by others?

We have heard all the arguments about self-regulation. Self-regulation means, in effect, that we decide on an arbitrary basis instead of laying down the law as to what should or should not be acceptable and leaving judges to determine it. If Parliament passes a law saying what is and is not acceptable, that is self-regulation, but the determination falls to the judges, not to the House. There was always a problem with this in election cases which were transmitted to an election court instead of an election committee. A majority party always has a sort of interest in protecting its own members, which is why election cases are no longer handled in that way.

I am not in favour of Sir Patrick Neill being the man responsible for making recommendations of this kind. It is for the House to decide, on a considered judgment based on draft legislation. I shall take only a minute or two to try to identify what the law could have been that could have prevented this happening.

Just as a corrupt practice is defined in an election, so a corrupt practice should be defined for a Member of Parliament. What the House determined to do in legislation would be a matter for it to decide, but if someone were charged with a corrupt practice as a Member of Parliament, the matter could go to a court to determine. The person concerned would be able to present his case.

I have committed every known offence. I have been thrown out by an election court, but at least I had the opportunity to present my case, which I was not allowed to do to the Privileges Committee. I spoke for a week, which is the longest speech I have ever made in my life, the House will be glad to hear. At the end, two judges said that I was disqualified, as I had committed an even more serious offence—my blood had gone blue.

Has anyone ever looked at the list of disqualifications? It is as long as your arm, as we are always adding to it. Certain relationships should be disqualifying relationships. If it turned out that a Member of Parliament was working for Al Fayed or someone else and that was listed as a disqualifying office, that Member would be out, but it would be determined by law and not by the arbitrary proceedings of a secret Committee that operated without protection for those who were charged.

Mr. Campbell-Savours *rose—*

Mr. Benn: I should like to finish. I know that many hon. Members wish to speak, and I think my hon. Friend will agree that I have a long interest in this matter.

There must be transparency. The complaint about Mr. Hamilton is straightforward. If it had been known what he was up to, he would have been dealt with years ago. Indeed, the real remedy for Mr. Hamilton was his electorate, who dealt with him. That is the proper way to deal with people who have not done anything illegal but who have done something unacceptable.

I have never believed that the House had the right to throw out Members—none of us is here because the House wanted us, but we are here because our electors sent us here. The proper remedy for inappropriate behaviour is the electorate, and the proper remedy for illegal behaviour is the courts. Somehow, in the middle of all this, my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon), a distinguished body of people and a Commissioner hanging around to help him, have fallen between two stools.

I shall outline briefly what I think should be done. There should be a public register of gifts from individuals and organisations. Organisations and companies should have a ballot before they give money, just as trade unions do. Why should a company be able to give money without consulting shareholders when trade unions have to have a ballot? Companies should register any gifts and services that they offer to parties and to individuals.

Similarly, individuals and parties should be required to register the gifts and services that they have received—the amount and the recipient. I have said this before, but I

[Mr. Benn]

repeat it now—this information should appear on the ballot paper. Voters should know the interests of candidates. The electorate are the proper remedy for inappropriate behaviour.

If the people of Tatton or anywhere else want to vote for someone engaged in something that is not illegal and that person has listed all his relationships, it is up to them to decide whether they want him. If it says on the ballot paper that the candidate is a director of 15 companies or is sponsored by the Transport and General Workers Union, they will decide whether or not they want him. We are really discussing the rights of the electors, not the rights of Parliament. There should also be a cap on election law.

I am broadening the argument a little, but it is obvious in the light of what has happened recently that the question of cash for politics is more interesting and relevant than the issue of cash for questions.

It is not a matter of trust—I have never been inclined in my life to distrust people—but a question of law and responsibility. As a member of the Labour party, I would like to know who gives money to the Labour party, what they have given and when they gave it. That does not require legislation, but is a matter for me as a member of the Labour party. The shadow Leader of the House said that Mr. Hamilton would not be on another Conservative candidates list, and that is a matter for the Conservative party.

We are dealing here with transparency and the law. If we had had a combination of a clear statement of the law, judges to determine whether the law had been broken and transparency in financial relations, the Hamilton case would never have occurred. I regret that my right hon. Friend the Chairman of the Committee, whom I deeply admire, has moved his report. I shall not vote against it, of course, but I cannot support what I regard as a classic failure by the House of Commons to do its proper job—to lay down the proper and improper things that a Member of Parliament can do.

8.19 pm

Mr. Tom King (Bridgwater): I can start by agreeing with the right hon. Member for Chesterfield (Mr. Benn) on at least one point. I have always regarded cash for politics as infinitely more significant than cash for questions. Anyone who understands parliamentary procedures knows that cash for questions was much closer to money by false pretences, implying without much substance that some influence had been bought.

The right hon. Member for Chesterfield has always believed—very consistently—that this House is quite incapable of regulating itself and that these matters should be taken away from it. He believes that the Select Committee on Standards and Privileges—or any successor—is incapable of discharging these responsibilities. I stand here as a member of the former Nolan committee, but I am speaking today in a personal capacity and not on behalf of any other member of the Committee. However, anyone reading today's edition of *The Times* will have seen the views of Professor Anthony King—also a member of the Nolan committee—which did not come across as a wholesale endorsement of the approach taken by the House so far.

I agree with the right hon. Member for Chesterfield on another point. As the House chose to divert significantly from the Nolan committee's unanimous proposals as to the structure that the House should establish, I shall not support the motion. I do that with some sadness.

We are debating the seventh and eighth reports of the Standards and Privileges Committee. Until now, the structure of the Committee has worked well in dealing with different sorts of cases. I except from that the case dealt with in the sixth report—that of the hon. Member for Liverpool, West Derby (Mr. Wareing), who claimed that he twice asked to appear before the Committee before the judgment was made against him and before he was suspended. I do not know why the Committee refused to hear him. I hope that a member of the Committee will tell us why, because I am uneasy about that.

We sought to establish a system to replace the previous, manifestly inadequate system. The previous Privileges Committee was, at one stage, 17 strong with no investigative functions in support. Two hon. Members found themselves facing a sort of star chamber, and one spent more than five hours without representation appearing before 17 colleagues. Obviously, that was most unsatisfactory. The Nolan report unanimously recommended that a system be constructed which could be seen to accept the differences in the nature of Parliament. That system would need to be capable of dealing with many issues that are not crimes outside this House, but which are breaches of the standard of conduct that this House ought to expect of its Members if it is to continue to be entitled to claim the privileges which you, Madam Speaker, rightly claim for this House at the opening of each Session.

The committee set out not to put the matter in the hands of the courts—for the reasons that I have given—nor to appoint a new regulator who would be totally independent, sovereign and outside any control of this House, with one exception. The right hon. Member for Chesterfield touched on one important matter. One of the weaknesses at present is that we do not have adequately defined crimes of bribery of a Member of Parliament and corruption. I am glad that the Government have responded to the recommendations that those crimes should be established, making them a matter for a court of law. However, to deal with matters that fall short of crimes but which are totally unacceptable in a Parliament of our standing, reputation and credibility, another structure should be established.

We recommended the establishment of a new Standards and Privileges Committee and a new Parliamentary Commissioner for Standards. We proposed that the Commissioner should have security of tenure, but should report to the Committee, which would be sovereign. We recommended that the Standards and Privileges Committee should be a small but very senior Committee—we recommended that it should consist of up to seven very senior Members. Historians here may know that the original Privileges Committee was chaired by the Prime Minister, with the Leader of the Opposition representing Opposition parties.

The situation has changed. The Leader and shadow Leader of the House served on the previous Privileges Committee, and for the first reports of the present Committee. We recommended that that should continue. It is no secret that there is great disappointment that the

Leader of the House has decided not to continue to serve. A unique feature of the job of Leader of the House is that it is not a party political appointment. The Leader is the one member of the Government who must speak for the whole of Parliament. It is important that we have someone in that position on the Committee. When the right hon. Lady previously served as shadow Leader of the House, she found that she could discharge her responsibilities, recognising her duty to Parliament as well as to her party.

I have heard it said that some of those involved in previous Committees believe that, in the final analysis, it will be impossible for this Committee not to end up on political lines. I hope that that is not true, but one of the weaknesses of the present Committee—here I am critical of the Government—is the inclusion of no fewer than three new Members. I did not know who the three new members of the Committee were until they were pointed out to me. I met one last week, and I believe that the hon. Members for Cleethorpes (Shona McIsaac) and for Hastings and Rye (Mr. Foster) are also members. I have never seen them before—they are new Members. I wish them well, but this is not fair to them, nor right for the House. Not only do we not have very senior Members; we have three new Members who have never been in the House before. Part of the Committee's task is to command confidence in the House among colleagues, and part of that comes from the reputation that hon. Members have established over the years among their colleagues.

The first weakness in the previous structure was the lack of proper independent investigation, and we proposed the creation of the post of Commissioner. I pay tribute to Sir Gordon Downey for the way in which he has discharged his duty. We never envisaged that the Commissioner would make a major finding—certainly, he might do so in cases where a malicious and unjustified complaint had been made, or in minor cases, but we never envisaged that he would be the final arbiter of major cases.

In that situation, we envisaged that if there was a case to answer, the Commissioner would put the case to a Sub-Committee, which would take it from there. The Sub-Committee would produce its findings and there would then be an opportunity for the Member to appeal to the full Committee. The House decided not to accept the recommendation to have a small Committee, although the Standing Orders indicate that there should be a Sub-Committee. My understanding is that the Sub-Committee still has not been appointed. The Standards and Privileges Committee is in breach of the Standing Order, which is a mistake. It would provide these tiers: the Sub-Committee, an appeal to the full Committee and then, if necessary, a final appeal to the whole House.

In this case, Sir Gordon Downey was instructed to reach a conclusion—I understand the remit to which he worked. He then said that his

"duty was to arrive at the truth and not achieve conviction".

If the Commissioner arrives at the truth with what he describes as compelling evidence, but says that he has not arrived at conviction; and if the Committee then says that it will not add to or subtract from what he says; and even if one has read the full text and the amendment, in which the Committee deletes the statement "endorse the finding", it is not difficult to see why many people, both inside and outside the House, begin to become worried about natural justice, especially as there was no opportunity for cross-examination or appeal as was recommended.

The House must now decide. I have made some critical remarks about the Committee, but I have considerable sympathy for its members, because I would be sorry to be faced with the awfulness of this case and some of the characters involved in it. The main witness had already been accused and convicted by the Department of Trade and Industry report of not being a reliable witness, yet he was the main prosecution witness against Mr. Hamilton. It was an appallingly difficult case, but no matter how difficult the case, the Committee has to reach as far as it can to be seen to achieve natural justice. It is also essential that, out of this case, we ensure that we maintain a system that commands public confidence.

It is true that some of the events, some of the happenings, some of the standards, some of the practices and some of the consequences of the vast invasion of lobbying that hit the House in the 1980s posed many problems—there were uncertainties and grey areas in which people were not sure what was expected of them. Now, because of the work of the Nolan committee, the House's response to that and the work of Sir Gordon Downey, we have cleared up a great deal of murky territory. Many perfectly honourable Members of Parliament who did not know what was expected of them now have a far better understanding.

I was pleased—and I am sure that new Labour Members are, too—by the acceptance of the Nolan committee recommendation that there should be proper induction training for new Members of Parliament and a proper code of conduct, so that hon. Members should be told what is expected of them. You, Madam Speaker, gave warm support to that because you understand its importance. Those improvements have meant—God willing—that we shall never see a case like this again and that most future cases will be of a minor correctional nature. None the less, in case there is another such case, the House must be ready and ensure that it has a system that meets the need.

If I may echo the words of Professor Anthony King, the House has to decide whether to have

"an investigative or a judicial review function".

Is the Committee to be only a rubber stamp to the Commissioner? If the Commissioner submits a report, is the Committee's vote one of confidence in the Commissioner? Is the Committee to be faced with the resignation of the Commissioner if it does not accept the report? Or does the Committee have to accept that—no matter how complex, difficult or controversial the case—it has not a judicial review function but an investigative function and therefore has to spend time on difficult cases?

I believe that we must adopt that approach. In the face of this most difficult case, we must not abandon the structure, but I beg the House to look again at the Nolan committee's recommendations. They were made on an all-party basis, and the politicians and non-politicians serving on the committee tried genuinely to find what we thought was the fairest system, but the House departed from our recommendations. With no disrespect to those who gallantly served in difficult circumstances, I beg the House to look at the membership of the Committee and

[Mr. Tom King]

to raise the seniority of the Committee back to its proper standing. We need the structure of a Commissioner to investigate; a Sub-Committee to carry out further investigation if necessary and to reach conclusions; and the Committee and the House to provide the court of appeal.

8.34 pm

Mr. Charles Kennedy (Ross, Skye and Inverness, West): I have been a member of the Select Committee on Standards and Privileges since the start of the new Parliament. I thought that both the speech of the right hon. Member for Bridgwater (Mr. King) and that of the right hon. Member for Chesterfield (Mr. Benn) contained a great deal of wisdom after the event. The Committee faced the difficulty of operating under clear guidelines laid down in a resolution of the House, yet it appears that the complaint from several quarters, both inside the House and among members of the fourth estate, is that, in interpreting that remit in as fair-minded a way as we could, we have not come up with a conclusion that people feel is circular, tied up and completely to their satisfaction.

Mr. Benn: That comment underlines my point that the House has made a mistake. I said that when I was expelled and when I gave evidence to the Nolan committee, but I absolutely failed to persuade the House that the matter should be tackled on a broader basis.

Mr. Kennedy: I acknowledge the right hon. Gentleman's point, and I do not necessarily dissent from it.

My other point, by way of a brief response to the right hon. Member for Bridgwater, is that, although I acknowledge the sincerity and seniority with which he delivered his remarks about the Committee's membership, it has been my experience that the Committee comprises a group of impeccably fair-minded people. I say that especially in respect of the two members who happen to be Conservative Members—that is not how I think of them in connection with their membership of the Committee—but who have nevertheless been at odds with certain of the procedures and certain of the decisions. Therefore, I do not feel that the right hon. Gentleman's comments about seniority in terms of membership of the House of Commons are particularly apposite.

What we are looking for in a Committee of this sort is commonsensical judgment. I remember a journalist telling me a few years ago that we did not need all the paraphernalia—we just needed to apply the *Private Eye* test. I asked what that was and was told, "If it appeared in *Private Eye*, would you be embarrassed by it? If so, you should not be doing it in the first place." There is much common sense and wisdom in that remark, but it is not, unfortunately, an approach available to the Committee.

As one of the two Scots on the Committee, I would have to say that, in Scots law, the not proven verdict is one that has its critics. It is now invariably taken to mean, "Guilty, but unable to stick it on the accused." Not proven was essentially the verdict arrived at by the Committee on the central question of the cash-for-questions controversy. Although not a lawyer, I happen to be a defender of the not proven verdict in the Scottish legal context, and I would also defend its applicability in the context of the report that we are debating. However, it should not have to be defended in quite the same way on a future occasion.

Mr. Hogg: As I understand the hon. Gentleman, he is saying that the Committee was not satisfied beyond a reasonable doubt that Mr. Hamilton was guilty of taking the money. If that is what he is saying—incidentally, I would agree with him—the House should not support the Committee's recommendations tonight.

Mr. Terry Lewis: The House decided the remit, not the Committee.

Mr. Kennedy: As the hon. Gentleman is saying, I would have to refer the right hon. and learned Gentleman to the clear parameters set out by the Parliamentary Commissioner himself when he set about his task. He stated that we were not looking for the burden of proof as if it were a legal case heard in court, as Mr. Hamilton has argued for; in Sir Gordon's telling phrase, we were looking at "the balance of probability". That is what led him to conclude that there was a clear decision to be reached, and it was on the balance of probabilities that the Committee decided to endorse that decision.

Leaving aside the central issue of cash for questions, which is what the media descended on but was not the sole object of the Committee's remit, I should stress that Mr. Hamilton has admitted to a number of omissions, including the failure to disclose Harrods' hospitality and various introductory commissions and consultancy fees. That is what led the Committee to the conclusion that his behaviour fell "seriously and persistently" below the standard that the House can expect of its Members. The Committee said:

> "Had Mr. Hamilton still been a Member we would have recommended a substantial period of suspension from the service of the House."

What led the Committee to that decision were the facts—quite apart from cash for questions—to which Mr. Hamilton admitted in the full public gaze.

Mrs. Teresa Gorman (Billericay): As my right hon. Friend the Member for Bridgwater (Mr. King) has just pointed out, between 1985 and about 1990 the culture of the times was such that many Members accepted hospitality from companies without declaring it. The practice was widespread. Indeed, our own Prime Minister has accepted hospitality at Gleneagles and a trip on Concorde, the Deputy Prime Minister ditto, and the President of the Board of Trade likewise. What is more, our Prime Minister recently accepted hospitality at Silverstone—yet none of that was declared in the Register of Members' Interests. Hamilton's was hardly a unique case; what he did was not unreasonable in the culture that prevailed at the time.

Mr. Kennedy: I am not so sure about that. We all make mistakes from day to day in terms of what we do or do not disclose or accept as hospitality. That is mere human fallibility. If, however, the hon. Lady will look at the report in detail and read up on the sequence and successive nature of what Mr. Hamilton was accepting,

she will see that it was an open and shut case. I do not think that it bears comparison with what a great many other Members, let alone the Prime Minister, get up to.

It was clear to those of us who served on the Committee—we heard it from the horse's mouth—that the pattern of accepting certain things and not declaring certain things persisted for several years. Had I been a junior Minister in the Government of the day, and had I had a pointed conversation with the Deputy Prime Minister about allegations that had appeared in *The Guardian* and other newspapers, I should have been a fool not to be up front about my activities at that point. Yet it is clear that there was a fundamental lack of candour—

Mr. Gerald Howarth: My right hon. Friend the Member for Henley (Mr. Heseltine) made it clear in his letter that he was not seeking information from Mr. Hamilton about what had gone on in the past; he wanted to know whether anything was going on in the present. Disgracefully, Sir Gordon Downey reinterpreted my right hon. Friend's letter to imply that my right hon. Friend had asked Mr. Hamilton whether he had ever had any such relationships. I do not think the hon. Gentleman is being fair on that point.

Mr. Kennedy: I think that I am being fair. Anyone questioned in such circumstances about his activities, given the national media interest that had developed, should not answer simply in respect of the here and now. He should answer with details of past relationships with certain people. Still, the hon. Gentleman's point is a telling one, because it goes to the heart of the difficulty that faced our Committee.

Anyone can look at evidence and form any conclusions he likes. The hon. Member for Aldershot (Mr. Howarth) has made a harsh comment about Sir Gordon Downey with which I would not agree. The crucial issue is that it was upon cash for questions that Neil Hamilton was being judged, yet it was the Parliamentary Commissioner appointed by the House and the Select Committee on Standards and Privileges that ended up, perversely, in the dock.

The conclusions that we reached were therefore neither the "political stitch-up" alleged by Mr. Hamilton, nor the "fudge" pronounced by his successor as the Member for Tatton. The Committee merely recognised Sir Gordon Downey's description of his role and remit, which was as follows:

> "This was a parliamentary inquiry and there was no attempt to replicate the procedures of a court action . . . Its sole purpose was to arrive at the truth, not to achieve a 'conviction'."

As the right hon. Member for Chesterfield said earlier, anyone who complains about that now should have complained about it a long time ago, when the process was set in motion.

Mr. Nicholas Winterton: Although I hope that the hon. Member for Tatton (Mr. Bell) will have his say in the course of the debate—we shall listen to him with great interest—does the hon. Gentleman agree that the electors of Tatton rejected Neil Hamilton so overwhelmingly at the general election because of cash for questions—which issue has not been proven in the report? So a man's reputation has been shattered.

Why did not the Liberal Democrats contest the Tatton constituency at the election? Why did not the Labour party contest it? Was it not fought on the subject of cash for questions?

Mr. Kennedy: That election was contested on the issue that became known as sleaze, of which cash for questions formed a major part—but it was not the only component. It is perfectly clear that an awful lot of other wrongdoing had been going on for quite some time as well. As for the psephology of Tatton, I do not want to go into it this evening, for reasons that the hon. Gentleman will understand.

I am clear in my own conscience about the decision that the Committee reached, but I am less clear about the procedures within which we operated. There must be a rethink, not least about the issue of an appeal mechanism.

In his recent Dimbleby memorial lecture, Lord Nolan pointed out how his committee had recommended a three-stage process: the initial inquiry by the Parliamentary Commissioner; consideration of the report by the full Committee; any subsequent appeal to be handled by a small Sub-Committee. As the Chairman of the Committee has pointed out, the Hamilton case is but the first of two dozen to have triggered the appeal process; and for reasons of complexity and of the resources available to us, most of us felt that we were simply not equipped to conduct such a process. That is not an abdication of responsibility: it is a recognition of reality.

Like the Committee, I hope that further consideration will be given to finding a procedure allowing a satisfactory appeal against the Commissioner's findings. My experience on the Committee is that such a procedure is unlikely to be discovered within Westminster alone. We should consider moving away from parliamentary self-regulation. The pre-election Privileges Committee was riven by party politics and partisan advantage. The post-election set-up was fair minded and cross party, yet its conclusions seem to have satisfied few.

In future, the Commons may have to refer any alleged breaches of parliamentary standards to an outside judicial system of inquiry with its own independent and in-built appeal mechanism. Only when that process is complete can a definitive verdict be reported to you, Madam Speaker, with the House then resolving upon the appropriate course of action. Alternatively, Members of Parliament, like local councillors, should be made subject to the usual course of criminal proceedings.

Either way it is hard to see how Parliament can much longer avoid legislating on what constitutes unethical or illegal behaviour on the part of its Members. The status quo may simply yield more not proven verdicts of this type—verdicts unique to the Scottish legal process and, I suggest, best left there, where they properly belong.

8.49 pm

Mr. Tom Levitt (High Peak): I rise, as one of the newer Members of Parliament who has served on the Standards and Privileges Committee, to defend the report—warts and all.

First, I want to consider in whose interests the Committee operates. I put it to you, Madam Speaker, that the Committee operates in the best interests of the House. Our brief was to ensure that the House benefited from our judgment, and I believe that we have fulfilled that brief.

[Mr. Tom Levitt]

For that purpose, it was necessary for us to be representative of the House. By being a cross-party group and by including old established Members—I am sorry, older established Members—and new Members, the Committee reflected the make-up of the House.

Arguably, we should have included more new Members to reflect the make-up of the House more accurately. I shall not argue that strenuously, but in my opinion it was beneficial that those of us who served on the Committee as new Members had, until only a few weeks before our appointment, been members of the public. We had watched what was going on. We had made our judgments about this place and at the time we were talking to our respective constituents and gaining their impressions of this place and of the damage that was being done to its reputation by the things that were being said and done by Members whose cases came before the Committee.

We have started to perform our role of setting standards and of rooting out abuse of privilege. In the report, we commented on our proceedings and suggested ways in which we might make progress. The system is not perfect and the proceedings are not yet fully tried and tested, but we operated within the rules set down to guide us.

As the current hon. Member for Tatton (Mr. Bell) said a few days ago, the appearance of wrongdoing can be as damaging as wrongdoing itself. He said that in a different context, but how right it is regarding our investigation into former Members. When one Member of the House is caught out in the way that those former Members have been, a process of corrosion starts which affects all of us. That means that we must demand the highest ethical standards. The worst offence that a Member can commit is to disgrace the House.

I shall now discuss our eighth report. We said in earlier reports, considering others of the five former hon. Members who were particularly found by Sir Gordon to warrant our judgment on them, that accepting cash for questions was wrong. It was done in various ways, but in every case we said that it was wrong. Where it was proven, to the satisfaction of the Committee, that Members had accepted cash for questions, there would have been suspension from the House had they still been Members, and most of those Members who were found to have done so accepted that judgment. One did not, and we asked Sir Gordon Downey to carry out the investigation.

Sir Gordon spent hours in cross-examination, read volumes of evidence and produced a report many hundreds of pages long. He found compelling evidence of the acceptance of cash for questions. He did not establish absolute proof. Perhaps he did not establish what had happened beyond all reasonable doubt, but we were not applying a criminal standard of judgment because we were not operating as a criminal court. Mr. Anthony King, who has been mentioned more than once in the debate, says in *The Times* today that

"the committee would . . . exercise a broadly 'judicial review' function and reject the Parliamentary Commissioner's report only if his procedures had been seriously flawed or his findings manifestly unsafe and unsatisfactory . . . It has clearly concluded that Sir Gordon Downey's procedures were not seriously flawed and his findings not unsafe and unsatisfactory."

He says that we were reluctant to use that form of words. I am happy to use that form of words because that is what we found.

I accept some of what my right hon. Friend the Member for Chesterfield (Mr. Benn) said about making bribery of Members of Parliament a criminal offence and making the acceptance of bribes by a Member of Parliament a criminal offence, but that is not the situation that we are in and that is not the background against which we made our judgments and Sir Gordon carried out his investigation.

I repeat that this was not a court of law, so we did not have to apply legal standards of proof. In fact, the House changed the law to allow Mr. Hamilton to test his case against legal standards of proof in a court of law. The fact that he did not eventually do so is not the Committee's concern. That was where the law came into the case.

The nature of the allegations regarding cash for questions was such that it would always be difficult, if not impossible, to establish absolute proof. Conclusions were reached only on the basis of the testimony of individuals close to the event, and in that case, in order to move further and further towards an absolute standard of proof, we would have been obliged to open a procedure that was potentially indefinite. We might always get closer and closer, but we could never reach an absolute standard of proof because of the nature of the allegations. Nevertheless, as Sir Gordon said, the evidence was compelling.

As hon. Members have said, however, it does not matter whether the proof was absolute in the specific case, given the Committee's role, for two reasons.

The first reason is that, as the hon. Member for Tatton said last week, the appearance of wrongdoing was bad enough. When that wrongdoing is "seriously and persistently" carried out—the phrase used in our report—it is even worse.

However, let us put the cash-for-questions issue aside for a moment. Sir Gordon Downey's report and the Committee's report set out 11 allegations against Mr. Hamilton, only two of which relate to cash for questions. Sir Gordon found two of the remainder "not proven". That leaves seven allegations that were substantiated, over and above the cash-for-questions allegations—allegations of misrepresentation, of failure to register interests, of taking commission payments without declaration and of being disingenuous, to say the least, in attitude towards a Minister of the Crown and the Cabinet Secretary.

Those were offences against the House, and the decision of the Committee outlined in paragraph 7 that

"Mr. Hamilton's conduct fell seriously and persistently below the standards which the House is entitled to expect of its Members . . . we would have recommended a substantial period of suspension from the service of the House"

was passed unanimously. The report shows that there was no dissent or abstention: there was agreement without division on that paragraph as it related to the allegations other than those concerning cash for questions.

Mr. Quentin Davies: The hon. Gentleman is going on about a red herring. The whole point about the procedure was that when the Commissioner could agree on the facts there was no appeal. Clearly, in this case the facts were not disputed. Mr. Hamilton and all the others accepted that they had not observed the rules and we simply left that matter aside. The sad issue that the House must

confront this evening, whether it likes it or not, is that there was a procedure for an appeal against the Commissioner's verdict when the facts were not agreed.

Mr. Hamilton was entitled to exercise that appeal. He did so and his appeal was never properly heard. He appealed on the vital issue of whether he took money from Mr. Al Fayed. As a result of the behaviour of the majority of the Committee, no one will ever know whether Mr. Hamilton took money from Mr. Al Fayed and no one has ever been in a position to question Mr. Hamilton about it on behalf of the House, or to question Mr. Al Fayed, who would have been equally guilty had money passed hands in that way.

Mr. Levitt: That is not the point. The Committee was set up to serve the House and we said what standards of behaviour we expected. Whether or not all the allegations are proven to an absolute standard of proof, we said that Mr. Hamilton's behaviour was wholly unacceptable and he would have been suspended had he still been a Member. That is not in dispute. When we had the death sentence, someone could be found guilty on six charges and beheaded; it was immaterial whether they were found guilty on a seventh charge.

The Standards and Privileges Committee carried out its work diligently and at great length. Sir Gordon Downey went to painstaking lengths to produce a huge and utterly convincing report, which we examined for several months. We had three written rebuttals from Mr. Hamilton at various stages of the report and a lengthy two-and-a-half-hour contribution from him in person. It was an experience having Mr. Hamilton make a presentation before us that day. It was entertaining, skilful, slick and seductive, but it was empty. Nothing during those two and a half hours gave me or the majority of Committee members any reason to want to reopen the debate on Sir Gordon's report. Nothing that Mr. Hamilton said made us feel that Sir Gordon had the wrong end of the stick or had misinterpreted what was going on.

The House commanded us to carry out our deliberations within a reasonable period of time. That form of words appeared when the Committee was set up. We took more than a reasonable amount of time. Had we reopened the question and taken witnesses, we would not have seen an end to our deliberations. We had no reason to do that because we had no reason to doubt Sir Gordon's report.

As the hon. Member for Tatton said last week, the appearance of what was going on was what mattered. The appearance of wrongdoing in this case was total, and I stand by the Committee's report.

9.1 pm

Mr. Peter Bottomley (Worthing, West): I intend to speak briefly without the help of interventions.

Something that is not in our report is the fact that no one has accused Neil Hamilton of doing anything as a Minister that would have made Mr. Al Fayed happy. In practice, most of the Al Fayed accusations were made because Ministers would not do what he wanted.

The eighth report clearly draws a line under paragraph 7. Of the broadsheets, excluding the *Financial Times*, *The Guardian* was the only newspaper to reflect in practice what the Committee had agreed. Most of the other commentaries, especially in the press, were on the basis that the eighth paragraph had been used for the conclusion of paragraph 7. As the Committee Chairman said, the report says clearly that what we would have recommended for Neil Hamilton was based on paragraph 6, which is not the contentious part of the allegations taken through by the Commissioner or the Committee.

In simple terms—although this is a complicated matter—the Committee did not find Neil Hamilton guilty on paragraph 8. We did not overturn the Commissioner's work, but neither did we say that Mr. Hamilton should be recommended for punishment under paragraph 8. The fact that it is not material has been missed by many people.

Like the hon. Members against whom allegations were made in the seventh report, Neil Hamilton would have been acceptable as a Member of Parliament had he served a period of suspension, substantial or not.

Had the Committee wanted to recommend that someone was unfit for public life or that they should be struck off by their professional bodies, I have no doubt that we were capable of saying that. Because we did not, people in the House and outside should not believe that the Committee's recommendations went further than they would have done had those Members been re-elected at the last election.

My next point may be controversial. It relates to the hon. Member for Tatton (Mr. Bell). I think that he has rightly stayed away from these issues up to now. If he speaks tonight, I shall listen with great interest. When the House has disposed of our reports Nos. 7 and 8, I hope that the House authorities will consider whether the hon. Gentleman should be nominated to join the Select Committee on Standards and Privileges, as he is not likely to be a Member for a number of Parliaments—he said that he would stand only once—and he should be able to bring a point of view that would be of value to the Committee.

To those who want to understand what has been going on, I commend the early pages of the first report, which spells out how the matter started and why it is an unusual case. I do not believe that in future we shall have to deal with general accusations thrown about by someone like Mr. Al Fayed—to whom I say, not in passing but specifically, that I extend my sympathy on the loss of his son. Mr. Al Fayed will not be repeated many times. He made accusations, a number of which were extremely serious. Some were untrue.

I also want to draw attention to what the Commissioner says on page 5 of the first report. He states in paragraph 33 that he wants also

"to acknowledge that, but for *The Guardian's* persistence in pursuing its original investigations, many of these serious allegations would never have been brought into the open."

He goes on to say in paragraph 34—and this, I believe, the Press Complaints Commission should call for and invite *The Guardian* to comment on:

"I cannot, however, view in the same light *The Guardian's* action in leaking extracts from the transcripts of oral evidence given to the inquiry. I repeat what I said in a press statement on 21 March 1997, namely that the selective publication of incomplete evidence was both inimical to the principle of natural justice and a gross breach of the trust placed in *The Guardian* as a party to the inquiry."

Those are not matters that the House should take up, but *The Guardian* and the Press Complaints Commission should consider them together.

On the issues before the House, I believe that the House is perfectly capable of considering recommendations from Sir Patrick Neill, as we did from the Nolan report. We are

[Mr. Peter Bottomley]

capable of coming to conclusions and, if necessary, taking further evidence for the Committee after investigation by the Commissioner. The number of cases where Members or former Members seriously dispute facts after inquiries by the Commissioner will be non-existent or very limited. *[Interruption.]*

Madam Speaker: Order. I should be glad if hon. Members would desist from arguing with me at this time simply because it is doubtful whether they are going to be called. They are challenging the hon. Members whom I have called. *[Interruption.]* Yes, you are. You are looking at the list to see who has been called. You will desist from coming to my Chair.

Mr. Quentin Davies *rose—*

Madam Speaker: Order. You have been challenging who I have called and complaining that I have called the Chairman of the Committee. The Chairman of the Committee has every right to be called, and to be called first. I will hear no more. Resume your seat and we shall continue with this debate.

Mr. Bottomley: The most important issue for us is to try to work in this House, not in the expectation that there will never be a time when any of us will transgress, but in the knowledge that we have a method of investigating complaints. I believe what has been said already—that the Commissioner is the right person to test whether complaints need to be taken further.

My final major comment relates to the procedure of the Committee and the options open to hon. Members on it. During our deliberations, I pushed one issue to an oral vote, but not to the taking of names. The way in which the report came out reflects the contributions made by members of the Committee together. Those who put too much weight on the fact that we did not accept the words about endorsement in the draft Chairman's report are building too much on that. We could have arranged matters in such a way that the word "endorsed" never appeared in our deliberations or in the vote. We did not do that.

I believe that we are capable of raising the standard of behaviour of Members of Parliament. I believe that what happened during the 1980s was excessive. I believe that from now on, when hon. Members speak in the House it will be because they are saying something that they believe, although they may be wrong, or because they are saying something that is in the interests of their constituents, although they may be wrong, or something that they believe to be in the national interest, although they may be wrong, but it will not be because they have been getting benefits from people outside.

I make one final plea: could I please be invited to any meetings of Transport and General Workers Union members in this place? I have been a member of the union and of the House for 22 years, but as I was not sponsored by the union I have never been invited to a single meeting.

9.9 pm

Mr. Gerald Howarth (Aldershot): I beg to move, as an amendment to the motion, in line 1, to leave out from "House" to end and add:

"notes that, on an amendment proposed by the honourable Member for Workington, the Committee on Standards and Privileges resolved, *nemine contradicente,* not to endorse Sir Gordon Downey's findings in respect of Mr. Neil Hamilton; expresses its deep concern that the ultimate author of the grave allegations concerning cash payments, Mr. Al Fayed, was not called to give evidence before the Committee on oath in public; and believes that justice cannot be done until Mr. Al Fayed has been so called."

I must declare an interest in the debate at the outset: Neil Hamilton is a friend, and has been for many years, and I will not stand by and see an injustice done to a friend without speaking my mind. I hope that I shall not face too many serious consequences for so doing—but if one cannot speak one's mind in this place, where in the world can one do that?

I believe that Mr. Hamilton has been subjected to the most wicked, vicious witch hunt in the media—particularly in *The Guardian* newspaper, whose journalists have something to answer for. Nobody knows better than me that he has conducted himself throughout the past extraordinary months—which have been incredibly difficult for him, his wife and family—in a manner that is nothing short of magnificent. He has shown great courage and great determination—in part, it is his determination that got him into such trouble as he is accused of protesting too much. I think that he has acted with great dignity. To those who are concerned that he appears too much on television—on perhaps slightly down-market programmes—I would say that that illustrates the point that he made to the Select Committee on Standards and Privileges: Neil Hamilton is unemployable. He has lost his seat in this place and has no prospect of employment elsewhere. The only way that he can keep a roof over his head is by diverting those talents that he displayed with such excellence in this place.

I am conscious that many hon. Members wish to speak in the debate, so I shall endeavour to be brief—although I must confess that it will be difficult. This business is known to the public as the "cash for questions" affair. It is, therefore, proper that I should concentrate my remarks on the specific allegation that Neil Hamilton received cash, in whatever form, from the proprietor of Harrods, Mr. Fayed.

In answer to the Chairman of the Standards and Privileges Committee, the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), I assert that Mr. Hamilton has apologised. He is deeply apologetic for some of the errors of judgment that he made, and I have not heard him refer once to "parking offences". I do not dispute that Mr. Hamilton may have said that—if the right hon. Gentleman says he has, I shall leave it at that. However, I assure the right hon. Gentleman and the House that Mr. Hamilton is extremely contrite and apologetic for his lapses of judgment.

It serves no purpose the hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) claiming that Mr. Hamilton has committed the most heinous offences. The Prime Minister also has a catalogue of non-declarations. I do not wish to be too partisan, but I suggest to the House that it is not fair to criticise a former Member for taking hospitality when the Prime Minister did so also. The Prime Minister's response to not registering was to say, "They saw me on television." It is no use hon. Members bickering about it: that is a fair point.

I have sought to amend the motion before the House to draw attention to two important and connected issues. The first is the injustice to Neil Hamilton and the second is the cumulative damage done to the House by Mohammed Fayed, the proprietor of Harrods. I remind the House that the story began when *The Guardian* newspaper alleged that Neil Hamilton was paid £2,000 a time by Ian Greer for tabling parliamentary questions. The fact that he tabled rather fewer parliamentary questions—certainly fewer early-day motions—than the hon. Member for Workington (Mr. Campbell–Savours) is relevant only in the sense: why pay Mr. Hamilton if the hon. Member for Workington will do it for nothing? Which he did, I hasten to add—

Mr. Campbell–Savours: And more effectively.

Mr. Howarth: And more effectively, the hon. Gentleman says from a sedentary position.

It is an important point. However, the most important point is that an analysis of Ian Greer's accounts disproved beyond doubt that Neil Hamilton had received payment from Mr. Fayed via Ian Greer, and that charge, which was the essence of *The Guardian*'s charge in October 1994, was dismissed by Sir Gordon Downey. The accusation that Neil Hamilton had received gift vouchers from Harrods was also dismissed.

As the legal action was proceeding, Mr. Hamilton sought the permission of Parliament to change the law so that he could take the case to court. He took it to court, and Mr. Fayed then changed the allegations about cash and said that, rather than being paid by Ian Greer Associates, it was paid face to face. Neil Hamilton pointed out that at one of the meetings where these cash payments were supposed to have been made by Mr. Fayed, Timothy O'Sullivan, a man of undoubted integrity, was also present. Mr. Fayed had forgotten that one, so it was no longer possible to argue that Neil Hamilton had been paid face to face. What happened then? Ah, we come to the brown envelopes. The brown envelopes were the means by which the payment was made. Mr. Fayed is a man most familiar with the transmission of cash through brown envelopes. I know because I have a constituent who used to be in his employ, and he tells me all about it. It is not all dishonourable stuff. It is the largesse of the man. He has much of it. Nobody knows where it comes from but he has much of it.

We found that Neil Hamilton had not been paid through Ian Greer. Sir Gordon agreed with that. He had not been paid face to face, because an independent witness proved that that could not have happened, at least on that particular date, and therefore must have undermined Mr. Fayed's credibility. Finally, at the door of the court, at the 59th minute of the 11th hour, we had the third allegation: that the cash in the brown envelopes was collected from the desk of Fayed's Park lane offices and couriered to Neil Hamilton's home. That is the changing scenario against which the judgments were to be made.

The hon. Member for Ross, Skye and inverness, West referred to the verdict in Scotland of not proven. I say to the Chairman of the Committee, it is a cardinal principle of English law—not Scottish law—that a man is innocent unless and until proved otherwise. In its report, the Committee has failed to produce the evidence that Neil Hamilton received money from a very powerful business man.

Mr. Hogg: My hon. Friend and I sit on the Home Affairs Select Committee. He will recall that he has heard the Home Office Minister arguing in terms that where policemen face dismissal for serious disciplinary offences, the standard of proof should be the criminal one—beyond a reasonable doubt. Does my hon. Friend agree that that is the appropriate approach to take with hon. Members of the House?

Mr. Howarth: I entirely agree with my right hon. and learned Friend. He has made a most important point. It is a most cavalier attitude if the House is saying that in this case a former Member of Parliament's entire life can be destroyed, completely shattered, simply on the balance of probabilities. That is not good enough. I do not think that Sir Gordon Downey's compelling evidence—his words—is compelling in the least. He has failed to say how much Neil Hamilton took. He has failed to say when he took it. He has failed to say how he took it. Above all, he has failed to say what happened to the money when he had taken it. As to how much he had taken, Sir Gordon is instructive. In volume I of the first report, at page 122, he says:

"The total amount received by Mr Hamilton is unclear, but it is unlikely to have been less than that taken by Mr Smith (between £18,000 and £25,000)."

Mr. Christopher Leslie (Shipley): That is a lot of money.

Mr. Howarth: It is a lot of money, but it is no basis upon which a former Comptroller and Auditor General should charge a Member of this House and say

"it is unlikely to have been less than"

while also saying,

"The total amount . . . is unclear".

I do not believe that a servant of the House—the Chairman of the Committee tells us that that is what he is—has any business making that kind of accusation.

The hon. Member for Shipley (Mr. Leslie) has said from a sedentary position that it was a lot of money. Sir Gordon also charged Mr. Hamilton with failing to declare a one-month consultancy, which added up to £667 and which he described as a material sum of money. So Mr. Hamilton has been stuffed both ways—£667 is judged a serious amount of money when it comes to non-registration of a consultancy, but between £18,000 and £25,000 is a cavalier amount of money.

It is instructive to read what Sir Gordon says in the report about what happened to the money. The hon. Member for High Peak (Mr. Levitt) said that we must deal with the appearance, but that is absolutely breathtaking. To suggest that just because the public think that something wrong was committed, we must therefore go along with that, is a most extraordinary attitude. It is gravely damaging in one who is a member of the Committee, which should operate on the basis of fact alone and not on the basis of conjecture.

The Chairman of the Committee has said that it has not been possible to find hard evidence either way. Of course, it would be possible because Sir Gordon has gone through

[Mr. Howarth]

Mr. and Mrs. Hamilton's bank accounts, building society accounts and all other accounts. He cannot find the money. What does he say about that in the report? He uses the following words:

"I am unable to shed any light on what became of this money . . . Given the relatively modest sums involved, and the fact that the payments were spread over a period of more than two years, the absence of such documentary confirmation of their receipt is perhaps not surprising."

That is not an acceptable judgment on which to condemn a man who has given great service to the House; a man who has given great service as a Minister; and great service to the country. He should not be condemned on the basis of such cavalier behaviour. The House ignores those facts at its peril.

Shona McIsaac (Cleethorpes): Is it also right that the House should also ignore the corroborative circumstantial evidence which is in the Commissioner's report, such as that provided by the telephone message pads, which suggest that Mr. Hamilton was, to use the words in the report, "soliciting" for the preparation of payments? Should we also ignore such evidence or should we regard it as compelling circumstantial evidence?

Mr. Howarth: The hon. Lady is a new member of the Committee and a new Member of the House, but—

Shona McIsaac: I am capable of judging a case.

Mr. Howarth: The hon. Lady does not need to get too excited because I was about to deal with whether that evidence was compelling or not. *[Interruption.]* Perhaps the hon. Lady would be interested in considering what was the corroborative evidence. [HON. MEMBERS: "Answer the question."] I am dealing with it. As for the message pads, the messages were taken by staff, and I want to deal with the staff.

Shona McIsaac *rose—*

Mr. Howarth: No, I will not give way because time is getting on.

Miss Widdecombe: Will my hon. Friend give way?

Mr. Howarth: I will give way to my right hon. Friend. [HON. MEMBERS: "Oh."] Well, she is a lady as well.

Miss Widdecombe: Does my hon. Friend agree that the exchange between him and the hon. Member for Cleethorpes (Shona McIsaac) provides an ample demonstration of the reasons why at least two of us on the Committee wanted to go through the evidence and test it thoroughly? Surely it amply demonstrates the exact problem that we faced—there was one piece of evidence followed by another, another and another, which we wanted to test.

Mr. Howarth: I am grateful to my right hon. Friend, with whom I agree entirely. That is why some of us on the Conservative Benches at least, and, I believe, elsewhere in the House, are concerned about the findings of the Committee because there has not been an opportunity to test Mr. Hamilton's arguments, let alone those of other people who have not been called at all. Sir Gordon has no direct evidence that Mr. Hamilton received the cash, or what he did with it if he did receive it. He has to rely on the evidence of witnesses who are Fayed employees.

It is interesting that, in the case of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), Sir Gordon said:

"They cannot all be telling the truth and this has underlined the crucial importance of seeking independent corroboration for the allegations."

Sir Gordon did not explain why Al Fayed's employees were not independent in the case of my right hon. and learned Friend the Member for Folkestone and Hythe, but suddenly became so in Mr. Hamilton's case. It is up to Sir Gordon Downey to explain that.

These events occurred 10 years ago, and these witnesses have a recall about Neil Hamilton that they have about nobody else. I do not want to bore the House with the details, but I shall give a couple of examples. Mr. Philip Bromfield sat at the desk in Park lane. He apparently remembered giving envelopes to Tim Smith, who we now know did not receive any envelopes from Park lane, so Mr. Bromfield's evidence should be questioned. Tim Smith was paid on seven or eight occasions, but he never collected an envelope from Park lane.

Mr. Bromfield remembered Mr. Hamilton, but failed to remember Francesca Pollard. Those of us who have been in the House for a while will know that Francesca Pollard was being paid by Fayed to write nasty things about Tiny Rowland. Every month for over four years she collected £2,000 in brown envelopes, but Mr. Bromfield could not remember her collecting those 40 envelopes. How can we rely on that evidence? There is plenty more where that came from, but I shall not trouble the House with it.

Mr. Leigh: Does my hon. Friend accept that the point of this debate, which will last only three hours or less, should not be to argue the toss about these detailed aspects of evidence? The question that the House should ask is whether this accused man should be allowed to cross-examine his accusers. Is it right for the House to abrogate that role, and for the Committee Chairman to say that we do not have time? That is what we should be arguing about.

Mr. Howarth: My hon. Friend is right, but it is also important to draw attention to some of the detail, given some of the comments that have been made in support of Sir Gordon Downey. There is considerable evidence that Fayed employees were not suitably independent to be relied on in this important matter.

I think that Mr. Fayed has done immeasurable damage to the House. He congratulated Neil Hamilton on his appointment as a Minister, but was galled because of his failure to buy Mr. Hamilton, who acted with total propriety, unlike the Minister for Public Health. When he was told by his civil servants that he could handle House of Fraser matters, he handed the papers over to my hon. Friend the Member for Gainsborough (Mr. Leigh). Miss Bozek gave the game away when she wrote of Mr. Hamilton in *The Mail on Sunday*:

"We thought he would be tremendously helpful to us. We were very disappointed that he wasn't prepared to help. . . . When he obtained a position that could have been really useful he opted out. He never even replied to Mr. Al Fayed's letter of congratulations."

Mr. Fayed was fed up because he could not buy a Conservative Minister. He could not get his case overturned at the European Court of Human Rights, he could not get the Minister to do his bidding, and he could not get a meeting with the Prime Minister, so off he went to *The Guardian*. He is the source not only of this problem, but of the cash-for-questions allegations, which was the scam that *The Sunday Times* ran about Mr. Graham Riddick and my hon. Friend the Member for Bosworth (Mr. Tredinnick). He is the man who accused my right hon. and learned Friend the former Home Secretary of having taken £1 million in bribes. Twenty-four other Members have been victims of this man Fayed.

I believe that Sir Gordon Downey gave too much weight to what Fayed said. He was prepared to take the word of a man proved by Department of Trade and Industry inspectors to be a liar; a man who has not stopped short of raiding someone's safe box; a man who even said of the late Princess of Wales that he had heard her dying words. I believe that there is a catalogue of shameful activities on the part of this man, and that he is responsible for bringing the House into disrepute. The House may well decide tonight that it wants to accept the report and get it out of the way—my colleagues on the Front Bench may say, "We have other things to do in our careers, and we ought not to become involved in this business"—but I tell the House that, if we do that, we shall be in serious trouble. This man will not go away: he will stop at nothing.

I also believe that there are beginnings—there are rumblings. People outside the House are already concerned about the way in which the matter is being handled. They feel that there has been a miscarriage of justice. I cite just Mr. Anthony Bevins—talking about "the Tatton one"—Mr. Chris Moncrieff and Mr. Paul Johnson.

I hope that the House will have second thoughts, and will feel able to support my amendment.

9.30 pm

Mr. Dale Campbell-Savours (Workington): I do not want to rehearse the evidence given in the Hamilton affair this evening, for the reasons set out by the right hon. Member for Maidstone and The Weald (Miss Widdecombe) in her intervention. We can go back and forth, and we shall get nowhere. We cannot retry the matter on the Floor of the House.

I shall follow what was said by the hon. Member for Gainsborough (Mr. Leigh), because I want to know what will happen in the future. How are we to change procedures? We are dealing with a matter of natural justice. I believe that I can endorse Sir Gordon's report—I have no trouble in doing that—but that is not the issue. The issue is whether, having endorsed the report personally, I, as an individual Member of Parliament, am satisfied that Mr. Hamilton has been heard on appeal. He has not received an appeal, and my view is that we must find a way of providing for that at some stage in the future. I shall say more about that later.

Let me trace the background to what has happened, and show why we are in our present quandary. Nolan recommended that post-prima facie inquiries should be carried out by the Committee. In other words, he set a threshold: once an inquiry had reached the prima facie stage and it had been established that there was a case, the matter should go to the Committee. The Select Committee on Standards in Public Life recommended that as well, in paragraph 5 of its first report; but it was never implemented by the Committee.

We have been in default of the first report of the Select Committee on Standards in Public Life since the beginning of the operations of this Committee. In only one case have we stopped at the prima facie point, as far as I can recall: I refer to the case of the gentleman whom I believe is now the shadow Home Secretary. In nearly all our inquiries, we have repeatedly asked the Commissioner to pass the prima facie stage. In doing so, we have compromised the Nolan recommendations, and also compromised the recommendations of the first report on standards in public life.

This particular case was complicated by a reference from the Speaker that wore neither a standards hat nor a privileges hat; but the same procedure was applied. The first special report of the Select Committee on Standards and Privileges recommended:

> "The Commissioner will then determine where there is *prima facie* evidence of a case to answer and, where possible, reach conclusions on whether the allegations have been substantiated."

Those words "reach conclusions" are all-important. The moment we asked the Commissioner to reach conclusions, we were in default of the recommended procedures, and were effectively negating the requirement that the Committee itself carry out an inquiry.

The House might ask why that happened. The answer is simple: it was for the convenience of the Committee. Members realised that it would be impossible to sit and adjudicate on all those cases as if we were a court of law. Members of Parliament do not sit on juries and I presume that one reason why is that we simply do not have the time. I am not a juror. I am not in a position to sit and to hear a whole case and nor was any member of that Committee.

Lord Nolan's original recommendations were fundamentally flawed in that area and I take my share of responsibility because I was one of those people who went to the Nolan committee, asked for an ethics registrar, as I called him, and referred to the need for the committee to be the appellate body. I was wrong and I should have learned from my experience.

A House of Commons Committee cannot sit in a quasi-judicial form and carry out the function of an appellate body. My reasons for saying that are controversial.

Mr. Quentin Davies: Will the hon. Gentleman give way?

Mr. Campbell-Savours: Let me finish just the next stage and then I will give way to the hon. Gentleman.

I have six examples as to why those Committees can be meddled with politically. Last week in my office, during an interview with a professor of politics from a famous university, I learnt that he had interviewed a prominent Member of Parliament on those matters, who had told him that the John Browne inquiry in the late 1980s, which came before a quasi-judicial Committee, the Select Committee on Members' Interests, was the subject of influence by the Whips. That prominent hon. Member also alleged that the Aitken inquiry was influenced by the Whips. Those were in quasi-judicial conditions.

[Mr. Campbell-Savours]

I know for a fact that the Grylls inquiry of 1990 was interfered with. Why? Because I was there and I watched it happen. I called for him to give evidence to the Select Committee on Members' Interests. I was blocked by a Conservative majority on the Committee, yet that evidence was critical during the libel case of Mr. Hamilton; indeed, it was one of the reasons why the Hamilton trial collapsed. That is well established. *[Interruption.]* The hon. Member for Macclesfield (Mr. Winterton) is agreeing with me. That Committee was meddled with and my attempts to have Sir Michael Grylls brought before the Committee to answer detailed questions were blocked. Clearly, in so far as I was not able to bring him before the Committee, the result was that justice was not done.

In the case of the Hamilton report, the Select Committee on Members' Interests was manipulated. That was what led to my complaint in the case of Mr. Mitchell, the former hon. Member for Gedling. I can reveal for the first time that we had absolute, clear and incontrovertible evidence from a member of the former Select Committee on Members' Interests, which, if it had been brought before the Committee, would have clearly shown that Mr. Mitchell was acting for the Tory Whips office during that inquiry. It came from one of the Tory members of that former Committee. That Committee was meddled with.

Early this year, the Mitchell inquiry came before the Select Committee on Standards and Privileges. The Committee, which is supposed to be manned by people of independence, was blocked when it came to calling additional witnesses—a list of witnesses had been submitted by Committee members to its Chairman. We were prevented from calling additional witnesses in the Mitchell inquiry into what happened in the Select Committee on Members' Interests in 1992. The hon. Member for Grantham and Stamford (Mr. Davies) joined with others to block additional evidence being given to the Committee. The hon. Gentleman shakes his head: perhaps he would like to intervene. Does he recall what happened in those debates? He was one of those who said that we could take no more evidence in the inquiry into Mr. Mitchell. By doing that, he further proved that quasi-judicial proceedings in Parliament do not work in the way that they should.

Mr. Quentin Davies: I am afraid that the hon. Gentleman is trying to divert attention from the subject under discussion because he is worried about the role that he played on the Committee. I shall answer his extraordinary charge against me. Under no circumstances was I a party to trying to suppress evidence on any Committee on which I served. I assure the hon. Gentleman that, if there had been any further material evidence—I do not remember him presenting any—I should certainly not have blocked it. There is no justification whatever for the hon. Gentleman's extraordinary and wild accusations against me.

Mr. Campbell-Savours: Perhaps my final example will convince the House. It relates to the inquiry that some members of the Committee tried to get into the blind trust of the Leader of the Opposition at that time, now the Prime Minister. The conversations in Committee at the time were remarkable. People wanted a show trial, although they knew that my right hon. Friend was complying directly and to the letter with the recommendations that had been given to him by the Commissioner for Standards and Privileges. They knew that my right hon. Friend's private office had been advised.

Sir Archie Hamilton (Epsom and Ewell) *rose—*

Mr. Campbell-Savours: The right hon. Gentleman tempts me to reveal yet another matter which we agreed never to speak about outside the Chamber. He acted thoroughly politically and had to apologise to the Committee. That is the procedure that we are told is quasi-judicial and operated by independent people. The Committee cannot carry out that function.

Sir Archie Hamilton: Will the hon. Gentleman give way?

Mr. Campbell-Savours: No, I will not give way.

The Standards and Privileges Committee could not carry out an appeal inquiry because it is not competent to do so in its appeal form. It was capable of accepting an independent report from the Commissioner and treating it in the way that it should be treated. However, it was not capable of acting as an appellate body without turning into a political forum, as happened before the last general election.

I want to be constructive. What is the answer and what is the way forward? The answer is not to go to the courts because people with large pocketfuls of cash will make sure that their cases are never heard. That will carry rich Members through general elections and there will be no justice because those people will bring about delay by using the money that is available to them.

Those matters must always be settled within the procedures of the House. I have two recommendations. The first is that we implement paragraph 10 of the recommendations from the Select Committee on Standards in Public Life. That recommends that we legislate on the functions and duties of the Commissioner. The post should be made statutory in the same way as that of the Comptroller and Auditor General was made statutory under the National Audit Act 1983.

I believe in an appeal procedure and some people think that the Commissioner's role should be strengthened by the use of added assessors while the Committee would adopt a quasi-judicial review status. That is not my view because it still does not provide for the appeal procedure to which the likes of Hamilton and those people who think that they have a right to contest the Commissioner's judgments are entitled. They should not bring spurious appeals and I do not think that Mr. Hamilton would bring a spurious appeal. However, he would believe that, in terms of natural justice, he has a right to be heard.

My provisional recommendation is that, where an appeal is sought against a judgment, and where the Select Committee is prepared to support such an appeal by way of a Committee resolution, assessors should be appointed to review evidence and to take further evidence if necessary. It might be possible to include the Chairman of the Committee, with the judicial assessors, in the review procedure. The Commissioner and any counsel appointed

to the original inquiry could be available to advise that appeal inquiry on the reasons for the Commissioner's original findings. The review body would report its findings and conclusions to the full Committee.

That is my provisional view. That is what effectively, and without going into detail, I have been arguing over with the hon. Member for Grantham and Stamford for months. I wanted an appeal procedure; he wanted to use a Committee that I do not believe could be relied upon, in any circumstances, to act as a proper appellate body. I wanted a different procedure. That is what I have argued for tonight.

I appeal to those people who have formerly sat on the Nolan committee and now sit on the Neill committee to look at these matters again because I do not believe that Parliament is capable of deciding them. We need the voice of those outside, presenting their recommendations. We need a proper appeal system that is not politically adulterated.

Mr. Quentin Davies: On a point of order, Madam Speaker. I have been accused of some peculiar things this evening. The hon. Member for Workington (Mr. Campbell–Savours) has just made a vague accusation about my suppressing evidence. I do not know what he is talking about. I hope that you, Madam Speaker, can advise me on some way in which I can have redress on this matter or at least find out precisely of what he is accusing me. The hon. Gentleman's emotional attack on me may possibly have something to do with the fact that he put down 55 early-day motions on behalf of Mr. Al Fayed and vociferously and vituperously tried to prevent me from calling Mr. Al Fayed before the Committee. *[Interruption.]*

Madam Speaker: Order. That is not a point of order, it is a point of frustration. I understand the hon. Gentleman's frustration because I have not been able to call him. I regret that I have not been able to call all hon. Members, especially the hon. Member for Grantham and Stamford (Mr. Davies), who had a right to be heard this evening. We did not start the debate until 7.30 pm and I now have to take the winding-up speeches.

9.47 pm

Sir Patrick Cormack (South Staffordshire): I shall be brief, as I know that the right hon. Member for Dewsbury (Mrs. Taylor) wants about 10 minutes for her remarks.

Tonight's debate underlines one thing above all others—that we are suffering from the untidy consequences of our own actions in this House. I am very glad that the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), the Chairman of the Select Committee, agrees with me on that point. It is important that we look again, with great care, at our procedures.

The two words "natural justice" have cropped up time and again during the debate and in the publicity leading up to it. There is not a single right hon. or hon. Member in any part of the House who would not wish to see natural justice done. It is therefore important that we look at the matter again. The Opposition will want to give careful thought to making constructive proposals and to discussing them with the Government and with you, Madam Speaker, to try to ensure that we come to a tidier solution.

The other thing that we must recognise is that one former hon. Member's name has dominated the proceedings this evening. My hon. Friend the Member for Aldershot (Mr. Howarth) made an impassioned speech. He has no need to apologise for friendship. He has no need to apologise for speaking in defence of his former hon. Friend and his friend still. However, we must all recognise that the admitted actions of Mr. Hamilton, for which he has apologised, did themselves justify the report that we are discussing.

The House has to realise also that Mr. Hamilton has not been found guilty of corruption, of fraud or of any other criminal act. It is important that that message goes forth today from the House.

Mr. Hamilton can no longer be dealt with by the House. Had he still been an hon. Member, the Committee would have recommended his suspension for an appreciable time, which is a significant punishment. The Committee did not, however, say that it would recommend his expulsion from the House. It is important that the House recognises that fact. It is important that Mr. Hamilton, as he attempts to pick up the tatters of his career, recognises that fact. Moreover, it is important that those who might be in a position to benefit legitimately from his talents—he has many of them—recognise it.

In the debate, the House has had to examine the report that has been produced by the very right hon. Member for Ashton–under–Lyne and his Committee. I cannot pretend that I would necessarily agree with everything that the members of the Committee said in that report, and I fully understand why my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) and my hon. Friend the Member for Grantham and Stamford (Mr. Davies) felt that they had to dissent from some of the report's major recommendations. Like you, Madam Speaker, I understand their sense of frustration at not being able to speak in the debate.

What is at stake is the integrity of the House and of all those who attempt to serve within it. For that reason, if there is a Division, we shall support the right hon. Member for Ashton–under–Lyne. We support him with a heavy heart, however, believing that our procedures—recently evolved—are very far from perfect and that they need immediate attention and significant reform.

9.50 pm

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): Tempers have at times been heated in this debate, which, nevertheless, has been of value to the House. Some very important points have been made in it, which may have long-term implications for our future proceedings. I hope that all hon. Members will agree that we should thank the members of the Select Committee on Standards and Privileges for their time and effort. It is not easy to serve on such a Committee, as it bears a heavy responsibility. Moreover, very serious issues were raised in the inquiry. The House should also thank Sir Gordon Downey and his staff for their work on the report.

At the beginning of his speech, the right hon. Member for Bridgwater (Mr. King) said that he thought that—as a Committee and as a structure—the Standards and Privileges Committee had worked well in most of the cases that had been referred to it. Speaking especially as a former Committee member, I completely concur with him in that belief.

[Mrs. Ann Taylor]

Hon. Members should think carefully before we introduce changes in our procedures. Certainly, we should think carefully before we change our procedures on the basis of, I hope, the worst-case complaint about an individual hon. Member, which the House will have to deal with. Perhaps changes are necessary, but we should not rush into them on the basis of what is, I hope, the worst case.

The right hon. Member for Bridgwater made a point also about the Committee's membership. In his speech, and in representations made to me privately, he said that I should have chaired the Committee. I was flattered by his comments, and by those of the Nolan committee. He said that the Committee's chairmanship should not be political, and I agree. Although I think that it is possible to wear two hats—as Leader of the House and as a member of the Government—it was extremely important that the Committee should be seen to be free from political interference. I know that that view was shared by the former Leader of the House, who, in the previous Parliament, had to chair the Select Committee on Standards and Privileges. I had to deal with that important consideration.

Nevertheless, the remarks of the right hon. Member for Bridgwater on the Committee's membership were patronising. To members of the public, the fact that we have new hon. Members on the Committee might be regarded as a very good thing. Members of the public might even say that we needed some new members on the Committee and some new influences in dealing with the matter. I also remind the right hon. Gentleman that the present Chairman of the Committee, my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon), is an extremely senior Member of the House, more so than me.

The shadow Leader of the House reminded us why we are discussing these issues. She went back to the establishment of the Nolan committee. Obviously, many hon. Members were not keen on implementing Nolan's recommendations, but the basic question at that stage was whether there should be self-regulation or whether we should hand over such matters to the courts. The fact that we opted for self-regulation is still justified, and I believe that the general framework of a Select Committee on Standards and Privileges can work. We have made progress with the new procedures and in cases when complaints have been made. For the first time, the House has a code of conduct and if all Members follow that code, we shall have fewer problems in future.

Mr. David Winnick (Walsall, North): I went along with self-regulation. I took the view that the House should be in a position to regulate its own affairs, and I rejected the call made by people such as my right hon. Friend the Member for Chesterfield (Mr. Benn) that an outside body should do the job. However, having listened closely to this evening's debate without intervening, I am coming to the view that if the issue produces such controversy and, indeed, if it is largely along party lines, self-regulation might not work and we might have to go to an outside body.

Mrs. Taylor: That may be the case at the end of the day, but we are not at that stage yet. There are things that we can do to make self-regulation work.

I should like to say a few words in response to some of the general points raised, especially those in connection with bribery and the law on corruption. Nolan said that the Government should clarify the law relating to the bribery of, or the receipt of a bribe by, a Member of Parliament. I remind the House that the Government have said that they will clarify the law on corruption, and the Home Secretary has published an options paper with a view to legislation. That document is to be considered by the Joint Committee on Parliamentary Privilege, which is due to have its first meeting next week. I hope that the House will accept progress in that direction.

I remind the House that when the appeals procedure was first put to the Select Committee on Standards in Public Life, the Clerk of the House told us that there could be problems in adopting such a procedure because the members of the Sub-Committee would also be members of the main Committee.

As I said, we are talking about a new system of self-regulation. Until this case arose, there were no complaints about the procedure. I do not think that there are general grounds for complaint tonight.

Mention has been made of the degree of evidence required in the Hamilton case. Sir Gordon's memorandum said:

> "Indeed, the substance of the case stemmed from the abandoned civil libel action where the standard of proof would have been 'balance of probabilities'. In practice my approach was more stringent than this".

The part of the eighth report of the Standards and Privileges Committee that was accepted unanimously stated:

> "We have carefully examined Mr. Hamilton's representations. Essentially, these repeat the evidence he gave to the Commissioner for Standards. We do not consider that Mr. Hamilton has brought forward relevant new evidence."

That was what the Committee said after it had heard from Neil Hamilton.

Tonight, the House has been asked to approve the seventh and eighth reports of the Select Committee on Standards and Privileges. I hope and trust that the House will do so, because the reputation of this House and its ability to regulate itself are at stake. The shadow Leader of the House said that the Committee had been able to draw a line under the Hamilton affair. The House can do that this evening if it agrees with the report that Mr. Hamilton's conduct fell seriously and persistently below the standards that the House is entitled to expect of its Members.

I hope that the House will reject the amendment and support the motion. Such a decision will help to repair some of the damage done to the reputation of this House by the actions of Neil Hamilton and others.

Mr. Gerald Howarth: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Main Question put and agreed to.

Resolved,

That this House approves the Seventh and Eighth Reports of the Committee on Standards and Privileges (HC 240, 261).

ENVIRONMENTAL AUDIT COMMITTEE

Ordered,

That Mr. Cynog Dafis and Mr. Matthew Taylor be added to the Environmental Audit Committee.—*[Mr. Jamieson.]*

ENVIRONMENT, TRANSPORT AND REGIONAL AFFAIRS COMMITTEE

Ordered,

That Mr. Stephen Day be discharged from the Environment, Transport and Regional Affairs Committee and Mr. Philip Hammond be added to the Committee.—*[Mr. McWilliam, on behalf of the Committee of Selection.]*

Merchant Fleet

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

10 pm

Mr. Ivan Henderson (Harwich): Madam Speaker, may I take this opportunity—*[Interruption.]*

Madam Speaker: Wait a moment, please. This is the hon. Gentleman's maiden speech, so could those hon. Members leaving the Chamber do so quickly, because others want to hear him?

Mr. Henderson: I thank the Minister for Transport in London, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), for coming here to respond to this important debate and to my maiden speech.

It is impossible to represent the constituency of Harwich without having a feel for the sea and all that is connected with it. One of the first recorded naval battles involving an English king took place in what is now Harwich harbour, when King Alfred defeated a fleet of marauding Danes. Since then, the spot has been known as Bloody Point.

Far less bloody was the most recent skirmish in Harwich, which resulted in my election as the first Labour Member of Parliament for the constituency. Fortunately, my opponent was not a marauding Viking, but Iain Sproat—the then Sports Minister. While the encounter was keenly fought, I would like to record that it was a good-tempered and honourable affair. I will never forget the generosity and dignity with which Iain Sproat was the first to congratulate me at the count.

Iain Sproat had at various times been both Shipping and Heritage Minister—two issues undeniably linked with the Harwich area. No part of the constituency is more than a few miles from the sea, and all the major population areas are on the coast. The sea plays a vital role in the local tourist industry, and the popular resorts of Clacton, Frinton, Walton and Dovercourt, with their beaches, piers and entertainment facilities. The sea is equally important to the town which gives the constituency its name.

The sea, through the ships and port-related industries, has given Harwich a place in history. Harwich was the first landfall for the ships which defeated the Spanish armada, and was the site of a Royal Navy dockyard, established during the wars against the Dutch. As HMS Badger, its large natural harbour gave it a vital role during the second world war.

Throughout history, the Merchant Navy fleet that has served this country so well has been at the very heart of Harwich, providing employment for those living right across the east of England, and not only in the immediate area of the Harwich constituency. It is for that reason that someone like me—who has lived in Harwich all his life—is desperate to see our maritime heritage preserved and its future secured.

Before the privatisation of Sealink by the Conservative Government, thousands of British seafarers were based in Harwich. Daily passenger and freight services linked Harwich with the continent, all but a handful of which were British-flagged, British-crewed ships. Now there is only one—one freight ship with 30 or 40 British seafarers aboard.

[Mr. Henderson]

Such decimation of the local Merchant Navy fleet has had a massive impact on the economies of all the towns in the immediate area. I am aware that the same story can be told all over the country, and that flags of convenience and investment by other Governments in their own seafaring industry have affected most ports where our proud maritime heritage has been built up over centuries. I now believe that it is time that everyone became aware of that.

Our Merchant Navy fleet is a national asset, and this country's maritime industry is desperately in need of the support it so richly deserves. My right hon. Friend the Minister of Transport has stated publicly that the Labour Government are committed to working with those in the industry to help to develop its economic potential, and so reverse the decline and safeguard our maritime future. He has made it clear that that includes preventing unfair competition and ensuring that our own shipping industry is not further eroded by the exploitation of the freedom of the seas. That is what I wanted to hear, and I assure the House that the people of Harwich also wanted to hear it.

Our seafarers have traditionally been regarded as highly trained, highly skilled professionals. That reputation has been earned, and it is something that a British Government should be proud to promote and keen to build on. Sadly, as we all know, the previous Government were content to see it undermined, undervalued and underused in the name of market forces.

Market forces do not maintain safety standards, nor can they be used as an excuse for allowing the exploitation of third-world nationals who have never had the advantage, training, experience or expertise of our own seafarers, and who can be forced to work for meagre wages. At a time when the global economy ensures a vital role for transportation by sea, we should be promoting excellence, not allowing it to rot on the dole queue.

A couple of months ago, the BBC asked to spend a day with me in order to make a programme about the new Labour Member of Parliament for Harwich. I was more than happy to oblige. It was decided to make the programme on the new high-speed ferry link between Harwich and the Hook of Holland. The programme was very good, and making it was a most enjoyable experience; the ship is an incredible achievement, providing a fast, smooth and pleasant way to cross from England and Holland. Unfortunately, I had to accept that we were making the crossing on a Dutch-crewed ferry; we had to do that because no British seafarers are any longer employed on that passenger ferry route.

For 100 years, there had been British seafarers manning the passenger ferries between Harwich and the Hook of Holland. My election came just after the last of them were cast aside because it was cheaper for the ferry company to employ Dutch seafarers. The policy of the Dutch Government has been so successful that, during 1996, 50 new vessels were attracted to the Dutch flag. I congratulate the Dutch Government on their sense of vision—if only the previous Government in this country had had one eye open, we might not be experiencing our current difficulties.

We are on the very edge: those with experience are disappearing fast, and the training that ensured a ready supply of young, highly motivated seamen to replace them has long since been denied to our youth. The Government have already identified the problem and are preparing to act. Support for maritime training—SMART—will commence next April, and will not only ensure that training is available but will make explicit provision in standards of training for the modern era. A few years ago, I would not have described it as smart—I would have called it common sense, but unfortunately the Tories did not agree.

All the evidence points to the simple conclusion that high standards increase efficiency, improve safety and reduce the risk of accidental pollution of the seas. As one who represents a constituency containing important areas of coastal wildlife and towns reliant on tourism, coastal pollution is a major concern. We are all familiar with the effects of oil washing up on our coastline. Without a doubt, prevention is better than cure, and ensuring that ships moving along our coastline are manned by highly disciplined crews will reduce the risk of accidental pollution. These areas must be tackled internationally. To do that, we must take the lead. We must show how ensuring the best training results in the best service and, in the long run, the best value for money. We must show the rest of the world that we mean what we say; promoting our own highly efficient industry is, after all, the best way to prove that.

Every hon. Member does what he or she can to promote their constituency. I am fortunate in having a constituency that includes so much that is worthy of promoting. The Minister will no doubt recall her visit to Harwich, when I was able to show her the Electric Palace, the oldest purpose-built cinema in the country. Thousands of Royal Navy veterans trained across the river at HMS Ganges and have fond memories of Harwich. Millions of holidaymakers have enjoyed a day trip to the seaside at Clacton, Walton or Frinton; and many millions still travel through our beautiful countryside on their way to crossing the North sea to mainland Europe.

The Harwich constituency has the ports, the industrial capacity, the tourists and leisure facilities—and the knowledge and expertise to make the most of all of them. We are proud of our history and heritage, and we are determined to build a secure and prosperous future. The same applies to the British Merchant Navy.

Samuel Pepys is regarded by many historians as the saviour of the British Navy. He it was who arranged for a naval dockyard to be built at Harwich, and he brought another man, Anthony Deane, back to his home town to oversee it. Pepys was the Member for Harwich, and in 1679 Deane joined him as the town's other Member of Parliament. I am the first Harwich man since that day to be elected Member for Harwich. I was born within a few hundred yards of the dockyard. I went to a school that bore Sir Anthony Deane's name. Until this May, I had spent all my working life in shipping-related work.

All around the country, seafarers, dock workers, ship builders and shipping agents want a strong and vibrant future for our maritime industry. It is our responsibility to do everything possible to ensure that such a future is secured.

10.11 pm

Mr. Barry Gardiner (Brent, North): I congratulate my hon. Friend the Member for Harwich (Mr. Henderson) on his maiden speech on this extremely important topic. It is important because 95 per cent. of all our imports and exports come in and leave by sea. At £2.6 billion, shipping is our fourth biggest service earner, and we carry 4 per cent. of world trade in our vessels, which on the whole are well managed, technologically advanced and run with some of the highest safety standards in the world.

Shipping's contribution to British invisibles is enormous, and maritime London's pre-eminence relies on the raw material which former masters and chief engineers provide. They bring their expertise to the offices of the Admiralty solicitors, Lloyd's of London, the Institute of London Underwriters, the Baltic exchange, general average adjusters and the merchant bankers who finance the fleets. The industry is fundamental to maritime London and the whole service sector that depends on it.

I have an interest to declare, in that, before arriving in the House, I used to run a company of general average adjusters—so my interest in the debate is more than a passing one. In that capacity, I was invited last week to give the keynote address at the European ship managers conference in Glasgow, on the subject of crewing and training.

I am delighted to say that, after 18 years during which the Conservative Government went through more Shipping Ministers than Liz Taylor went through husbands in the same time, the shipowners and managers to whom I spoke in Glasgow expressed their profound thanks that this Government have a transport team—including the Deputy Prime Minister and the Minister for Transport in London, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson)—who are clearly committed to the maritime industry. My right hon. and hon. Friends are going to be around for a long time; they understand the industry, and they want to get it right.

In limited time, I do not want to dwell on the former Government's record—the decline in our fleet by two thirds, the 50 per cent. decline in the contribution of the UK-owned fleet to the UK service sector, the 55 per cent. decrease in its contribution to gross domestic product. I shall focus on the fact that the numbers of British seafarers have declined by 60 per cent. since 1980, from 52,000 to 20,000.

The Cardiff report shows why it is fundamental that the Government take the actions that my hon. Friend the Member for Harwich mentioned to put the support for maritime training programme into effect. The report predicts a frightening shortfall, and the implications for the whole UK maritime sector are equally frightening.

I am glad that the Government have taken the initiative on SMART. Unfortunately, it has come late in the day, but that is because the Government were not previously in a position to put it into effect. I am delighted that they have done so, and I am sure that the Ministers will have our full support in all that they are doing to improve crewing and training in this country.

10.15 pm

The Minister for Transport in London (Ms Glenda Jackson): I congratulate my hon. Friend the Member for Harwich (Mr. Henderson) on an excellent maiden speech, and on his generosity in allowing an intervention from my hon. Friend the Member for Brent, North (Mr. Gardiner). My hon. Friend the Member for Harwich has chosen for his maiden speech a topic of particular importance to the Government, a fact highlighted by the presence on these benches of my right hon. Friend the Deputy Prime Minister and many other colleagues. The fact that the matter is not of importance to the Conservative party is emphasised by the absolute emptiness of the Opposition green Benches.

My hon. Friend the Member for Harwich brings a wealth of personal experience and commitment to what is not only his constituency but his birthplace. He described the degree to which the sea has influenced his constituency, from King Alfred's day to the present time.

The reliance of Harwich, and the United Kingdom, on the sea remains undiminished. Shipping is crucial to all of us, a fact perhaps not sufficiently appreciated, for 95 per cent. in weight of our trade—77 per cent. in value—is carried by sea. Ferries to and from our islands carry more than 55 million passengers a year. The UK shipping industry and maritime London contribute substantially to the UK's balance of payments.

Without shipping, our country would not have defended our interests in the past; without shipping we could not maintain our quality of life today. We all rely on the sea, whether for our food, for the goods we use, for transport, for leisure or for our defence.

However, as my hon. Friend the Member for Harwich said, in recent years we have witnessed a dramatic decline in the size of the UK merchant fleet and in the number of trained British seafarers. That cannot be allowed to continue. The Government are committed to halting the decline and giving the industry its due prominence. Let there be no doubt: we believe that a revival in the UK fleet is long overdue.

That is why we have established a shipping working group to see how Government and industry, working in partnership, can reverse the years of decline. The group's first meeting takes place this week. It will include representatives from the Chamber of Shipping, the National Union of Rail, Maritime and Transport Workers, the National Union of Marine, Aviation and Shipping Transport Officers and the Transport and General Workers Union. It will consider how to obtain the maximum economic and environmental benefit from shipping, how to reverse the decline in the UK fleet, how to increase the employment of UK seafarers, and how to encourage the wider maritime industry to commit more resources to seafarer training.

Our object must be to encourage a high-quality shipping sector, able to flourish in increasingly competitive markets. I hope that the group will maintain a healthy balance between exploring innovative and well-constructed ideas and maintaining the momentum and sense of urgency necessary for such an important issue. I hope that it will not be another talking shop; it is action that counts.

I know that my right hon. Friend the Deputy Prime Minister is keen for the group to produce a package in time for inclusion in our White Paper in the spring.

[Ms Glenda Jackson]

Shipping is a high-tech, high-quality industry, demanding drive, commitment and determination. A competent, well-trained crew must be the most significant factor, not only in terms of the contribution to individual companies but in the wider context of maritime safety and environmental protection—a point also made by my hon. Friend the Member for Harwich. We must do all we can in this, the International Year of the Seafarer, to ensure that the prospects for that invaluable national asset—the British seafarer—are not neglected.

The United Kingdom already has a high standard of seafarer training, but many of the ships that call at our ports, pass our shores or carry UK passengers are crewed by seafarers who have not been trained in the UK. It is therefore important to secure high standards of training worldwide. Proper implementation of the International Maritime Organisation's revised standards of training, certification and watchkeeping convention will be central to achieving that objective. The UK played a leading role in updating STCW, and we have subsequently been determined to apply its provisions promptly and effectively.

When I gave the opening address to the IMO assembly this morning, I reaffirmed our support for the international safety management code, which aims to create a safety culture embracing those on board ship and those ashore. Passenger ships, tankers and bulk carriers must achieve ISM code certification by 1 July 1998. UK ships required to comply are well on course to do so, but many recent reports show that some companies do not take the deadline seriously, and that a large number of ships may not comply in time. Some have even speculated that the deadline might be extended.

The IMO secretary general has stated that the deadline will stand, and the United Kingdom Government fully support that. We shall ensure that effective action is taken to deal with non-compliant ships arriving in our ports after the deadline, and we are working with our European partners to ensure that measures are in place to achieve that throughout the Community.

In addressing the IMO, I focused on implementation, which is the key to improving safety standards around the world. The Government firmly believe that the primary responsibility for safety rests with the flag state. We can no longer accept the apparent abdication of that responsibility by some flag states. The UK is taking the lead at the IMO in developing proposals to ensure that that is dealt with.

I am determined to involve as many parties as I can in the general debate on raising standards. I am particularly concerned that some of the service providers in shipping, such as bankers and insurers, which are crucial to the very existence of the shipping industry, are often not directly involved when policy issues are discussed and decisions on regulations made. I wish to change that.

Next month, as an experiment, I shall host a seminar with representatives from maritime London to hear their ideas about what they can do to help us improve standards. I trust that that will lead to more dialogue in the future. We are also working to ensure that all shipowners have the means to meet their liabilities to third parties. That policy, which is supported by the Chamber of Shipping, should protect responsible shipowners from unfair competition from operators of sub-standard and uninsured ships.

We shall continue to work to ensure that all UK ships continue to enjoy the navigational rights and freedoms enshrined in the international law of the sea. We are now better able to do that following our accession to the UN convention on the law of the sea this August.

My hon. Friend the Member for Harwich referred to the importance of training, which must be a priority in any maritime policy that is committed to creating a meaningful and worthwhile future for the British shipping industry. We are under no illusions about the scale of the task required to ensure an adequate supply of seafarers, not only to serve at sea but, ultimately, as my hon. Friend the Member for Brent, North said, to provide the pool of experience essential for the whole range of maritime-related industries.

Last year's university of Wales report into the UK economy's requirements for people with experience of working at sea concluded that, even to maintain the present maritime status quo at sea and ashore, the industry needs to recruit 1,200 new cadets a year, against a current intake of about 400. Clearly, that problem needs to be addressed urgently.

My hon. Friend the Member for Harwich referred to the new support for maritime training scheme—SMART—which commences next April. SMART will be a flexible long-term vehicle to deliver Government financial assistance for seafarer training. It will improve the delivery of training support by integrating the existing GAFT—Government assistance for training—and docks schemes into a modular training scheme to operate under a single contract and budget.

New modules will make explicit provision for ratings and will provide support for STCW skills upgrading. Although SMART will initially focus funds on the key priorities of new entrants and ratings, its modular nature should mean that it is possible to add other elements, as required and as funding permits.

SMART is simply the vehicle. Whether we are able to make a fundamental difference will depend on the industry's commitment to forging a real partnership, and, in so doing, contributing to the achievement of our common objectives. Government support can therefore only ever provide half of the equation. For any training scheme to make a truly significant impact, the active support of all sides of the industry must be engaged. That is why we will be looking to the industry to make a direct contribution, through actions and financial commitment, to the training of future seafarers.

Although there have been some notable exceptions, for too long much of the maritime-related sector has regarded training as the shipowners' problem, and too many shipowners have simply failed to invest in training. We cannot allow the issue to be side-stepped. If Government are now facing up to their responsibilities, so too must the shipping industry.

I am hopeful that the working group will provide the vital spark necessary to encourage more companies to start training programmes, and for the industry to pledge additional funding to supplement Government support.

With matching levels of drive and commitment, it must surely be possible for this partnership to make real progress towards the common goal of increasing the number of highly trained seafarers.

I conclude by again thanking my hon. Friend the Member for Harwich for raising such an important issue for discussion. Few can doubt that the industry has reached a critical point. Responsibility falls to both Government and industry to ensure that we take full advantage of the great opportunities that lie ahead. With world seaborne trade growing at a rate of 4 per cent. a year, we must do all we can to revitalise British shipping, and to take our nation's fair share of the prospective growth.

Question put and agreed to.

Adjourned accordingly at twenty-six minutes past Ten o'clock.

House of Commons

Tuesday 18 November 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT, TRANSPORT AND THE REGIONS

The Secretary of State was asked—

Housing

2. **Mr. David Heath:** What plans he has to review the methodology used to calculate anticipated housing need in non-metropolitan counties. [14842]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): The methodology used to produce the latest household projections for the regions, counties, metropolitan districts and London boroughs is set out in "Projections of Households in England to 2016" published by the Stationery Office in March 1995. That methodology has been subject to extensive public scrutiny. My Department is continuing to examine the extent to which household formation is affected by economic and social factors, in line with recommendations in the 1996 Environment Committee report on housing need.

Mr. Heath: I am grateful to the right hon. Gentleman for that answer. Does he accept that everyone agrees that there must be enough houses for local people to live in, but that not a single local authority in Somerset—I am sure that we are no exception to the rest of the country—believes that the inward migration figures without employment are sustainable, that brown-field sites are available in rural areas, and that our green-field sites should be taken up in a suburbanisation of Somerset? Will he change his view?

Mr. Prescott: The matter is under consideration by the regional planning council, whose projections are 11 per cent. more than the councils in the area accept. As the hon. Gentleman will understand, such matters are decided by a panel that is set up to consider the disagreement between the regional planning council and Somerset council. As soon as the panel reports, I am sure that it will make its recommendations to the council. It is to meet first in January.

There is clearly a conflict between inward migration and the control of the figures for housing. If housing were allowed to develop in line with the figures recommended by the regional planning council, that would avoid some of the difficulties by limiting the number of houses available and increasing the cost of houses in an area where inward migration becomes a problem.

Sir Peter Emery: Does the right hon. Gentleman realise that, if the figures that are projected for Devon are accepted, the increase in the population of Devon will be approximately 30 per cent? That is an impossibility, if we are to keep the country heritage of the county. All Members of Parliament, irrespective of party, ask the Government to reconsider.

Mr. Prescott: The Government are always involved in considering such figures, but the regional planning council examines all the considerations to be taken into account and arrives at those figures. We do not limit people's movements in this country; people are free to move where they wish, and we must try to meet their requirements for housing. That brings us to the conflict between green-field and brown-field sites, about which there is so much controversy. Those are matters for public debate, and the debate is clearly under way.

Mr. Yeo: Does not the Secretary of State understand that the Government's refusal to raise the 50 per cent. target for the proportion of new homes to be built on previously developed sites will not only destroy huge areas of beautiful countryside, but reflects the fact that this Labour Government neither care nor understand anything about rural life?

Mr. Prescott: The hon. Gentleman fails to understand the Government's position. We have adopted the figure of 50 per cent. set by the previous Administration; the previous Administration aspired to 60 per cent. in brown-field sites; and the round table on sustainable development suggested 75 per cent. We are reviewing the options under the Green Paper on household growth that was produced by the previous Administration. There have been more than 700 responses and the Government have not yet taken a position on the matter, except to endorse the present 50 per cent figure. We think that right and proper. We think it right to have proper consultation, as we are doing. Clearly, the hon. Gentleman got it wrong.

Regional Development Agencies

3. **Mr. Connarty:** What representations he has received regarding the structure and functions of the proposed regional development agencies. [14843]

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): We have received around 1,500 responses to the issues paper on regional development agencies, which we published on 11 June. I have today placed in the Library of the House a list of those responses, and copies are available for inspection at my Department's library.

Mr. Connarty: I thank the Minister for that reply. Is he aware that these matters were high on the agenda of the recent conference of the Yorkshire Tourist Board, at which I spoke? Is he aware of the excitement with which tourist operators particularly view the prospects for the proposed regional development agencies? Will he

ensure that the best of our private enterprises are allowed to operate on and with these regional development agencies within the guidelines set by the Government?

Mr. Caborn: I welcome my hon. Friend's comments, which are reflected in the 1,500 responses that we have received. There has been detailed dialogue with my right hon. Friend the Secretary of State for Culture, Media and Sport. I think that my hon. Friend will find that the White Paper reflects those responses and reacts to the very positive mood of the private sector in the regions.

Mr. Hogg: Does the hon. Gentleman accept that there is a great deal of concern that the regional development agencies may be used as a basis for regional government? Will he please confirm that that is not the Government's intention? With regard to Lincolnshire, will he accept that it is best grouped with Cambridgeshire, Suffolk and Norfolk rather than with the east midlands counties of Nottinghamshire, Derbyshire and Leicestershire?

Mr. Caborn: I am sure that the right hon. and learned Gentleman realises that we won the general election on 1 May, and that we won it on the basis of our manifesto, which spells out very clearly the Government's devolution strategy. We have embarked upon that strategy, which has been endorsed by Scotland and Wales—and London will be given the opportunity to do the same.

As to the English regions, we have said that we will start with regional development agencies that will address the economic deficit—which is the legacy that the previous Administration left to those regions. We shall then continue, through indirectly elected regional chambers, to a position when, in the fulness of time, the people in the regions will be given the opportunity to say that they want to have directly elected regional assemblies. That is the position spelled out in Labour's manifesto—and I remind the right hon. and learned Gentleman that we won the election.

Mr. Cunliffe: How soon can the Minister place on a fast track regional government for the north-west region? Does he accept that limited self-rule is imperative and that there is unanimity among the Confederation of British Industry, all employers federations, local government, trade unions and Members of Parliament about the need to get it off the ground as quickly as possible? Is it really necessary to hold a local referendum before we do that?

Mr. Caborn: The simple answer for my hon. Friend is the same as that which I gave to the right hon. and learned Gentleman: we have made a commitment to the British people and we will live by the contract in our manifesto. If my hon. Friend waits to see the White Paper that will be published later this month or in early December, I think that he will find answers to the many questions raised by his colleagues in the north-west.

Sir Norman Fowler: As to the democratic deficit to which he alluded, will the Minister confirm that regional development agencies are simply appointed bodies or quangos? Taking up the point raised by the hon. Member for Leigh (Mr. Cunliffe), will the Minister confirm specifically whether he is planning to have any elected regional assemblies in operation in the course of this Parliament?

Mr. Caborn: My right hon. Friend the Deputy Prime Minister made it perfectly clear on the record a few weeks ago that there will be no directly elected regional assemblies until after the next general election. That is the position. Quite honestly, we do not need any lectures from Conservative Members about establishing quangos—we are in the process of rationalising them, thank you very much.

Carbon Dioxide Emissions

4. **Sir Robert Smith:** If he will make a statement on the Government's strategy for meeting the target of a 20 per cent. reduction in carbon dioxide emissions from 1990 levels. [14844]

Mr. Prescott: We shall consult next spring on a programme that will address our 20 per cent. target and the legally binding commitments that we shall have as a result of the Kyoto conference. All sectors of the economy must be prepared to play a part. I welcome the willingness of the chemical industry, for example, to make a commitment to reduce its specific energy consumption compared with 1990 levels by 20 per cent. by 2005.

Sir Robert Smith: I thank the Minister for his answer, as far as it goes. Does he accept that the best way to reduce carbon dioxide emissions is to reduce energy consumption, and in particular carbon-based energy? To that end, will he join us in supporting—next week rather than next spring—the national home energy conservation week by lobbying the Chancellor to cut VAT on energy insulation materials to the same level as energy supply in his green budget later this month?

Mr. Prescott: All these matters will be considered at the appropriate time. Taxation changes will be considered by the Chancellor of the Exchequer, who has made a start in considering taxation with regard to environmental gains, as he did with the charge on petrol. There are many other things that we must actively consider in these matters. Transport has a very important part to play in reducing CO_2 gases. Our White Paper will be published in the spring. We are looking at renewable energy and at more efficiency in energy production. All these areas are actively under review, in line with wanting to meet the target that we set ourselves of reducing carbon dioxide emissions to 20 per cent. of 1990 levels by 2010.

Mr. Tipping: Will the Deputy Prime Minister remember the special contribution that coal and the coal energy generation industry has made in reducing targets? Will he accept my backing of everything that he is doing to protect the coal industry and coalfield communities?

Mr. Prescott: Yes. It does well for the House to remind itself that one of the consequences of meeting our environmental target, which we are so proud to proclaim internationally, as one of only three countries to do so, was the considerable destruction of the coal industry. That has had tremendous detrimental effects on coalfield communities. That is why I set up a task force to deal primarily with this problem, because we have a responsibility to deal with the consequences of climatic change on the areas that are detrimentally affected by it.

Sir Sydney Chapman: Does the Deputy Prime Minister share the keen disappointment of so many people

that President Clinton has reneged on the United States Government's commitment at the Rio summit to stabilise emissions by 2000 AD on 1990 levels, by putting it back by 13 years? Will the Deputy Prime Minister use whatever influence he has to try to get a change of opinion from the United States Government?

Mr. Prescott: We should recall that only three countries achieved the target that was set at Rio. That is why all the nations have agreed the legal targets that we are attempting to impose now with the Kyoto conference. Although the Americans have said that they now accept those legal targets, to accept the zero target that they set themselves will mean a reduction in CO_2 gases of 25 per cent.—an even bigger cut than has been witnessed in some European countries. Nevertheless we must encourage them to do more.

Indeed, I recently met Vice-President Gore to talk about precisely that. I leave on Thursday to talk to the Prime Ministers of India, New Zealand and Australia, and to talk to the Environment Minister in Japan to see how we can get an agreement and encourage people to do a lot more to meet the targets. We are doing that, and Britain is playing a leading part in attempting to achieve it.

Businesses

5. **Mrs. Brinton:** What plans he has to encourage businesses to adopt environmentally friendly practices.

[14845]

The Minister for the Environment (Mr. Michael Meacher): The Government are providing advice and guidance through the energy and environmental best practice programmes; promoting the take-up of accredited environmental management systems and encouraging public reporting by companies on their environmental performance. We are also increasing consumer awareness so that companies have better incentives to produce environmentally friendly products.

Mrs. Brinton: I thank my right hon. Friend for his reply. Is he aware that in my constituency many small and medium businesses are working very hard, in association with the authorities and other organisations, to develop environmentally friendly practices? Is he further aware that all our efforts will be set at naught unless these are complemented by similar action from some of the global industries, in particular the large oil companies? How does he plan to respond to some interesting overtures that are being made by some of these industries, in particular BP and Shell, to develop policies and ways of working to combat the terrible effects of global warming and associated climate change?

Mr. Meacher: I am certainly aware of the initiative taken by the Supersavers project in Peterborough, where very substantial savings have been achieved through the employer involving employees, in particular the Amalgamated Engineering and Electrical Union, in that project. My hon. Friend makes a fair point. The leading companies have to be involved. She mentioned Shell. In fact Shell recently launched new, renewable businesses, and plans investments of more than half a billion dollars over the next five years.

My hon. Friend also mentioned BP, which, incidentally, has left the Global Climate Coalition. I hope that Shell will soon do the same.

BP has made a substantial investment in solar energy. Only today, the Chemical Industries Association signed an agreement—voluntarily—to achieve a 20 per cent. cut in energy consumption, and hence in carbon dioxide emissions; by 2005. So it is beginning to happen, but we must go a great deal further. We will publish our White Paper soon after Kyoto, setting out what we expect from each sector of business.

Mr. Pickles: At a recent meeting of the Select Committee on Environment, Transport and Regional Affairs, the Minister explored the possibility of fiscal incentives for companies. Does he agree with the general principle that any shift towards green taxation should be neutral, and that it should not increase the general burden of taxation?

Mr. Meacher: My right hon. Friend the Chancellor of the Exchequer has already said in his first Budget that he will pay particular attention to the issues of quarrying, water pollution charges and the landfill tax, which was introduced by the last Government at a low level. I cannot give the hon. Gentleman any commitment that an increase in green taxes would automatically be offset, but I believe that there is a case—as there was in regard to the landfill tax—for giving companies an incentive by enabling them to make contributions to environmentally sensitive alternative objectives. That is a good model, and one that we will follow closely.

Mrs. Anne Campbell: Will my right hon. Friend join me in applauding the successful efforts of small firms such as Cambridge Econometrics and the World Conservation Monitoring Centre—both of which are in my constituency—to persuade employees to walk and cycle to work rather than using their cars?

Mr. Meacher: That is extremely desirable. I was asked earlier whether Ministers would participate and give a lead. I think that everyone who is in a public position should try to give a lead, and one of the best ways of reducing greenhouse gases and carbon dioxide emissions—especially in the context of transport—is not just driving vehicles that are cleaner or more fuel-efficient, but using cars less: walking more, cycling more or using public transport. All of us, without exception, should be doing that.

Mr. Beggs: Will the Minister consult a small company in my constituency called Environmental Engineering Concepts? Will he also consult the local council and the education and library board? They have produced a product which, when added to fossil fuels, causes almost complete combustion, reduced emissions and greater efficiency, and also pays for itself. It is so good that it has not been taken seriously. The last Government had an opportunity to examine the product, but I heard no more about it. I appeal to the Minister to follow the project through.

Mr. Meacher: I would be extremely interested if the hon. Gentleman would send me details of that project. It is exactly the kind of initiative and breakthrough that

we wish to support. I am saddened, although not surprised, that the last Government were so indifferent, but the hon. Gentleman will find that the present Government have a very different attitude. If he sends me the details, we will act on them.

Local Government Finance

6. **Mr. Viggers:** When he next plans to meet representatives of the Local Government Association to discuss local government finance. [14846]

The Minister for Local Government and Housing (Ms Hilary Armstrong): My right hon. Friend the Secretary of State has already met the association a number of times to discuss local government finance, and I shall be seeing it again in December at a sub-group meeting of the central-local partnership to discuss the review of local government finance. We intend to meet the association regularly, and to involve it fully in taking forward policies that affect local government.

Mr. Viggers: Did the Local Government Association, at its meeting with the Minister, repeat its estimate that local authorities will be about £1 billion short of funding this year? That shortfall does not take account of either the extra burdens put on local authorities for crime prevention and education, or the change in the Budget to advance corporation tax, which imposes a pension tax liability on local authorities estimated at £300 million a year. What will be the Government's attitude? Will they recompense local authorities for those extra burdens, or will they stand aside and watch what must inevitably be an extremely large rise in council tax rates this year?

Ms Armstrong: In the Budget, my right hon. Friend the Chancellor announced a further £1 billion for local government to spend on education. If the hon. Gentleman cares to wait until the week beginning 1 December, he will hear how that money has been allocated.

We are discussing pensions with the Local Government Association, but it knows as well as we do that that measure will have no impact on local government in 1998-99. The association is seeking a revaluation, and wants to work with us on that.

Mr. Bill O'Brien: Does my hon. Friend accept that Labour Members realise that she inherited a difficult task from the previous Government? Metropolitan authorities outside London face substantial difficulties because of the previous Government's attitude to them. When she allocates resources for the coming financial year, will she give careful consideration to the representations that have been made by the Special Interest Group of Metropolitan Authorities, which represents metropolitan authorities outside London?

Ms Armstrong: I have received representations from a number of organisations and representatives of local government. They have all put a telling and pressing case to us. I assure my hon. Friend that we have listened to the points raised, and that we shall take them into consideration. We made a commitment in our manifesto to a fairer settlement this year. Hon. Members will be able to judge for themselves in the week beginning 1 December.

Mr. Burstow: Before the Minister next meets the Local Government Association, will she and the Secretary of State give an undertaking that, at the time of the announcement of the settlement, they will publish figures that show the real impact of the grant settlement and the capping rules, rather than adopt the smoke-and-mirror tactics that the previous Government used time and again, and which the Minister always condemned when in opposition?

Ms Armstrong: We shall endeavour to make what is an exceptionally complex system as straightforward as possible. We are also conducting a review of local government finance generally. We want to enable the ordinary council tax payer to understand the system. That is a difficult task, given the complexity of the system that we inherited, but it is one of our aims. I look forward to the hon. Gentleman and his colleagues assisting us in that process.

Mr. Skinner: Is my hon. Friend aware that the election result on 1 May gave her and every Labour Minister the power to do something different? We had massive victories in parts of the country where we never expected them because people were aware of the distribution of money to local authorities, such as the fiddles for Westminster council and the paltry decisions for Labour-controlled authorities. Now that we have the power, and we are not a party of protest, let us ensure that we change those priorities, and that we also get rid of rate capping.

Ms Armstrong: You, Madam Speaker, would not want me to reveal precisely how we have sought to make the system fairer. That will be revealed in time, and I trust that my hon. Friend will note that we have heeded our manifesto and have sought to ensure that the distribution of money is fairer than ever it was under the previous Administration.

Sir Norman Fowler: Will the Minister reconsider the answer that she has just given on pensions? Is she not entirely wrong to say that the pensions tax will have no impact on local authorities? That is what she just said, but what she means is that there will be no actuarial review until 1998. However, the impact of the pensions tax has effect now—it starts now and goes on next year and the year after. Will she reconsider her reply?

Ms Armstrong: The impact of the changes in the Budget will not have effect in local government in the coming year. We have agreed the way forward with local government and the Local Government Association, and they are perfectly happy with what has been suggested. They know that there is going to be a review of the actuarial position over the next year, and we have said that we will take it into account when deciding next year's settlement.

Mr. Watts: In view of the Deputy Prime Minister's having said that he wanted to help coal mining areas, can we expect any improvement in the standard spending assessments for those areas, bearing in mind the fact that some of them have the worst SSAs in the country?

Ms Armstrong: I must ask my hon. Friend to wait until he sees the settlement. We have made it absolutely clear that this is a very difficult year for local government

because we inherited such a mess. Because it is such an important matter, it cannot be sorted out over night. There is an incredible deficit which local government knows must be tackled. We are determined to tackle the dreadful state in which the previous Administration put local government and to make sure that local government is able to determine how to meet the needs of the population.

Advance Corporation Tax

7. **Mr. Townend:** What assessment he has made of the estimates made by local authorities of the costs to them in 1998–99 from the changes to advance corporation tax. [14847]

The Minister for London and Construction (Mr. Nick Raynsford): The Local Government Association, with the assistance of the United Kingdom steering committee on local authority pensions and my Department, is conducting a survey of local government pension scheme administering authorities to assess the impact of Budget tax changes on their pension funds, both for the current financial year and at 1 April 1999. The results will be available shortly.

Mr. Townend: Would the Minister be interested to learn that I have a letter from the director of finance of East Riding council, which says that in 1998–99 the additional contribution required will be £2.55 million? If that contribution is delayed until the following year, a further £75,000 will be needed every year. How does the Minister expect my council to find the cash? Are the Government going to increase the revenue support grant by £2.55 million, or will they expect the poor council tax payer to shoulder the burden of the first Labour Budget and another Labour tax increase?

Mr. Raynsford: When the figures are analysed in detail, the hon. Gentleman will find that he has referred to the gross costs—no account has been taken of any off-setting savings. A net figure will be necessary before an informed conclusion can be reached. The contribution of local government employers was fixed in 1995 for the four-year period to 1999. There are no powers to change contributions during that period. The impact of the changes, to which I referred earlier, and offsetting savings will be taken fully into account by the Government when we have received the full response to the survey from the Local Government Association. As my hon. Friend the Minister for Local Government and Housing said, we have already made it clear that we will take full account of that when assessing financial contributions for 1999-2000 and years beyond.

Opencast Mining

8. **Mr. Barnes:** What representations he has recently received concerning opencast mining planning policy in England; and if he will make a statement. [14848]

Mr. Raynsford: My Department has received a large number of representations in response to the consultation paper on opencast mining planning policy, which we issued on 30 July. In the light of responses to that consultation, the Government will decide what changes to policy guidance could and should be implemented in interim planning guidance.

Mr. Barnes: Is the Minister aware that we have had more than enough opencast mining in north-east Derbyshire, and that we are currently fighting off three proposals—at Avenue Cokeworks, the Breck and junction 29? Would it not help us tremendously if the planning guidance notes contained a presumption against opencast mining—as was promised in the preamble to the 10 points that Labour issued at the general election? Will we be living up to our commitment?

Mr. Raynsford: I can assure my hon. Friend that the Government acted very swiftly to give effect to our manifesto commitments and issued a consultation paper on possible changes to mineral planning guidance. We have had 380 responses to that consultation, and consultation in Wales is still not complete. We are therefore analysing carefully the responses before deciding what changes may be appropriate in interim planning guidance. We shall take appropriate action. I assure him that, since the Government have come to power, no further opencast mining applications have been approved.

London Underground

31. **Mr. Clifton–Brown:** What proposals he has for the future of London Underground. [14873]

32. **Mr. Simon Hughes:** What is his policy on *(a)* privatising London Transport and *(b)* London Transport fares. [14874]

The Minister for Transport in London (Ms Glenda Jackson): Today is the 10th anniversary of the King's Cross disaster. I am sure that all hon. Members will wish to remember the victims of that terrible night, and, with gratitude, the heroism of the emergency services, who worked with such courage in their attempts to reduce the terrible toll.

We are developing our manifesto proposals to improve the London Underground through a public-private partnership. We have ruled out wholesale privatisation. London Transport fares are the statutory responsibility of London Transport, which has to strike a balance between keeping public transport affordable and raising revenue for investment.

Mr. Clifton–Brown: I preface my question by whole-heartedly endorsing everything that the Minister has said about the 10-year anniversary of the King's Cross disaster, and pay a sincere tribute to the members of the emergency services who fought so bravely that night to contain the fire and reduce the loss of life.

As the Government have introduced an integrated transport system, it is essential that we encourage people to leave their motor cars at home and use the London Underground system. If the Government are intent on that action, will the Minister encourage the London Underground executive to keep fares at or below inflation over the next few years?

Ms Jackson: I am delighted to hear that the hon. Gentleman has already recognised the major improvements

that the Government have made in an integrated transport system. I am somewhat surprised that he does not welcome the lowest average increase—merely 1 per cent. over the rate of inflation—in the past decade. Under a Conservative Administration, that decade—for year upon year upon year—was marked by neglect of London Underground.

Mr. Hughes: Do the Minister and her colleagues accept that the strongest reason imaginable for retaining majority public-sector control of London Underground is the King's Cross tragedy and the need for parliamentary accountability by Ministers for the safety of the capital city's public transport system? Will she confirm that the Government have ruled out not only total privatisation but majority privatisation? If not, why not?

Ms Jackson: The hon. Gentleman is aware that the Government have made a commitment not to go down the road of wholesale privatisation. We are examining the proposals of the financial advisers Price Waterhouse on the best way to proceed to ensure the future of London Underground but, whatever decision is taken, I can assure the hon. Gentleman, the House and London that safety and the improvement of safety will be a priority.

Ms Perham: Is my hon. Friend aware that the state of the underground was an important issue in my constituency and throughout London during the general election? Is she also aware how much the Government's determination to secure the future of London Underground is welcome in my constituency, which relies on eight Central line stations?

Ms Jackson: My hon. Friend expresses a sentiment that is shared across London on the importance of our underground system in the creation of a properly integrated public transport system for this great capital city. Both I and my right hon. and hon. Friends welcome the support that we are receiving from Londoners in our attempt to ensure that the underground is fit for them and for the 21st century.

Sir Norman Fowler: I begin by associating myself entirely with the Minister's words about King's Cross, which was a terrible night that we all remember.

On future policy, does she recognise that Railtrack plans to spend £10 billion on investment, including safety investment, over the next years, and that the rail operating companies plan to spend £2 billion on new trains and rolling stock? Does that not show the success of rail privatisation and the way forward for London Underground?

Ms Jackson: So they should, given that £1.8 billion of public money is going into the railway system.

Trunk Roads

33. **Mrs. Ann Winterton:** If he will make a statement on investment in the trunk road network. [14875]

The Minister of Transport (Dr. Gavin Strang): Capital expenditure on the trunk road network is planned to be some £1.4 billion in the current financial year, which includes investment in renewing roads and bridges. Investment plans for future years will depend on the roads review and the comprehensive spending review.

Mrs. Winterton: As an efficient economy needs an efficient transport infrastructure, does the Minister realise that, if the Government proceed with the moratorium on future road building, business will pay the increasing cost of continuing congestion?

Dr. Strang: I can only assume that that is a deliberate misrepresentation of the Government's position. The hon. Lady is surely aware of the road schemes that we have announced and I am sure that she appreciates that we are carrying out a thorough review of the trunk road programme, as we promised during the general election.

Mr. Home Robertson: I know that my right hon. Friend, of all people, will understand the importance of road links between England and the rest of the United Kingdom. Is he aware that the long single-carriageway section of the A1 through Northumberland is a serious handicap to both the local and the national economy, including the whole of the east of England and Scotland? Will he bear that in mind during the review?

Dr. Strang: My hon. Friend is right to point out that, even against a background of the cuts that have been made in the roads programme over the years, and the growing recognition that we cannot continue to build more and more roads to meet the projected growth in traffic, real investment is needed in the existing network, including the A1.

Mr. Chope: The Minister refers to cuts in the roads programme. Does he remember that, this time last year, his party condemned the Conservative Government for not having kept more schemes in the road programme? Does he agree that it would be folly for this country to cut roads investment when our competitors throughout Europe are spending more?

Dr. Strang: No, I cannot accept that. We all know that, under the Conservatives, the road schemes were decided on not by objective appraisal, but by Treasury diktat. That is why we are looking thoroughly into which roads to build. We make no apology for that. We promised it in the manifesto. We are considering accessibility, safety, economic development and environmental impact.

Mr. Pike: Will my right hon. Friend confirm that the existing road network is neglected and worsening, with roads not repaired? The Government have inherited a major problem, and a lot of money will be needed to bring our roads up to standard.

Dr. Strang: My hon. Friend makes an excellent point. There can be no doubt that the maintenance of our roads has been neglected, particularly the basic network. It is vital that we continue capital investment to ensure the adequate maintenance of our roads.

Road Transport

34. **Mr. John M. Taylor:** When he next plans to meet representatives of the British Road Federation to discuss road transport issues. [14876]

Mr. Prescott: I met representatives of the British Road Federation and other transport organisations at a seminar to discuss freight issues on 29 October and on other occasions. My Department has held a number of meetings with the BRF and other organisations as part of the current roads review and to discuss the integrated transport policy.

Mr. Taylor: As the Secretary of State has had the advantage of hearing the opinion of the federation, will he confirm that the Birmingham northern relief road will retain the utmost priority in his roads programme?

Mr. Prescott: My right hon. Friend the Minister of Transport has made it clear to the House that we intend to continue with the Birmingham northern relief road. It is in the programme and dates are being set. It is part of the strategic network and we have decided to continue with building it.

Mr. Blizzard: In the process of integrating our transport system with Europe, will my right hon. Friend recognise the important role of east coast ports such as Lowestoft, in my constituency? Does he accept that we need to improve the way in which those ports are linked to the trunk road system?

Mr. Prescott: Those are some of the strategic decisions that we have to make. To be fair, there has been a programme for some decades giving higher priority to the development of roads to ports. My Hull constituency benefited from that with the M62. We are bearing in mind those important strategic freight considerations.

Mr. Matthew Taylor: In view of the comments from the Opposition Front Bench a few moments ago, no doubt the Secretary of State will wish to remind the British Road Federation that the Conservative party made the biggest cuts in history in this country's roads programme. Will he also tell the federation that the Government will accept the national road traffic reduction targets proposed in a current private Member's Bill?

Mr. Prescott: Yes, we have talked to those organisations about all the aspects that are in our minds. Traffic reduction is crucial. An integrated transport system is about finding out whether we can give more priority to the movement of freight on our roads by better management of the road system. I leave it to the hon. Gentleman to criticise the Tories, who have clearly forgotten that they were in power for 18 years.

Mr. Leslie: Will my right hon. Friend also discuss with the British Road Federation the welcome input on environmental impact and an integrated transport strategy in the roads review? Will he ask the federation its opinion of the Bingley relief road in my constituency, which meets environmental and integrated transport criteria?

Mr. Prescott: How did I know that that would come up? We are considering that in the roads review. When it is complete, my right hon. Friend will give his final statement to the House.

Mr. Ottaway: Will the Secretary of State confirm that he will discuss with the federation what has been described as a "parking blitz" on London, including draconian restrictions and sharp rises in parking charges? Does he accept that a car is still essential for many?

Mr. Prescott: Yes, the car is still an essential component of movement, and it certainly will be. We are asking people to use them less and to use public transport more.

Mr. Ian Bruce: Get to the point.

Mr. Prescott: I am coming to the point.

Parking charges are being advocated by business as one way to deal with London's problems. We are looking into those proposals, and at a range of issues to be considered in an integrated transport system that would encourage more people to go on public transport and to use their cars less. That is essential to ensure the necessary environmental changes that will be agreed at Kyoto in December.

Rail Engines

35. **Mrs. Dunwoody:** How many American-manufactured engines are awaiting the granting of a safety case for use in British railways. [14877]

Ms Glenda Jackson: About 250 freight locomotives are on order from the United States of America. The first are expected to be delivered to English, Scottish and Welsh Railways early next year. They will require both approval by the Health and Safety Executive and acceptance by Railtrack's new rolling stock acceptance board. That cannot be completed until the first locomotives have been delivered and tested.

Mrs. Dunwoody: I am grateful to my hon. Friend for that reply, but she will be aware that this is not simply a question of resupplying existing rolling stock. In my constituency, we make the best railway engines in the world, and we certainly repair them even better; under privatisation, that is essential. Will my hon. Friend therefore bear in mind the need, before we start importing other nations' rolling stock wholesale, to consider carefully the ability of British manufacturers and, above all, of British workers, to provide the best railway engines for our railway system?

Ms Jackson: I appreciate the point of my hon. Friend's remarks, but equally she will appreciate the fact that a commercial decision was taken by a private company. Unlike franchisees, EWS does not enjoy special rights granted by Government. None the less, I am sure that my hon. Friend will welcome the opportunity presented by

EWS's order for 2,500 wagons, which will be constructed at the old Adtranz works in York, thus providing 300 additional jobs for British workers.

Mr. Baker: Is the Minister aware that, in my constituency, we would welcome some new rolling stock, whether it were made in America, in Britain or anywhere else? Will she discuss the matter with Connex South Central, which is still operating ancient slam-door stock, so as to ensure that we have some modern rolling stock that will encourage more people off the roads and on to the railways?

Ms Jackson: We strongly endorse the last part of the hon. Gentleman's question. I assure him that I have regular meetings not only with the train operating companies but with the rolling stock companies, and that we are as concerned as he is to ensure that the vast amounts of public money that go into our railway system produce a high-quality public service.

Mr. Snape: Will my hon. Friend comment on the fact that, for the first time for about 50 years, we are seeing an increase in rail freight? Is not the reason why EWS orders locomotives from the United States the fact that the British locomotive industry has not made a genuine rail freight locomotive since the days of steam, whether in Crewe or anywhere else?

Ms Jackson: My hon. Friend highlights the fact that, as I believe, the last order for engines in this country was made in 1980. For almost two decades, the Conservative party totally ignored the major contribution that could be made not only to the economy but to the environment by greater movement of freight on our railways. In common with my hon. Friend, I welcome the changes that are being introduced into the freight industry.

Mr. Malins: Does the Minister know why or how leaves on a railway line can apparently render the whole line non-working? Can the Government suggest a remedy? Connex South Central could not get a train into London from Surrey today, because of leaves on the line. Is there an explanation?

Mr. Skinner: New Labour, new leaves.

Ms Jackson: I hear what my hon. Friend says. As I am sure the hon. Member for Woking (Mr. Malins) is aware, the basic reason is the fact that I mentioned in my response to the previous question—the Conservative party's complete failure, in almost two decades in office, to invest adequately in our railway system. Its only answer was to break up an integrated railway system, and £1.8 billion of taxpayers' money is now going into that railway system.

My right hon. Friends the Deputy Prime Minister and the Minister of Transport instituted a review of the existing powers of the regulator under the new railway system. If it is deemed by the Government that the regulator requires additional powers to ensure that the highest possible quality of service is provided to the travelling public, that is what we will introduce.

Concessionary Travel

36. **Mr. Patrick Hall:** If he will make a statement on the Government's support for concessionary travel and community transport schemes. [14878]

Ms Glenda Jackson: Concessionary travel schemes are a matter for local authorities. On community transport, my Department provides grant to the Community Transport Association's information and advice service, and to the rural transport development fund, administered by the Rural Development Commission.

Mr. Hall: My hon. Friend will be aware of the many concerns expressed by my constituents in Bedford, especially pensioners, at the proposal of the Conservative-controlled Bedfordshire county council to cease funding the concessionary fares scheme in Bedfordshire from next spring. Does she share the concerns of those people, and will she join me in asking the local authorities in Bedfordshire to work together as constructively as possible to ensure the continued safe existence of the concessionary fares and dial-a-ride schemes in my constituency, which are so important to the disabled and pensioners and so good for the environment, public transport and the local economy?

Ms Jackson: My hon. Friend will be aware that all such decisions are matters for local authorities, but I have little doubt that, with his commitment to his constituency and his constituents, he will do all in his power to ensure that the relevant authorities are brought together to discuss this issue.

Mr. Wilkinson: Can the hon. Lady say whether, in her guidelines to the consultants who will be studying the future of London Underground, she has made it a requirement that the concessionary fare for old-age pensioners will be retained by the London boroughs? If not, from next year, old-age pensioners and other members of the travelling public will face diabolical fare increases, well above inflation. To be candid, something needs to be done urgently to put London Transport to rights.

Ms Jackson: The hon. Gentleman will be aware that a decision on the way forward for London Underground has still to be taken in the light of the options being examined by the Government's financial advisers. On concessionary fares, he does no service to the pensioners of London by raising the possibility that they will be lost. As he well knows, the concessionary fare scheme is funded by all boroughs, which have managed to fund it every year.

Rail Regulation

37. **Mr. Allan:** What steps the Government are taking to meet their commitment to establish more effective and accountable regulation by the Rail Regulator. [14879]

Dr. Strang: On 6 November, I announced three measures designed to strengthen railways regulation. The measures—new objectives for the franchising director, the publication of new guidelines on railway investment and a framework for co-operation between Ministers and the Rail Regulator—are the first fruits

of our on-going review of railway regulation. We are committed to establishing a new strategic rail authority on which we will publish proposals next spring, linked to our White Paper on integrated transport policy.

Mr. Allan: Does the right hon. Gentleman agree that many members of the public are put off using the rail system by their inability to get accurate information and the right ticket? Does he therefore regret that the franchising director appears to feel unable to publish the full details of the survey that he carried out recently into the mis-selling of tickets?

Dr. Strang: The hon. Gentleman is right to be critical of the present arrangements. The interim package that I announced is a significant step forward. Information is vital, but we shall need legislation to put things right.

Mr. Grocott: I warmly welcome my right hon. Friend's strategy of moving both freight and passenger traffic from road to rail wherever possible, but does he agree that that policy is made immeasurably more difficult by the ludicrous fragmentation of our rail network that occurred under the previous Government, which makes any coherent transport policy harder to apply?

Dr. Strang: My hon. Friend is correct. That is why we have set out clear objectives for the franchising director. It is very important that the franchising director talks to local authorities. If we are to invest more in the network, build the new stations and get more freight on the railways, which is vital, we need a new start. That is where we are going.

Mrs. Laing: The Minister's answer makes it clear that the Government, by their actions in changing the Rail Regulator and the franchising authority, are building on the success of the previous Government's privatisation policy. It is therefore implicit that they are endorsing railway privatisation; why will they not do the same for London Underground, which is so much in need of further investment?

Dr. Strang: Where has the hon. Lady been for the past three years? Is she unaware of all the reports? Does she not appreciate the fact that, under the current arrangements, an operating company can cancel trains for months on end without the franchising director being able even to fine it?

Egypt (British Citizens)

3.30 pm

Mr. Michael Howard (Folkestone and Hythe) (*by private notice*): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the attack on British citizens in Egypt on 17 November.

The Minister of State, Foreign and Commonwealth Office (Mr. Doug Henderson): On the morning of 17 November, six armed men went on a killing spree on the west bank of the River Nile near Luxor. At least 60 foreign tourists are reported to have been killed. Six Britons were confirmed to be among them. Three Egyptian policemen and the six gunmen also died. On behalf of the Government and, I am sure, of all hon. Members, I extend my heartfelt sympathies to the families bereaved by this atrocity and to those injured.

My right hon. Friend the Prime Minister spoke to President Mubarak of Egypt yesterday afternoon and expressed his condolences and our support in the fight against terrorism. My right hon. Friend the Foreign Secretary expressed our condemnation of this barbarous act yesterday.

My noble Friend Baroness Symons is discussing the situation with the Egyptian Minister of Tourism, who is currently visiting London. The British embassy in Cairo and my Department have taken urgent action to discover the extent of the atrocity and whether there are any other Britons among the dead or injured. The British consul in Cairo has gone to Luxor to assist with repatriation of the British victims and to advise British visitors and holiday companies. There is also a consular representative at Cairo airport to assist those Britons who wish to leave the country.

The consular division of my Department is keeping its travel advice constantly under review. In April 1996, following the attack on Greek tourists in Egypt, the travel advice stated that security could not be guaranteed. In March this year, that advice was amended to recommend that travellers should respect advice on their safety from local security authorities. That reflected the fact that during the previous 11 months attacks in Egypt had been only on the security forces.

In September this year, following the attack on German tourists, the advice was strengthened to recommend that security could not be guaranteed. Yesterday afternoon, we issued revised travel advice, advising against visiting the Luxor area. Today, that advice has been further updated, to the effect that British visitors are advised to exercise great caution over visiting upper Egypt. Meanwhile, they are strongly advised to avoid the Luxor area until further notice. Visitors to all other parts of Egypt are advised to be vigilant and to respect any advice from the local security authorities.

In London, we have set up an emergency response team to deal with inquiries, which has already received around 1,000 calls. The team is also liaising with tour operators and the Association of British Travel Agents.

Mr. Howard: I am grateful to the hon. Gentleman for his answer. I should like to associate Her Majesty's Opposition with the sympathy that he expressed to the families of the victims of this brutal attack and also the sympathy that he extended to the Government of Egypt.

There are reports that a Swiss medical team has been dispatched to Egypt. Are there any plans for the United Kingdom to offer medical assistance to the Egyptian authorities and the victims of this outrage? The hon. Gentleman was right to condemn the attack in unequivocal terms. What active steps do Her Majesty's Government propose to take, to help the Government of Egypt to counter such attacks? What progress has been made in following through the recommendations of the ministerial conference on terrorism, which I attended in Paris in July last year? In particular, has the recommendation for the setting up of a directory of competencies on counter-terrorism, which was proposed by the previous Government and accepted in Paris, been implemented?

Mr. Henderson: I am grateful to the right hon. and learned Gentleman for his questions. I can confirm that no request for British medical assistance has been received, but were it to be, the British Government would, of course, do what they could to assist the Egyptian authorities. I can also tell him that steps are being taken with the Egyptian Government—there is a constant dialogue to identify where there are terrorist dangers. As I am sure the right hon. and learned Gentleman will know from his previous responsibilities, this Government will be doing everything they can to work with the Egyptian Government to minimise risk.

Again, I can reassure the right hon. and learned Gentleman that every effort will be made to counter international terrorism at every international forum. It is a top priority of the Government; and it will continue to be so.

Mr. Menzies Campbell (North-East Fife): I should also like to associate myself and my right hon. and hon. Friends with the expressions of sympathy and condolence voiced by the Minister and by the right hon. and learned Member for Folkestone and Hythe (Mr. Howard).

While the causes of fundamentalism, which gives rise to atrocities of this type, are extremely difficult to ascertain, does the Minister accept that the efforts of President Mubarak and the Egyptian Government to control fundamentalism are by no means made easy by the fact that there is, as yet, no lasting, just peace in the middle east, and the Oslo agreements have not been implemented either in fact or in spirit? What efforts will the Government make—particularly as Mr. Netanyahu is apparently in London again this week and the Foreign Secretary met Madeleine Albright last week—to impress on both the United States and the Government of Israel that fundamentalism in the countries of the middle east will be better controlled when there is a just and lasting peace for the Palestinians?

Mr. Henderson: There is no excuse of any kind for the atrocity that occurred in Egypt yesterday—no justification. Having said that, the Government will continue to do what they can in the various international forums to bring pressure on those involved in the middle east peace process to make progress towards at least an interim solution that can, I hope, reduce tensions.

As the hon. and learned Gentleman may know, a meeting was held last week between my right hon. Friends the Prime Minister and the Foreign Secretary and Mr. Netanyahu. At that meeting, it was stressed that there

should be full implementation of the interim agreement, especially provisions relating to Gaza air and sea ports and transit arrangements for Palestinians between Gaza and the west bank; that substantial further deployments of Israeli troops from the west bank should take place; and that time out on settlement building and unilateral action in Jerusalem, which prejudices final status talks, should also be given the highest priority. We shall continue to press those points at other international forums.

Ms Chris McCafferty (Calder Valley): Is my hon. Friend aware that three generations of one family in my constituency—mother, grandmother and five-year-old daughter—died in the tragic events at Luxor? I welcome his message of condolence to the family, and wish to associate myself with it. I also welcome his unequivocal condemnation of terrorism when it is so fanatical and destructive. Equally, it should be said that the vast majority of Egyptian people are democratic and peace-loving, so I welcome the statement of support for the Government of Egypt in their determination to maintain democratic government and secular democracy.

Mr. Henderson: I thank my hon. Friend for her comments: I am sure that the whole House would wish to repeat its horror at the events that have caused such huge grief to her constituents and constituency. There is a continual dialogue with the Egyptian Government, and one of the important issues discussed is to agree with the Egyptian Government what measures can be taken to ensure that democracy is reinforced at every opportunity in a difficult situation in Cairo. That is this Government's top priority, and we have taken the opportunity on several recent occasions to express it to our Egyptian friends.

Mr. Michael Fallon (Sevenoaks): Is the Minister aware of the widespread shock and grief in Swanley today that a dream holiday for two pensioners should have ended in murder? Does he think that there is any general case for reviewing the way in which travel advice is issued to tour operators by the Foreign Office?

Mr. Henderson: I repeat my condolences to the hon. Gentleman's constituents and constituency, who have also faced terrible tragedy. Advice is given to travellers, travel agents and travel companies on a regular basis and a wide area of interest. In most circumstances, the degree of risk is explained to those involved, but ultimately it is for those who wish to travel to make a decision based on the information that they receive. It is my Department's intention to make sure that they are furnished with every piece of information that might be of help to them.

Mr. Dale Campbell-Savours (Workington): The Minister will know that this is not the first time that Islamic fundamentalist movements have organised a terrorist incident, and he will know that it will not be the last. Is the Foreign Office developing a pool of expertise—that is, people who really understand what motivates those groups and who have studied the background to them—to meet that threat in future so that, as and when, inevitably, we are faced with more incidents of this nature in the western world, we shall be equipped with the Foreign Office expertise to deal with them?

Mr. Henderson: I can reassure my hon. Friend that my Department is fully briefed, not only on the factual situation in those areas of the world, but on political opinions expressed by the widest range of sources. I have every confidence in my Department's ability to brief Ministers and to provide advice on which the people of this nation can base their decisions.

Mr. Nicholas Soames (Mid-Sussex): Does the Minister accept that while I agree with him about terrorism, I endorse the views of the hon. and learned Member for North-East Fife (Mr. Campbell) on the peace process and the difficulties that that makes for Egypt? Does he agree that Egypt holds a pivotal position in the middle east and that the Egyptian Government deserve whatever support we can give? Is he aware that, from time to time, we have been able to provide them with training from the Ministry of Defence? Will he examine whether there is a case for reviewing the training that is currently given, to see whether more training—or some of the more sophisticated techniques on which we are great experts—could be offered to our Egyptian friends?

Mr. Henderson: I am grateful to the hon. Gentleman for his comments. I assure him that they are well taken. His points constituted part of our dialogue with the Egyptian Government. Where we can provide assistance, we would want to do so.

Mr. Harry Barnes (North-East Derbyshire): I wish to associate myself with the sympathy that has been expressed, and with the Minister's views on terrorism. Luxor is a fine place with fine people, many of whom are impoverished. They will be devastated by what has taken place and its effect on tourism. After considering the terrorist situation, will the Government examine how help may be given to the people and economy of Egypt? Do the Government recognise that Islam was not a key link in this act? It is like the link that exists between some terrorist groups and Christianity in the western world. Most of Islam abhors such acts.

Mr. Henderson: I thank my hon. Friend for that comment. I am sure that it is true that the vast majority of the Islamic world condemns this atrocity in the same way as we do. He should address his remarks on assistance to Egypt to my right hon. Friend the Secretary of State for International Development, but assistance is part of the regular dialogue between our two countries. I am sure that that will continue to be the case.

Mr. Douglas Hogg (Sleaford and North Hykeham): While it is right to support the policies of the Egyptian Government that are designed to root out terrorism, may I support the remarks of the hon. and learned Member for North-East Fife (Mr. Campbell) about the importance of pushing forward the peace process between Israel and the Palestinians? That is critical if there is to be an end, or at least a reduction, of tension and of the underlying support for Islamic fundamentalism. It is important that, wherever possible, we try to encourage regimes in the middle east to make themselves more accountable and representative, because that also tends to diminish the support that underpins Islamic fundamentalism in the region.

Mr. Henderson: I agree with the right hon. and learned Gentleman's point, which is essentially the same as that of the hon. and learned Member for North-East Fife

[Mr. Henderson]

(Mr. Campbell). The Government will take every action to try to push forward the peace process. I again refer to last week's important meetings between my right hon. Friends the Prime Minister and the Foreign Secretary and Mr. Netanyahu.

Mr. Mike Gapes (Ilford, South): Is the Minister aware that, over the past decade, hundreds of thousands of British people, including me, have visited Luxor without any threat to our lives, and that Egypt depends greatly on international tourism? Is he also aware that the domestic roots of Islamic terrorism go back many years and that it is a little glib to associate this incident simply with the current difficulties of the middle east peace process? Does he agree that it is not helpful to try to blame the Israeli Government, directly or indirectly, for the actions of a small group of fanatical terrorists who do not represent any large number of people in the middle east?

Mr. Henderson: I hope that my hon. Friend will agree that it is less important for us to attribute blame for inactivity in the peace process and more important for us to encourage the Israeli Government, Arab Governments and our Palestinian friends to push forward the process so that general tension is relaxed, enabling progress to be made towards a more permanent peace. That is the relevance of the current situation to the peace process.

Mr. Tony Baldry (Banbury): Does the Minister agree that it is important that responsibility for an atrocity of this type falls solely on those who caused it, not on anyone else? Will he acknowledge that the Foreign Office does all that is humanly possible to give the best possible travel advice, and that its advice is regarded throughout the world as of a very high quality, regularly updated?

When I had some responsibility for consular affairs in the Foreign Office in 1994, I visited Egypt to see what the Egyptian Government were doing to protect United Kingdom tourists. Does the Minister accept that it was obvious that the Government of Egypt were doing all that was possible to protect UK and other tourists? Does he agree that it is very important that we do not allow the people or the Government of Egypt to be isolated now? It is one of the terrorists' objectives to bring about such isolation, and if we allow the Government or the people of Egypt to be isolated or more isolated as a consequence of the tragedy, the terrorists will partly have succeeded.

Mr. Henderson: It is clear from the response of the whole House, which I believe reflects the view in the country, that all of us want to do what we can to help the Egyptian Government to improve security, so that foreign tourists can travel in Egypt and relax. As I mentioned in my response to some other hon. Members, there is a constant dialogue with the Egyptian Government on such matters, and if there is any way in which we can help them to improve their security, we shall do so.

Mr. David Tredinnick (Bosworth): Building on the point made by my hon. Friend the Member for Mid-Sussex (Mr. Soames), the former Minister of State for the Armed Forces, by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), and by the hon. and learned Member for North-East Fife (Mr. Campbell), does the Minister accept that the visual image of Israelis building settlements in Palestinian territory is the root cause of this problem, and that it is that image that inflames the fundamentalists' cause?

Does the Minister accept that, ghastly though the tragedy at Luxor was, it occurred on the edge of what is really Greater Luxor, some distance from the city on the other side of the Nile? Can he reassure British holidaymakers in residence at Luxor now that the town is comparatively safe, and that we are talking about the small area of temples in the west, up against the hill?

Mr. Henderson: The advice that I gave in my original remarks was that the area of Luxor is not safe and persons travelling should be extremely wary about entering that territory.

I repeat that there is no justification at all, under any circumstances, for the action that was taken yesterday and the horror that it caused to families and citizens of this country and others. If one were to ask an analytical historian the cause of troubles in the middle east area over the centuries, one would be unlikely to receive one response, as there are many approaches. Obviously, however, it does not help for the peace process to be logjammed, and something must be done to get things moving, so that people in these areas have greater hope and reassurance.

Mr. Crispin Blunt (Reigate): Does the Minister agree that the worst outcome would be for the tourist industry in Egypt to be destroyed? Does he further agree with my rough calculation that, even in the wake of yesterday's appalling and tragic events, a visitor to Egypt is 30 times more likely to die of natural causes than to be involved in a terrorist incident? Will his advice to travel companies reflect what is statistically likely to happen to people?

Does the Minister agree that the British people must stand shoulder to shoulder with our friends in Egypt against terrorism—a scourge that, unfortunately, we have both endured—and that the Foreign Office must be as robust as possible in its advice to tour operators and individuals, so that the risks are understood but encouragement is not given to unnecessary panic, which seems to have happened this morning?

Mr. Henderson: I can assure the hon. Gentleman that there will be no panic reaction by my Department, but we have a responsibility to provide advice to British tourists on the dangers that they may face when they travel. Our assessment is that there are serious dangers at the moment in Egypt, and there have been for some time. I explained in specific terms in my initial remarks what those were. We shall continue to monitor the situation day by day, and continue to give the best advice that can be given. Nevertheless, we shall want to help to promote tourism to Egypt, and that will be a continuing item in the dialogue with the Egyptian Government.

Personal Pensions (Mis-selling)

3.54 pm

The Economic Secretary to the Treasury (Mrs. Helen Liddell): With permission, Madam Speaker, I would like to make a further statement on the mis-selling of personal pensions.

On 9 July, I reported to the House on the progress being made by individual firms with most cases to put right in what is possibly the most extensive scandal ever seen in our financial services industry. Each month subsequently, I have published the latest facts available to me. Today I have placed in the Library further information about the progress being made.

We are now seeing positive results from the pressure applied since this Government were elected. In May, only 2 per cent. of cases had been compensated. Now there has been a sevenfold increase in the number of people receiving compensation—proof that, in the cold glare of publicity, firms can raise their game and make progress. However, more could and should be done.

Before I go into more detail, it might assist the House if I recall the events that led to this scandal. The Social Security Act 1986, a much-vaunted piece of legislation by the previous Government, encouraged millions of people to change sound pension arrangements for something different, in the belief that they would be more secure in later life. Some will be; not all, however. For some, the change meant a future less secure, not more so.

Between 1988 and 1994, life insurance companies, independent financial advisers, banks and building societies, through vigorous marketing, sold more than 5 million personal pensions. It soon became clear that that meant disaster for many, including hundreds of thousands in the nursing, teaching and other professions, who had been persuaded against their best interests to abandon the safety of their occupational schemes.

The truth is that many firms did not abide by the regulatory rules then in force, requiring them to give suitable advice. Among those firms failing their customers were many household names. The Securities and Investments Board in 1994 took the unprecedented step of requiring firms to review the cases of those most likely to have suffered. The scale of the problem can now be seen. Some 600,000 cases are currently being reviewed, and on current indications the cost of compensation will be at least £2 billion.

Deadlines were set for completing the most urgent reviews. Those were well missed, and the previous Government stood by and let that happen. On 14 May this year, I met heads of 24 firms, responsible for about three quarters of the total of cases. I left them in no doubt about our determination to ensure that those wasted years would be redeemed.

Most of the big firms are making headway—indeed, some of them have made large strides—but far too many firms, from large insurance companies to small independent advisers, have been far too slow to act, and some have hardly even started. They have failed to grasp the severity of the situation.

The experience of the past few months shows that pressure from the Government, the regulators and the public is working. I intend to maintain that pressure until the review is completed. In May, the regulator set hard but realistic new targets for all the firms concerned, and made it clear that there would be robust disciplinary action. For most firms, the first of those targets is to complete 90 per cent. of the most urgent cases by the end of next month. Beyond that, they must complete all their priority reviews by the end of next year, at the very latest. When they reach that target, I shall remove their names from the list that I publish each month—although they must continue to update me on their progress.

The recent reprimands and fines against firms such as the Prudential, Friends Provident and DBS have attracted wide publicity. This disciplinary rigour will continue. However, the Government and the regulators recognise that, in respect of some companies at least, those sanctions may not be enough—they are not galvanising the laggards. For them, a stronger armoury of sanctions is required. The Personal Investment Authority is working to achieve that through individual registration, and the new regime will come into force as soon as possible next year.

Once that regime is in place, sanctions can be fine-tuned to apply pressure directly on those responsible. Individual directors, managers or sales people found to be at fault will face the prospect of fines, public reprimands or restrictions upon the type of work in which they may be involved. In extreme cases, they could be expelled from the industry.

The public have a right to know about these failures. At present, the PIA has the power to require firms to advertise their misconduct and the grounds on which they have been disciplined. That power has been kept in reserve, but there is now every reason to use it to the full. The PIA is currently examining ways of ensuring that customers are informed directly of a firm's failings. The Government believe that the time has come for a tougher range of sanctions to come into play. The only way for a firm or an individual to avoid disciplinary action is to avoid the conduct that warrants it.

While putting right the wrongs of pensions mis-selling has been the priority, the Government have not lost sight of the fact that the financial services industry is central to our economic prosperity, and to the welfare of millions of people. However, its prosperity requires the confidence of the public. That is why the industry must act quickly to restore that confidence. If there is continuing evidence that some firms have refused to learn the lessons of the past few years and are still harming investors, we shall act to clean up the industry.

To this end, the PIA has the authority to intervene on behalf of the public and require that a firm ceases to market or sell some or all of its investment products for a period, and puts its house in order. Firms whose compliance with the regulator's requirements is so poor that investors are put at risk can effectively be put out of business. The PIA will use that power wherever it is warranted. Candidates for that action will include any independent financial adviser or any other firms found to be using the review process as a foot in the door to sell more products.

The regulators and the Government also have powers to protect the public by taking action to exclude senior people who are not fit and proper from involvement in financial services business. Those who are not fit and proper can be removed from their posts—and we shall see that they are removed. In the years ahead, the Government plan to introduce legislation that will have a profound

[Mrs. Helen Liddell]

impact on the financial services environment. Lessons learned from the pensions mis-selling episode will be in all our minds as we go about that task in relation to stakeholder pensions and individual savings accounts, and as we reform the regulatory regime itself.

So far as pensions policy is concerned, we will not repeat the mistakes of the previous Government. We will not set people up to be fleeced. We anticipate that future decisions on the regulatory approval of stakeholder pension schemes will take into account the conduct and the corporate governance of all those involved. That would, of course, include their record in settling cases of mis-sold personal pensions.

I hope that, through the combination of measures that I have outlined to the House today, we can ensure that never again will the public be exposed to such a scandal as that which I have described, and that those who have suffered can now look for speedy redress. Justice for them has been too long delayed: this Government are determined to ensure that it is delivered.

Mr. Tim Boswell (Daventry): Will the Economic Secretary accept for a start that we on the Conservative Benches entirely share her desire to rectify the consequences of pensions mis-selling as speedily as possible, consistent only with the proper discharge of the wider responsibility of insurance companies for the sound conduct of their business. We believe that the proper approach is through the regulatory mechanisms that we largely put in place—every one of those to which she referred were already in place. Those actions were taken further by Angela Knight, who was then a Minister in the previous Government.

Will the Economic Secretary acknowledge that, although the targets had been set by the regulator, most of these are for completion next month at the earliest; that neither she nor we are yet in a position to say that most individuals or companies have failed to meet their current targets; and that many will in fact meet them?

Will the hon. Lady also concede that the proper approach to the problem of pension mis-selling is through the regulator's steady and objective work, and the progressive use and tightening of the powers of sanction available to him, rather than through an approach that could be described as confessional, based on the naming and shaming of individual companies by a Minister? Does not her role in this increasingly resemble that of a public relations stunt, by a Minister who was herself employed in public relations by the late Robert Maxwell, one of the biggest mis-sellers of all?

Can we have a further assurance from the Economic Secretary that in no case will a company or individual who is likely to be in the frame for her naming and shaming be treated softly on the grounds of any association with, donation to or work for the Labour party or the Government? In particular, is it not interesting that her statement refers to the Prudential Assurance company, of which Peter Davis—he is well known to many of us, too—is chief executive? Is it not odd that she is shaming him while, simultaneously, the Government are prepared to condone him as the leader of the team on welfare to work, dealing with some of the most sensitive and underprivileged members of our society?

More widely, perhaps, will the Economic Secretary accept that, although the mis-selling of some private pensions and personal pensions was wrong and must be rectified, the United Kingdom is in an enviable position internationally, both with the strength of the financial services industry, to which she referred, and with the accumulation of some £650 billion of pension fund assets; and that only today representatives of German banks were reported as pressing their Government to enable the early establishment of what they described as Anglo-Saxon type pension funds?

Will the Economic Secretary acknowledge—it will be the first acknowledgement to come from the Government if she does so—that the present Government's smash and grab raid on pension funds through the pension tax in the sum of £5 billion a year, which they imposed in the last Budget, has cost every pension holder in the land a significant amount of their future pension? To be more specific, does she accept that the average cost to county council pension schemes, three quarters of which were in deficit at the last actuarial revision, is £3.7 million a year?

Will the Economic Secretary also acknowledge that the Government's proposals in the Budget have made opting out from the state earnings-related pension scheme much less attractive, and that, as a result, many people who have taken a personal pension would be better off in the SERPS scheme? Perhaps she will tell me that the Government will commit themselves to a public information programme to explain the implications to people who in effect have been mis-sold a personal pension by the Government. Would that not be a contribution to truth for the pension holder?

Finally, will the hon. Lady explain why the Chancellor of the Exchequer has refused to give a straight answer to the questions that we have asked him? Is it not, in fact, the Chancellor—who is sitting next to the hon. Lady—whom she should be considering for naming and shaming?

Mrs. Liddell: We have just seen a manifestation of why, when we were elected in May, fewer than 2 per cent. of pensions cases had been dealt with. Under the last Government, there was a complete failure to take into account not just the fact that 600,000 people had been mis-sold personal pensions, but the fact that 18,000 had since died without securing redress. Today, we have seen an Opposition wriggling on the record of their own performance in government. We took the action we did because of our determination to see innocent people receive redress.

The hon. Gentleman talked about the Prudential. The Prudential will be dealt with by the regulators as they see fit, but the Government have decided that the structure of regulation needs to be reformed. The hon. Gentleman might have served the House better if he had come to the Dispatch Box and apologised for the performance of the previous Government.

Mr. Dennis Skinner (Bolsover): Does my hon. Friend agree that, while the guilty people are the insurance company chiefs, many of the guilty people sit on the Opposition Benches? Scores of Tory Members were associated with those companies when the Tory Government were in power, and it was they who believed that market forces could allow people to change their pensions in such a fashion.

I stand up today because I remember when the miners, having ripped their guts out in the pits, saw those pits closed by that lousy Tory Government. Then these people came knocking on their doors—sent by Opposition Members, or their friends—saying, "Transfer your pensions, and you will get more money." The net result is that many of them have lost thousands.

I suggest that, if we do not get all that money back from those insurance companies, we should surcharge that lot over there, because they were instrumental in carrying out the mis-selling.

Mrs. Liddell: I could not have put it better myself. As one who represents a mining constituency—as, indeed, does my right hon. Friend the Chancellor—I know the hardship that has been caused to the families of miners, and the great distress that has been caused to, in particular, the widows of miners whose husbands thought that they had left them well provided for, but who now find that they were duped because of actions taken by the last Government.

Mr. Edward Davey (Kingston and Surbiton): Liberal Democrats welcome today's statement. Many people throughout the country are delighted that the new Government are taking the mis-selling of pensions seriously, although for far too many their action has come too late.

Has the Economic Secretary considered other measures to tackle the problem—for example, the reform of training and of the requirements for professional qualifications in those who are involved in selling financial products such as personal pensions? If the hon. Lady has not considered those measures, has she considered giving such a remit to the new Financial Services Authority, so that, in future, the financial services industry can proceed with confidence, and consumers can buy its products knowing that those who sell them have been properly trained and are competent?

Mrs. Liddell: The hon. Gentleman makes a good point. We have had extensive discussions about matters relating to training, and about the standards of those who give financial advice. I was interested to note that the hon. Member for Daventry (Mr. Boswell) gave some financial advice himself; I wonder whether he is registered to do so.

As for regulatory reform, we intend to look closely at ways of improving the standards of financial advice—and, indeed, the standards of consumer education in relation to financial services products.

Mr. Ivor Caplin (Hove): I, too, welcome the statement. I am sure that, like the rest of the House, my hon. Friend will be aware of the public apology made by Peter Davis, the chief executive of the Prudential. [HON. MEMBERS: "Reading."] I am not, actually.

Is my hon. Friend aware that the Prudential is still failing victims, and is likely to continue to do so, and to miss the targets for next March? What does she plan to do about that?

Mrs. Liddell: It is interesting to note the discomfort that is experienced by Conservative Members when important points are being made about ensuring that people meet targets. The purpose of today's statement is to concentrate the minds of those who think that the Government are not serious about ensuring that the targets are met. They cannot now be left in any doubt about the seriousness with which the Government and the regulators treat these matters.

Mr. Peter Brooke (Cities of London and Westminster): The way in which the Minister plays her hand is for her to decide. Is she implying that she is against the principle of the Social Security Act 1986?

Mrs. Liddell: Yes: that is why we are reforming it.

Mr. Jim Murphy (Eastwood): I congratulate my hon. Friend on the work that she has done on this important issue. Will she confirm that the inability of companies to meet their targets for compensation, and the inability of the Conservative party to deal with this matter while in government, has led to many thousands of pensioners dying without receiving any compensation?

Mrs. Liddell: My hon. Friend makes a good point. Indeed, nothing that we have done could not have been done by the previous Government. They failed to take action, because they turned a blind eye to the crisis, despite the fact that everyone knew what was going on. The Conservative party's behaviour is shameful.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Does the Economic Secretary share my concern about recent reports that financial advisers are still advising people to move their savings out of company schemes and into personal plans, to a value of almost £100 million this year? They are mainly people who are approaching retirement age and want access to income draw-down and phased retirement schemes. Potentially huge commissions are involved. Will she undertake to reinforce the work that has been done by the Personal Investment Authority to ensure that there is no phase 2 of this scandal?

Mrs. Liddell: I commend the hon. Gentleman on his expertise in these matters. He makes an important point, which allows me to highlight the fact that, in addition to the 600,000 people in the priority categories who have been mis-sold personal pensions, we estimate that there could be between 1 million and 1.5 million non-priority cases involving younger people who have bought personal pension products. I urge people to check personal pension products to ensure that they have not been mis-sold, so that we do not have a time bomb for the future. The hon. Gentleman's point is well made.

Jacqui Smith (Redditch): As a teacher in the late 1980s and the early 1990s, I was conscious of the hard sell by many pension companies to try to persuade teachers to move out of what my hon. Friend has described as a good pension scheme, and into a private pension scheme. My hon. Friend has given us some idea of how many people may have been affected, but does she agree with me that there could be even more people than we are currently aware of, because some companies and some sections of the industry are still failing to warn their customers that they may have been mis-sold pensions?

Mrs. Liddell: My hon. Friend makes a valid point. It is not just companies that are failing to warn their customers that they may have been mis-sold pensions. It is important that people check any material they receive from pension companies. As a result of my statement, I hope that the Personal Investment Authority will insist that marketing material contains details of any penalties that companies have incurred through the mis-selling of personal pensions.

Mr. Nick St. Aubyn (Guildford): The Minister said that 600,000 cases are being reviewed, out of a total of 5 million. Does that not imply that more than 4 million of those who were sold personal pensions were not damaged as a result of the previous Government's initiative, and that, for some people, personal pensions were a good choice and a benefit? Would the Minister care to contrast that experience with the universal suffering caused by the present Government's manifesto mis-selling, given that they have imposed a pensions tax on every pension scheme?

Mrs. Liddell: The hon. Gentleman is an apologist for those who have mis-sold personal pensions. He does not understand the position. The 600,000 who are currently being reviewed are at or near retirement. The point that I made in response to the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) was that there could be an additional 1 million to 1.5 million younger people who have been mis-sold personal pensions, which is a substantial number out of 5 million. Rather than act as an apologist, the hon. Gentleman should do his bit to ensure that this matter is resolved.

Mr. Ian Davidson (Glasgow, Pollok): Unlike many of my colleagues, I wish not to praise the Minister but to criticise her, for being too soft on the people running the pensions industry. Will she stop using euphemisms such as "mis-selling", as if it was in some way accidental? Why does she not just describe it as theft, which is a much more accurate description of what actually took place?

Why do Governments continue to be mealy-mouthed when it comes to white-collar crime? In my view, many of the people responsible deserve to be in gaol. If any of my constituents stole an equivalent amount, they would end up in the courts and then in gaol. Why is white-collar crime treated more leniently than other types of crime?

Does the Minister agree that those firms which do not put things right within a very short time should be disqualified from participating in stakeholder pensions and frozen out of the industry altogether as unsuitable? Should not the brand of Cain be stamped across the forehead of their chairmen to ensure that they do not do business in future? That is the only way that the companies will take the Minister's strictures seriously.

Mrs. Liddell: I see that my hon. Friend is behaving with his customary moderation. Indeed, the nicest thing that has been said about me in this episode is that I have been mealy-mouthed.

The action that I am proposing today will guarantee that those responsible for the running of companies involved in mis-selling will themselves pay a penalty if they do not meet the targets and ensure that redress is made.

Mr. John Swinney (North Tayside): I support the Minister's statement but would like to ask two questions. First, when tackling networks like DBS, have the Government considered differentiating between the company or network and individual agents, some of whom will have a clear and commendable record? Secondly, in relation to stakeholder pensions, what consideration have the Government given to providing protection from excessive costs which will have to be borne by the consumer from products to be available for the market?

Mrs. Liddell: I shall deal with the hon. Gentleman's second point first. I understand that my hon. Friend the Member for Southampton, Itchen (Mr. Denham), the Under-Secretary of State for Social Security, may be making a statement about stakeholder pensions soon. I have had lengthy discussions with him about the lessons that have to be learned about the mis-selling of stakeholder pensions.

There have already been fines on networks as a consequence of their failure to meet targets. They have been disciplined by the regulatory authorities. Regulation covers the management practices that networks and, indeed, individual financial advisers have been using. There are many lessons to be learned from that. The regulators are conscious of cases in which discipline may need to be applied; indeed, that discipline has been applied.

Mr. John Smith (Vale of Glamorgan): As someone who was actively involved in a campaign to discourage people from giving up their occupational pensions for private pensions, I thank my hon. Friend for her statement on behalf of my constituents. Does she share my view that the previous Tory Government were effectively guilty of conspiring to rob millions of British people of large chunks of their life savings, in that they created a climate that encouraged mis-selling and then did absolutely nothing when the problem was discovered?

Mrs. Liddell: I am grateful for my hon. Friend's thanks. The Government will really be thanked when all the cases of mis-selling have been resolved. Yes, the climate at the time did encourage it to happen. The devil-may-care, get-rich-quick days of the Thatcher Government certainly encouraged the problems—*[Interruption.]* As some of my hon. Friends are saying from a sedentary position, some Opposition Front Benchers have a specific responsibility for what happened.

Mr. Paddy Tipping (Sherwood): Will the Minister arrange for discussions to be held with both miners' pension schemes? In the light of the information that she will be given, that 7,000 miners can be identified—their addresses are known, as are their pension shortfalls—will she take quick and severe action, with the regulator, against companies such as TSB and the Prudential, which seem unwilling to set matters right?

Mrs. Liddell: I am conscious of the difficulties that are being experienced in some cases with occupational pension schemes, and I have heard what my hon. Friend has said. There have been some improvements in the information available from occupational schemes,

and some companies—for example, the Pearl Assurance—are making their occupational pension scheme databases available, free of charge, to other companies. That is a very useful development.

At the start of this year, however, there were considerable difficulties with occupational pension schemes. Many of those difficulties have been resolved, but I will certainly be vigilant and do what I can to assist with the occupational pension schemes that my hon. Friend mentioned. I have heard the point he has made.

Formula One

4.25 pm

Mr. Andrew Robathan (Blaby): On a point of order, Madam Speaker, of which I have given you notice. I should stress that it does not deal with a cheap or party political point. [HON. MEMBERS: "Oh."] If it did, I would not have raised it on an afternoon when the House was bound to be three quarters empty.

It deals with a subject that will concern hon. Members from both sides of the House, and with a matter that undermines the rules of the House. The matter strikes at the entire purpose—it negates the purpose—of having a Register of Members' Interests. [HON. MEMBERS: "Boring."] Far from being boring, it is very important.

In last Thursday's edition of *The Times*, there was a report that the Prime Minister had gone to last year's Silverstone grand prix as a guest of formula one, yet had not entered the visit in the Register of Members' Interests. I have checked with the Registrar of Members' Interests, and he stated that the rules of the House are quite clear. The rules are that, if the visit were a gift of hospitality worth more than £215, it should have been entered. I checked with the Silverstone authorities, and they told me that it is likely to cost more than £215 to take only one person to Silverstone, and that it would cost a great deal more than that to take two people or a family.

Since I have been making the investigations, I have discovered that one David Ward—a professional lobbyist employed by the Formula One Association—arranged for the Prime Minister to go to the Silverstone grand prix as a guest of Max Mosley, and that that is when he met Bernie Ecclestone.

Some people will say that the matter is old hat and last week's news. There has, however, been no explanation or discussion of the matter. I seek your advice, Madam Speaker. It seems that all hon. Members—not only Opposition Members—should be given an explanation of why the Register of Members' Interests is not up to date.

Madam Speaker: As the hon. Gentleman knows, we have a Parliamentary Commissioner for Standards, a senior officer of the House whom we employ to deal with such matters. As the hon. Gentleman is also aware, such matters should not be raised on the Floor of the House. He may wish to put the matter to the Parliamentary Commissioner.

National Health Service (Equity of Funding)

4.27 pm

Mr. Andrew George (St. Ives): I beg to move,

That leave be given to bring in a Bill to set up an independent National Health Service Funding Advisory Body charged with the task of ensuring an equitable formula for the funding of local health authorities.

The Bill is relevant to hon. Members from across the country, because its purpose is to deal with the recognised failings of the current formula. Although I support initial ministerial proposals to establish an advisory body that would report next autumn, my Bill would go further by providing a continuing statutory requirement for such a body. Many health authorities—for example, in Cornwall and in Lincolnshire—face unnecessary funding crises, and hon. Members on both sides of the House know that such a crisis could occur in any place and at any time.

I tabled my Bill because of recent proposals—which are a consequence of projections for a budget-driven crisis for next year and subsequent years—to slash Cornwall's health services. The Cornwall and Isles of Scilly Health Authority must make a £5 million year-on-year saving. The need for such cuts has not only sent a shock wave through the Cornish community and been widely and justifiably derided: it has brought into sharp focus the very funding formula used by the Government in deciding local health authorities' apportionment of NHS funding. Last week, the formula was used in Lancashire, and, in the weeks and months ahead, it will affect other places.

For the benefit of hon. Members, I should perhaps explain a little about Cornwall and its people. Historically, we have had not only the lowest wages in the United Kingdom but very high levels of unemployment, a high cost of living, the highest water rates, and pressure on our housing stock from second and holiday homes. It is a difficult place in which to be poor.

This summer, even after the suffering caused by factory closures, job losses and the failure to obtain adequate investment in Cornwall's economic infrastructure, Cornish people would probably say philosophically, "Well, at least we've got our health." They might also say, "At least we have the national health service," but serious doubts now exist that many parts of Cornwall even have that.

Hospitals in small towns, which have raised hundreds of thousands of pounds for specialist and essential equipment, are destined to close. Under the proposals, four non-acute community hospitals would close. Up to 130 beds would be axed, and 400 people would lose their jobs. Essential casualty services would be downgraded. If the House thinks that I am angry, it is wrong—I am very, very angry. I am angry with my people for being so good about the cuts, for never wanting to make a fuss and always being grateful. They do not want to complain, and, until now, they have never properly expressed the deep injustice they all feel.

Before hon. Members make the often felt but rarely stated assumption that we should not complain because we live in a beautiful environment in Cornwall, I ask them to stop and think. The beauty of a rural or any other environment should not mean that its people are a soft touch for hard decisions.

The hard decisions we face in Cornwall would involve, in some places, the complete removal of health services that most other parts of the country take for granted. They would mean damage to the health, well-being and care of many vulnerable people, especially older people and their carers, and the needless loss of life.

I shall explain. One of the proposals would involve the serious downgrading of casualty services in the small general acute hospital in Penzance in my constituency. I must declare an interest, because my wife is a nurse there. However, she does not work in the casualty service, in which an average of 18,000 to 20,000 new cases are seen each year.

Every year, there are many cardiac arrests, approximately 30 cases of cardiac arrhythmia, 10 road traffic accidents—after which, following triage by paramedics, patients are admitted for emergency treatment—10 ruptured aortic aneurysms, and 30 cases of peritonitis with septicaemia. While some of those cases might make it to the only casualty service left, which is nearly 30 miles to the east, higher mortality rates will inevitably result. That will mean more deaths.

Yes, people will die as a result of the cuts, and no one should be in any doubt about that. What good will a beautiful environment be to those who die because their local casualty service has been taken away? I am sure that hon. Members will understand that that is a serious matter. I want local people to get angry, and to get even. They should get angry about the threat to local services, and get an even deal from the funding mechanism.

The present formula does not take proper account of the heavy pressure from holidaymakers who use accident and emergency services in the area. It fails to recognise that the market forces mechanism cannot cope with the problems of a low wage area. Above all, it fails to recognise the special geographical problems in places such as Cornwall. If one looks for a hospital or health service to the north, one finds sea. To the south, it is the same. In my constituency, in west Cornwall, one would need to go to Newfoundland to find a hospital to the west and, as we all know, Cornish people are not keen on going east into England.

I fully appreciate and accept that there is no such thing as a perfect and objective formula waiting to be miraculously discovered, but I know that hon. Members will agree that it could be greatly improved. Frankly, we have gone in the wrong direction, in response to an increasingly litigious society. We have seen more paper, more patients charters, more visions, more performance tables, more missions, more business plans. What has all that created?

All we have achieved is a more remote, out-of-touch and unaccountable system. For all its inhumanity, it should have created efficiencies, but we all know that it did not. Incidentally, I welcome the Government's efforts to remove the absurd purchaser-provider split from the health service. It has created a self-perpetuating culture of centralised management. The corollary is a distaste for and private derision of community facilities and values, and the treatment of patients as human beings rather than as statistics.

It is time to challenge the trend towards treating patients as remote tamagochi pets. It is time to fight back, as we are doing in Cornwall. It is time for a funding

formula that recognises the wide diversity of communities, geography and needs across the land. That is all I ask, and I do not think it is too much.

Question put and agreed to.

Bill ordered to be brought in by Mr. Andrew George, Mr. Simon Hughes, Dr. Jenny Tonge, Mr. John Hayes, Mr. Paul Tyler, Mr. Colin Breed, Mr. Matthew Taylor, Dr. Evan Harris, Dr. Peter Brand, Mr. Paul Burstow, Mr. Bob Russell and Mr. John Burnett.

NATIONAL HEALTH SERVICE (EQUITY OF FUNDING)

Mr. Andrew George accordingly presented a Bill to set up an independent National Health Service Funding Advisory Body charged with the task of ensuring an equitable formula for the funding of local health authorities: And the same was read the First time; and ordered to be read a Second time on Friday 13 February, and to be printed [Bill 84].

Orders of the Day

Northern Ireland (Emergency Provisions) Bill

Order for Second Reading read.

4.35 pm

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): I beg to move, That the Bill be now read a Second time.

The Bill has two aims: to ensure that the criminal justice system and the security forces in Northern Ireland continue to have available the measures that they need to counter terrorism; and to protect the rights of individuals directly affected by the operation of the counter-terrorism provisions. It achieves those twin aims by extending the life of the Northern Ireland (Emergency Provisions) Act 1996, which otherwise would expire in August next year, and by making some important amendments to the existing provisions.

It is important to place the Bill in the context of developments in Northern Ireland. Steady progress has been made in the peace process. The loyalist ceasefire of 1994 is holding and despite the recent speculation about resignations from the Provisional IRA and Sinn Fein, the renewed Provisional IRA ceasefire is also intact. All but two of the local parties are engaged in talks aimed at achieving a lasting political settlement by May of next year. While we wish all parties to be present and to have their voices heard at the talks, we have a duty to press on in the negotiations with those who are willing to participate.

The most difficult tasks lie ahead. It would be misplaced optimism to underestimate the challenge that faces the two Governments and all the parties engaged in the talks. They will require vision and courage in their quest for peace. I am sure that the whole House will join me in wishing them continued steady progress and success.

On the security front, the Chief Constable of the Royal Ulster Constabulary, Mr. Ronnie Flanagan, said recently that the Provisional IRA's ceasefire remains remarkably stable and that that has resulted in a significantly reduced level of terrorist activity. That is certainly the case, but some terrorist groups on both sides remain active and could destabilise the peace process. The Government are clear that there can be no question of leaving the security forces without the resources that they need to counter such activities.

I do not intend to catalogue recent incidents. Hon. Members are only too well aware of what has happened recently. However, I shall mention one incident to illustrate my point. On 30 October, the Continuity IRA left a holdall bomb in a public office of the Department of the Environment in Derry. Only the detonator of the device exploded. It contained a quantity of Semtex and petrol. Had it properly ignited, it would have caused serious damage to the building, and very possibly serious injury or death. The fact that that did not happen should in no way obscure the intent and purpose behind the planting of the bomb. It was carried out as a blatant calculated act of terrorism, with the underlying aim of derailing the talks process.

Mr. David Trimble (Upper Bann): The Minister pointed out that the holdall bomb in Londonderry was

[Mr. David Trimble]

claimed by the so-called Continuity Army Council. Yet as he said, the bomb contained Semtex, and there is only one known source from which that Semtex could come—the Provisional IRA.

Will the Minister comment on that aspect, because the presence of Semtex in the bomb suggests that at some level within the IRA assistance, in terms of material, and perhaps more than that, was being given to that other organisation. What does that suggest about the strength of the IRA ceasefire?

Mr. Ingram: The hon. Gentleman is, in one sense, speculating on the basis of what may be a possible fact—that the Provisional IRA is the only known source of Semtex. I mentioned the possibility of fragmentation and what may flow from that. We have no direct evidence that there was a transfer of material from the Provisional IRA to the Continuity Army Council—or the Continuity IRA, as it is otherwise known.

As for the status of the existing ceasefire, I have said that the Chief Constable, who has a responsibility for assessing the security aspects of the situation, is clear that that ceasefire is still being maintained. It is a ceasefire very different from the previous one, and we all hope that that continues to be the case.

I have already pointed out that the device in question, and the other devices planted at Markethill and elsewhere, represented blatant calculated acts of terrorism. The terrorists have not gone away.

Mr. Ken Maginnis (Fermanagh and South Tyrone): It is about time that the Secretary of State and the Minister, who has responsibility for security, made some calculated judgments on their own account. How does the hon. Gentleman reconcile what he says with the words of Francis Molloy, who was sitting negotiating in the talks on disarmament yesterday, yet reassured IRA members that

"Sinn Fein's political policy 'was a tactic rather than an end in itself'".

I do not need to say more to the Minister. He understands the significance of those calculated words of Mr. Molloy.

Mr. Ingram: The hon. Gentleman has asked me to make an independent judgment of the security situation as I understand it, but I am sure that he is all too well aware that when assessing security events on the ground it is important to take proper advice from people such as the Chief Constable of the Royal Ulster Constabulary. At the end of the day it is for Ministers to weigh such advice and to make judgments accordingly. However, the judgments have to be based on facts, not on leaps of supposition.

Mr. Maginnis: And my second point?

Mr. Ingram: I am coming to that. From here I cannot see for sure, but the hon. Gentleman seemed to be quoting from a press report of what was said. If he has a transcript—

Mr. Maginnis *indicated assent.*

Mr. Trimble *indicated assent.*

Mr. Ingram:—that may prove helpful. However, what I said at the beginning still holds. In the view of the practitioners on the ground, in the view of the RUC, the existing ceasefire is of a substantially different nature from the previous one. In terms of the quality of advice coming to Ministers, that is indeed the case. I am sure that the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) would prefer judgments to be made on such advice rather than on reportage in the press, or on interpretations thereof.

Mr. Maginnis: The Minister challenges me on my point. But I can tell him that there are those who have lived with the situation for years. May I explain my credentials? In June 1995 I told the Minister and other hon. Members that Martin McGuinness had said that the ceasefire had effectively ended. Now, with the same authority and the same background, I tell the Minister that there are those, such as Councillor Francis Molloy, who are reassuring the IRA that the political process is but a tactic, and that those people will go back to doing what they did best—they will use the iron fist. The Minister cannot deny that. He does not look like an ostrich, so he should not talk like one.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Interventions must be brief, especially if the hon. Gentleman wants the opportunity to put an argument himself in due course.

Mr. Norman A. Godman (Greenock and Inverclyde): The hon. Gentleman has never made a brief intervention in his life.

Mr. Ingram: Some of the hon. Gentleman's interventions may be brief, but they are certainly full of insults. He is right that I am not an ostrich, and I do not intend to act like one. That is why we are, as I said, taking the best security advice. Of course I will listen to what the hon. Gentleman says about his experience, but the fact that in the past what was predicted came to pass does not mean that the same will inevitably happen a second time. A judgment must be made on the quality of the ceasefire as it currently exists.

It would be wrong for those who wish to move the peace process forward, constantly to try to be too predictive and gloom-ridden about what may or may not develop—

Rev. Martin Smyth (Belfast, South) *rose—*

Mr. Ingram: I shall make some progress now. We have a long time for the debate and there are not many hon. Members in the Chamber. Those who are here will have the opportunity to make their own points in the debate—

Rev. Martin Smyth *rose—*

Mr. Ingram: I may return to the hon. Gentleman later.

What I now wish to do—it follows on from what we have been saying—is to pay tribute to the security forces. I am sure that all hon. Members in the Ulster Unionist party will support me in that. In extremely difficult and dangerous circumstances, the security forces have striven with great professionalism to maintain order and to protect the interests of all the people of Northern Ireland.

I include in that tribute the Army, whose support has been necessary in tackling the threat posed by the terrorist groups. The police and the Army have sustained severe losses in the line of duty—along with many civilians in Northern Ireland over the past 25 years or so. It is therefore the duty of the Government and of the House to ensure that they continue to have available the means that they need to deal effectively with terrorism.

Against the backcloth that I have painted, there can be no question but that the case is made for the retention of the Northern Ireland (Emergency Provisions) Act in the short term. In the longer term, the Government wish to see an end to the present temporary arrangements, and our intentions are as set out by my right hon. Friend the Home Secretary in the House on 30 October—the same day that the Continuity IRA left a bomb in the motor tax office in Derry. I shall return to my right hon. Friend's announcement on that occasion in a moment.

There will be those in the House who question why the Government are renewing provisions against which its members voted when in opposition. Let me make it clear that as a party we have never questioned the need for effective counter-terrorism legislation.

As my right hon. Friend the Secretary of State for Northern Ireland said from the Opposition Benches on Second Reading of the current EPA on 9 January 1996:

"We do not oppose counter-terrorism legislation; we oppose the nature of the Bill."—[*Official Report*, 9 January 1996; Vol. 269, c. 42.]

My party in opposition voted against the legislation in the past because of what we saw as particular basic flaws that it contained.

Mr. Andrew MacKay (Bracknell): Come on, try harder.

Mr. Ingram: If the hon. Gentleman reads the report of the previous debate he will find that flavour running through it. My quotation was not selective. The Secretary of State and the Under-Secretary of State, my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington), who will wind up the debate today, made such points throughout the debate, explaining why they opposed the legislation as it then existed. We are seeking in the Bill to address those flaws and to place the measure within the context of the Government's longer-term approach towards effective, permanent anti-terrorist legislation.

Let me return to the announcement made by my right hon. Friend the Home Secretary, who told the House:

"My right hon. Friend the Secretary of State for Northern Ireland and I therefore intend to present proposals to replace both the current Acts with permanent United Kingdom-wide counter-terrorism legislation. We intend to publish the proposals in the form of a consultation paper early in the new year. The paper will draw on Lord Lloyd's most helpful analysis and recommendations."—[*Official Report*, 30 October 1997; Vol. 299, c. 1029.]

The Government's aim is to end the temporary arrangements that we have inherited and to put in place the best permanent legislation that we can devise for countering domestic and international terrorism. The new legislation must be flexible; it must address the changing situation in Northern Ireland and the changing nature of terrorism worldwide. The consultation exercise that we propose to launch in January will be an important first step.

Some will argue that the Government are taking a soft line on terrorism; I would argue that the contrary is the case. The Government's aim is to give the security forces permanent, effective powers to fight terrorism from whichever direction it may come. The Government are resolute—we shall never drop our guard in the fight against terrorism.

We are grateful to Lord Lloyd for his independent and comprehensive review last year of existing legislation. His recommendations were predicated on there being a lasting peace in Northern Ireland—a situation for which all of us in this House earnestly hope. As all of us know, however, that we remain some way from that position. The Government nevertheless consider Lord Lloyd's analysis of the existing legislation, and his recommendations for the shape and content of future legislation, to be very helpful. We shall be building on his ideas in the construction of that new legislation.

Let me now explain the specific provisions of the Bill. The Bill extends the life of the current Act by two years to 24 August 2000. It also maintains the arrangement whereby its temporary provisions, which form its substantive part, are subject to annual renewal. As the House is aware, for the purpose of the annual renewal of the temporary provisions, the Government appoint an independent reviewer, who reports to Parliament. In recent years, that duty has been admirably borne by John Rowe QC.

I remind hon. Members that the current Act contains a power to suspend many of its provisions. That power will be maintained; it is exercisable at any time during the lifetime of the Act if justified by changed circumstances. Therefore, should a political settlement be achieved, it will be open to the Secretary of State, when she judges it right to do so, to act to let lapse such provisions as she sees fit.

Further to that, other features of the existing Act are retained: the schedule of terrorist offences; the mode of trial for such offences, the Diplock courts; the additional powers of arrest, search and seizure for the police and the Army; the specific offences against public security and public order, including offences relating to involvement with proscribed organisations; the regulatory provisions for the private security industry in Northern Ireland; the regime for terrorist suspects held under section 14 of the PTA in the holding centres, together with the safeguards in the related codes of practice; and the appointment of the independent assessor of military complaints procedures—an important position, which will continue to be filled while the Army are needed in Northern Ireland.

The changes that the Bill makes to the current Act are small in number, but significant and in line with commitments given by the Labour party when in opposition. An important underlying aim of the Act is to ensure that the treatment of persons charged with terrorist crime is as close as it can sensibly be to that which applies in ordinary criminal cases.

The amendments that we propose move the legislation even closer towards that objective. In essence, this Bill amends the EPA in three critical areas: the scheduling of offences and the facility whereby offences may be certified out; executive detention, or internment, as it is known; and the operative regime in the police holding centres.

[Mr. Ingram]

Let me deal with each of them in turn. First, on the question of scheduled offences, the Government accept that, for the time being, the Diplock court system must continue for terrorist crime; there is nothing to show that the system has produced perverse judgments or that it has lowered standards. The Government hope that, eventually, it will be possible to return to a system of jury trial. However, it is our judgment that that is not possible at present. We have therefore considered what steps we might take at this time legitimately to reduce the potential for cases to be heard by Diplock courts.

At present some scheduled offences must automatically be tried by Diplock courts; yet it is conceivable that, in certain cases, some such offences could be committed in circumstances not connected with the emergency. The Bill therefore amends schedule 1 to the current Act to add to the number of scheduled offences that can be certified out of the schedule at the discretion of my right hon. Friend the Attorney-General and thus be tried by a jury.

The effect is that, of the scheduled offences, only those which are PTA and EPA offences—and indeed, not all of the latter—will in future be tried automatically by a Diplock court. It will be possible for all other scheduled offences that are committed in, say, a domestic or non-emergency context to be certified out for trial by jury. I shall not list the offences which by virtue of the Bill will become certifiable out; but offences such as the common law offence of riot and some firearms offences are examples.

Rev. Martin Smyth: Will the Minister include in the list of terrorist crimes the continued punishment beatings which, according to my information—and despite the fact that people are trying to cover them up—are up by about 75 per cent? Will punishment beatings be scheduled out?

Mr. Ingram: For one thing, I would not call them punishment beatings, as that term implies a justification for the action. I constantly refer to them as paramilitary assaults, as that describes more graphically the actions carried out. Where there is evidence that such an act has been carried out by a terrorist or paramilitary group, the perpetrators must be brought to justice. It is helpful if we put those actions in their proper context and do not classify them as punishment beatings—that is loose terminology which detracts from the seriousness of the acts.

In terms of the figures that the hon. Member for Belfast, South (Rev. Martin Smyth) has given, the quality of the ceasefire—that includes such things as paramilitary assaults—is different on this occasion. There is no evidence this time that the ancillary or related activities of the paramilitary groups have continued as they did last time. We will continue to monitor the situation to ensure that information is made as widely available as possible if we are able to so identify the nature of the action carried out.

Mr. Kevin McNamara (Hull, North): I am grateful to my hon. Friend and I agree with his comments on punishment beatings. May I return to the question of certifying out? When Peter Archer—now Lord Archer of Sandwell—was shadow Secretary of State, it was the policy of the Labour party to argue for certifying in, rather than for certifying out. Can my hon. Friend outline the difficulties that made him abandon that policy?

Mr. Ingram: I am grateful to my hon. Friend, and I know of his long-standing interest in the issue. We examined the idea in considerable detail and it is not for want of trying to find a formula for making progress that we have not proceeded with it. We decided that it was too complex and could cause difficulties when the judicial system had to be involved in judgments about what should be subject to a jury trial. Following advice from judicial colleagues, or from those with responsibility for such matters, we decided in the meantime not to proceed in that way. I will explain the background to that decision in more detail.

The change in scheduled offences will undoubtedly increase the work load of the Attorney–General, but that is the price to be paid for ensuring that, when it is at all possible and correct to do so, the normal criminal procedures are applied. We must take appropriate advice from those who have responsibility for such matters in Government, to ensure effective delivery of the judicial system.

Mr. Seamus Mallon (Newry and Armagh): I note the Minister's point about how onerous it would be for the Attorney-General and his office if certifying in rather than certifying out were to be the standard. Does he accept that at present about 85 per cent. of scheduled cases are certified out by the Attorney-General's office and that certifying in the other 15 per cent. would be less onerous than certifying out 85 per cent.? The argument is really in the opposite direction.

Mr. Ingram: The harsh reality is that terrorist crime is a different type of crime, and that must be taken into account in making judgments. If terrorist crime disappears as a feature of Northern Ireland, the issue becomes less relevant. The problem for the Attorney-General's office is not only work load, but the way in which it could be compromised in making judgments about jury trials. That is the view expressed by my right hon. and learned Friend the present Attorney-General. My hon. Friend the Member for Hull, North (Mr. McNamara) may be able to cite previous shadow Attorneys-General, but the current one is giving us the advice, and we want to proceed on the basis of that advice.

Mr. McNamara: I am sure that I am being thick, but I simply do not understand. If a judgment has to be made to certify out, and everything else goes in, why cannot a judgment be made to certify in? It would be the same judgment about jury trials, one way or the other. If the Attorney-General merely leaves a case in, he is saying that it is a terrorist offence, and if he certifies it in he is saying the same thing. There is no difference in the application of his judgment in that case. Whatever view former shadow Attorneys-General took, the logic of the present Attorney-General's case, as outlined by my hon. Friend the Minister, simply does not stand up.

Mr. Ingram: We could spend a long time debating the matter, but I think that I have set out the background. My hon. Friend will no doubt return to the matter and make his points forcefully in his speech, but for now I can

add nothing new to what has already been said. We gave serious consideration to his proposition and, on balance, we decided not to proceed with it.

The Government's position on internment is clear. The retention of the provisions, albeit in a lapsed state, was the single most compelling reason why the Labour party voted against the renewal of the legislation in the past. The truth is that the powers are draconian. They have not been used in more than 20 years, although of course the past 20 years has been one of the most active periods for terrorism in Northern Ireland. The fact that the provisions were not used during that period and did not prove a deterrent against terrorism exposes their redundancy.

The Government's clear view is that internment did not represent an effective counter-terrorism measure in the past; does not represent one now; and is not likely to do so in the future. The reality is that internment involves a decision by Government to deprive individuals of their liberty without trial and without the normal safeguards that the law provides for the protection of the accused. Its use would only ever have been justified as a last resort; it has never been seen as a means of achieving stability within the community. The Government believe that the effect would be quite the reverse: it would increase community tension; cause serious damage to respect for the rule of law; strengthen the terrorist organisations; create political prisoners; and ultimately prolong the violence.

Pending the introduction of permanent legislation, the package of provisions contained in the PTA and the EPA, as amended by the Bill, together with the experience and professionalism of the security forces and practitioners within the criminal justice system, will provide substantial measures for dealing with terrorism in a much more effective way.

Mr. Roger Stott (Wigan): Unlike hon. Members who have cross-examined him during his speech, I congratulate my hon. Friend—and, indeed, my right hon. Friend—on fulfilling a commitment that was given in opposition and is being brought to fruition in government. Some of us who have been dealing with Northern Ireland matters for many years have consistently stood out against internment, and I congratulate my hon. Friend on its discontinuation.

Mr. Ingram: I am grateful to my hon. Friend, and I pay tribute to all his work on the matter, and to the work of those who served with him on the Opposition Front Bench. Our fundamental objection to the previous legislation was that it included the internment provisions, and we are now removing them from the statute book.

Mr. Godman *rose—*

Mr. Peter Brooke (Cities of London and Westminster): Can the Minister conceive of no circumstances in which the Government would want to reintroduce internment?

Mr. Ingram: I respect the right hon. Gentleman's knowledge of the issue, and of many related issues, because he served as a distinguished Secretary of State for Northern Ireland. I am sure that, when he was doing that job, he would not have joined the "what if?" school of politics. People keep asking, "What if this or the other were to happen?", but we cannot proceed if we focus constantly on the negatives. We must consider the positive measures in the legislation.

Conservative Members should not be surprised at the measure. It was well trailed in advance of the general election, and independent experts have commented on the need to remove internment; or, to be more accurate, they have said that they see no purpose in its remaining, so the logic would be to remove it. We are doing that very thing and so sending a significant message, based on what I have said about respect for the rule of law and the way in which internment could exacerbate, rather than help, the situation.

I do not know whether my hon. Friend the Member for Greenock and Inverclyde (Mr. Godman) still wants to intervene—[HON. MEMBERS: "He is asleep."] Well, that is not my fault.

The third area in which we are seeking to amend the emergency provisions Act is in the introduction of audio recording in police holding centres where terrorists are taken for interview. Again, that should come as no surprise, since it was one of those issues for which the Labour party campaigned in opposition and which is now being delivered in government.

Mr. Godman: I can assure my hon. Friend that, as always, I have been listening to him very carefully. I welcome the proposal on audio recording in clause 5 of the Bill, as does my hon. Friend the Member for Hull, North (Mr. McNamara), I am sure, but when will such recordings be introduced—long before 2000, I hope?

Mr. Ingram: Yes. Clearly, the systems must be put in place. Also, silent video recording—a proposition that we inherited—is still not in place. The mechanism had to be assessed and we had to study ways in which it could be implemented.

I am sure that my hon. Friend recognises the importance of the proposal. The independent commissioner for the holding centres, Sir Louis Blom-Cooper and his deputy Dr. Bill Norris, have for many years argued the case for such recording. We are grateful to Sir Louis and Dr. Norris for their continuing work and for their thorough reports into that matter and to other aspects of the holding centres. I am pleased to be acting to put in place measures that they and others have long advocated.

The introduction of audio recording will provide additional protection for both interviewees and police interviewing officers against claims of verbal abuse, intimidation and harassment. It will also assist the judicial process by providing the best possible record of interviews conducted, in the event that a criminal case ensues.

Those are the three main areas of amendment to the legislation. The Bill also makes a minor amendment to the existing provision on silent video recording, which will run separately and alongside the audio recording system because of the inherently separate purpose for which it is intended. The amendment addresses an omission in the current Act.

Occasionally, the police require to interview at a holding centre a person who is in custody in the care of the prison authorities. Also occasionally, a magistrate may

[Mr. Ingram]

order a person to be produced at a holding centre for questioning. The amendment will give authority for such interviews to be recorded on silent video in the same way as other interviews conducted in the holding centres.

I call on the House to support the Government in their move to renew the existing Act for a further two years and to support the changes that I have described. That will ensure that the criminal justice system and the security forces in Northern Ireland continue to be equipped to deal with the level of terrorist threat applying.

The measures set out in the Bill are sensible, constructive and consistent with the Government's overall aim of putting in place an effective and balanced approach to tackling the evil of terrorism. I commend the Bill to the House.

5.13 pm

Mr. Andrew MacKay (Bracknell): I am grateful to the Minister of State for setting out the main provisions of the Bill and the principle changes that the Government propose to the Northern Ireland (Emergency Provisions) Act 1996.

I must say at the outset that, as a responsible and constructive Opposition, we have no hesitation in supporting this vital legislation. Unlike the Labour party when it was in opposition, we shall not shirk from our fundamental responsibilities to the people of Northern Ireland. We have never had any doubt about the importance or the necessity of the emergency provisions. They are vital for the protection of the public and a crucial weapon in the fight against terrorism.

For 18 years, successive Conservative Secretaries of State came to the House to renew the powers contained in the emergency legislation. Year on year after 1981, Labour Members trooped into the Lobby to oppose us. More recently, they had a sudden change of heart and summoned up the courage to abstain. Many colleagues will recall their more lurid descriptions of the evils of that legislation as "draconian" and "repressive". Lame and pathetic excuses were ritually trotted out by Labour Front-Bench Members to excuse their behaviour and to appease the hard left on their Back Benches, even during the darkest days of the troubles internment. Finally, they came up with the issue of internment. For the sole reason that the power remained on the statute book, albeit in a lapsed form, they refused to support us.

I hope that the Minister will not misunderstand me. I cast no aspersions on his abhorrence and that of his ministerial colleagues of terrorism, or on their commitment to defeat it, but the defeat of terrorism requires more than condemnation. As we have always recognised, it requires a willingness and a commitment to act. So it is not without a certain irony that we now see a Labour Minister at the Dispatch Box introducing another emergency provisions Bill.

Perhaps the most important area of bipartisan policy on Northern Ireland is the fight against terrorism. It demonstrates the total determination of both major parties in the House that terrorism will never succeed and that parliamentary government throughout the whole of the United Kingdom will be vigorously defended. Make no mistake, we do not like emergency provisions—no party does. They contain powers that, in normal circumstances, any democracy should abhor. We would prefer that they were no longer required, but they are required in Northern Ireland today, so I can assure the Government that, as long as they continue to sustain effective anti-terrorist legislation, even though we might differ on certain details, they shall have our full support.

Mr. McNamara: Where in his range of importance does the hon. Gentleman put the peace process?

Mr. MacKay: High, but the first and most fundamental duty of the House is to protect the people of Northern Ireland from terrorism and to ensure that we have a democracy there. That is the most fundamental part of the bipartisan policy, and I am happy to tell the hon. Gentleman—as he well knows—that we fully support the political talks that are being engaged in. If he is talking about priorities, the first priority must be the fight against terrorism. I hope that the hon. Gentleman, with his considerable experience of those matters, will concur.

Mr. McNamara: The peace process is the most important thing, because that is what will lead to an end to terrorism.

Mr. MacKay: That is as may be, and that is very trite. If the hon. Gentleman believes that there is to be peace at any price, he is very much mistaken, as his Front-Bench team will agree. The first duty of the House is to protect the people of this country from terrorist attack and to ensure that we have democratic institutions in all parts of the United Kingdom. I have known the hon. Gentleman for a long time, and I would have hoped and expected him to agree.

Mr. Lembit Öpik (Montgomeryshire): It is a small point, perhaps, but surely it is important that, while the terrorism legislation that we are discussing is tactical—trying to prevent things from happening—the settlement talks are the strategic element and so come higher in the list of priorities.

Mr. MacKay: With the greatest respect, as I told the hon. Member for Hull, North (Mr. McNamara), my highest priority and, I should have thought, that of every hon. Member, is to defend the whole of the United Kingdom against terrorist attack. On reflection, the hon. Member for Montgomeryshire (Mr. Öpik) might like to agree, as his predecessors on the Liberal Democrat Benches have done.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): The hon. Gentleman is shifting his ground. He is talking about the defence of democracy as well, and he said so in the first and second responses, but not in the third. The defence of democracy requires a respect for the rule of law. The Labour party challenged the temporary provisions Act precisely because locking up people without a trial is opposed to the rule of law and democracy and did us enormous damage, as well as undermining the fight against terrorism. Will he commit himself, in the fight for the rule of law and democracy, to getting rid of internment provisions?

Mr. MacKay: There is a role for internment and, if the hon. Gentleman contains himself for a minute, he will hear me develop a clear case for that.

I shall come to the details of the Bill shortly, but first let me say that today's debate provides the House with an opportunity to consider the wider security and political context in which the Government are required to introduce the legislation. As the Minister pointed out, the most significant development has been the restoration of the IRA ceasefire on 20 July this year. We also note that the loyalist ceasefire has been maintained since October 1994. The Opposition welcome the IRA ceasefire and the fact that it has since been maintained; we also welcome the fact that Sinn Fein has now signed up to the Mitchell principles of democracy and non-violence and has, on that basis, been admitted to the Stormont talks.

We hope—as must the whole House—that that represents a genuine commitment, for we must all stand firm on the principle that there can never be any justification for the use or the threat of violence. Violence for political ends in a democracy can never be allowed to succeed. The IRA will never bomb Britain out of Northern Ireland, nor will it ever bomb Northern Ireland out of the United Kingdom. That message should continue to ring out from this House, loud and clear. Sinn Fein should take this opportunity to turn its back on violence for good and it must stick rigidly in the talks to the Mitchell principles—there can be no fudging on that issue.

In their response to the Ulster Unionist party's submission on Sinn Fein's continued participation in the talks, the Government said that both the British and the Irish Governments would

"react firmly to any infringements of the Mitchell principles".

I look forward to the Minister reiterating that commitment when he makes his winding-up speech. There can be no equivocation on the part of Sinn Fein in its attitude towards IRA violence. The commitment to democratic and peaceful methods, as set out in paragraph 10 of the Downing street declaration, means precisely that.

The Opposition wish the Minister and his colleagues well in the political talks. We share his objectives of a comprehensive political settlement and a lasting peace. The people of Northern Ireland deserve nothing less. However, stability will be established and new political arrangements will last only if they are built on the right foundations. The most important of those are the principle of consent and the triple lock of parties, people and Parliament. We look to the Government for a reassurance that the principle of the consent will remain paramount and that there is no question of breaking the triple lock. In particular, I ask the Minister to state categorically that, in the absence of agreement next May, the Government will not try to appeal over the heads of the parties and that consent, as it applies to the second element of the triple lock, means the people of Northern Ireland alone.

In addition, we believe that there will be serious engagement in, and a successful conclusion to, the talks only with confidence-building measures on both sides of the community. That includes the decommissioning of illegally held arms and explosives, without which the shadow of the gunmen will be cast permanently over the political process in Northern Ireland. So far, there have been no assurances from Sinn Fein that the IRA will contemplate decommissioning in parallel with the party talks—far from it. We therefore look to the Government to ensure that no party is allowed to stall on that central issue and that early progress is made in the decommissioning sub-committee and the independent decommissioning body.

Despite the welcome progress that has been made, it is vital that we do not lower our guard—after all, we have been here before. The Conservative Government took a number of justifiable risks and showed real political flexibility. For the period of the ceasefires, there was hope that the nightmare of violence had ended for good; but that hope was blown apart in the murder and rubble of Canary wharf and Manchester. The return to violence had no justification and demonstrated the enduring contempt for democracy that characterises the IRA. The Government should therefore not be deluded about the potential difficulties that might lie ahead in the political negotiations at Stormont.

The Government should recognise the misgivings of many people in Northern Ireland about whether their elected representatives are participating in the same process as Sinn Fein. There can be few more difficult acts for a politician in a democracy than to sit across the table from people who have so recently acted as apologists for terrorism. In the Government's own words, Sinn Fein and the IRA remain "inextricably linked". In that context, I pay special tribute to the way in which the hon. Member for Upper Bann (Mr. Trimble) has led the Ulster Unionist party through such a difficult few months.

During those months, and since the announcement of the ceasefire, there have been several developments that give cause for continued concern, some of which the Minister mentioned. So-called punishment beatings have continued—the latest count attributes about 30 to the loyalists and 21 to republican groups. We condemn unreservedly those vile and vicious acts, from whichever side of the community they come. They are clearly incompatible with a commitment to democracy and should cease immediately. I trust that the Minister will remind those parties in the talks that claim to have an influence with the paramilitaries on both sides, of their responsibilities in that respect.

We have also seen in the past few days reports of serious resignations from Sinn Fein and the IRA—including a purported member of the IRA Army Council and an entire battalion in south Armagh—opening up the prospect of more serious fissures in the republican movement in future. The Continuity Army Council and Republican Sinn Fein—itself the product of previous splits—remain implacably opposed to the ceasefire and have demonstrated their ability to threaten life and property. Only by good fortune has that threat been averted.

Meanwhile, representatives of the IRA told a republican newspaper that they would have problems with the Mitchell principles, so the Government must remain vigilant. They should not relax any security measures that cannot swiftly be reversed, nor should they be tempted to take decisions for political reasons. We want no more fiascos like the one over the proposed transfer of Jason Campbell. I want the Minister to reassure the House on that point and to reiterate that any measures to ease security on the ground should be taken only following the closest consultation with the General Officer Commanding and the Chief Constable.

In that context, and on behalf of the Opposition, I pay a special tribute to the men and women of the Royal Ulster Constabulary and the armed forces. It is they who have stood on the front line against terrorism for 27 years, carrying out their duties with the greatest skill, dedication and professionalism. We have always expected, rightly,

[Mr. MacKay]

the highest standards of them, and in all their activities they have been subject to the discipline of the rule of law. That is how it should be in a democracy. All of us owe them an enormous debt of gratitude. In turn, they deserve the support of all the people of Northern Ireland and all parties in the House.

We currently have peace in Northern Ireland, but, as the Minister will acknowledge, it remains a fragile and imperfect peace. That is the justification for our support for the Bill, to which I shall now turn my attention. In doing so, I express our gratitude for the work of Lord Lloyd in reviewing all the anti-terrorist legislation. As the Minister explained, the Bill extends the 1996 Act for two more years. It retains most of the powers contained in the Act passed by the last Conservative Government; but the Government also seek to make three key amendments.

The first amendment is made by clause 2, which amends schedule 1 of the 1996 Act, which deals with scheduled offences, so as to increase the number of such offences that can be certified out, at the Attorney-General's discretion, to be tried by a jury.

Secondly, as the Secretary of State foreshadowed at a Labour party conference fringe meeting, clause 3 repeals section 36 and schedule 3 of the 1996 Act, which provide for executive detention, or internment, of terrorist suspects. Clause 5 provides for the audio recording of police interviews with terrorist suspects, following the previous Government's introduction of silent video recording.

I shall deal with the second and most controversial of those points in some detail later. On audio recording, our approach in government was always largely guided by the advice of the Chief Constable. We recognise that the present Chief Constable has now concluded that he sees no obstacle to its introduction, and we accept his and the Government's position.

On certifying out, the Bill lists a raft of serious offences that will henceforth be eligible for trial by jury rather than through the Diplock procedure. I listened carefully to the Minister's justification for extending certifying out and to his exchanges with Labour Members, and I acknowledge what he said about such cases being a matter for the discretion of the Attorney-General, but I have several questions. Why do the Government consider it necessary to amend the 1996 Act in such a way now, especially in the light of the Home Secretary's welcome announcement of a review of all anti-terrorist legislation? How many charges have been brought under any of those offences in recent years other than those specifically related to terrorism?

It is difficult to come to any conclusion other than that the Government are making unnecessary concessions to those who have always opposed the Diplock system, no matter how necessary it is and despite the fact that it discharges the highest standard of justice. We believe that the Government are being precipitate and engaging in the politics of tokenism—a very dangerous approach to Northern Ireland affairs.

The same is true of clause 3, which will finally remove the power of executive detention or internment without trial from the statute book. Let me make our position clear. No party can approach this subject lightly. Throughout our period of office, we were urged, not least in the aftermath of terrible atrocities, to consider introducing internment. We were also advised by several sources, regularly including the hon. Member for Wigan (Mr. Stott), to repeal those powers.

At all times, our approach was consistent. Governments should consider invoking the power only if there were a serious deterioration in the security situation. It would be self-defeating to spell out the precise circumstances in which that would happen, but the facts that the power has not been used since 1975 and that it has technically lapsed, are not compelling reasons to warrant its removal altogether from the statute book.

It is worth pointing out that the equivalent power in the Republic of Ireland has not been used, to my knowledge, since the 1950s, but the power contained in the Offences Against the State Acts of 1939 and 1940 remains in force. It ill behoves this House to remove internment from the statute book when our friends south of the border are not planning to do the same.

At present, the Secretary of State can sign the order for internment, which then has to be approved by resolutions of both Houses of this Parliament within 40 days. Clause 3 will make such action impossible without the introduction of primary legislation, robbing the Government of the key element of surprise.

The history of Irish republicanism is littered with historic and bitter divisions. Does the Minister imagine that, in the event of an overall settlement, there will not be people in Northern Ireland, on both sides, who, following many precedents, cry betrayal and return to violence? Recent days have shown the potential for that to happen if a comprehensive settlement falls short of what is expected by some in the republican movement.

Does he not believe that, in such a scenario, the power to intern may prove necessary, or, as my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) said, can he envisage no circumstances in which it would be necessary and right to use that power, particularly if he obtains a political settlement? It is naive beyond belief at this crucial time to take internment off the statute book when the Minister could easily keep it there without using it for the time being, as we did.

Mr. Ingram: If I understand the hon. Gentleman correctly, he is going down a dangerous road. He says that, in the event of a lasting settlement, schisms in the republican movement are inevitable, and that it should be inevitable that internment should be applied in such circumstances. He obviously did not hear what I said. Internment creates divisions. It brings friends to the terrorist movement. I therefore caution the hon. Gentleman about the line he is adopting. I do not think that it will help the peace process or the current talks process.

Mr. MacKay: With respect, the Minister has not been listening carefully. I said not that I believe that a political settlement will automatically lead to splits among loyalist or republican paramilitaries but that history suggests that it is possible. It would then be up to the Government to consider internment. I am not telling him that he should automatically intern people in such circumstances but cautioning him that it would be wise to have the option of internment available. It is he who is making the mistake by removing it from the statute book.

To summarise, I believe that to throw away such a weapon of last resort is foolish and wrong. It is yet another example of a Government concession to republicanism that brings no tangible benefit. I hate saying this, but I regret that it is true: it is merely token politics.

Mr. Mallon: I listened with interest to the discussion of the hon. Gentleman and the Minister about what may happen after an agreed political settlement. Has it dawned on the hon. Gentleman that, under the terms of a new political dispensation, the process of justice might be dispensed not from this House but from within a new political settlement? Does that not reinforce the wisdom of the Government's decision to remove this power, which will never again be used in Ireland, from the statute book, here or elsewhere?

Mr. MacKay: I am sure that the hon. Gentleman is not asking me to second-guess what will happen at the political talks, what conclusions will be reached and whether they will be endorsed by the people of Northern Ireland. I am saying that now, in November 1997, perhaps six months before the conclusion of those talks, there is no need to take internment off the statute book. We know that the Minister is not going to intern people in the foreseeable future; we did not use the power. We are saying that, if the political talks in which Ministers are engaged prove successful, and I pray that they will, there could be circumstances where terrorist splinter groups of both communities behave in such a way that the Government in the south and our Government might possibly think that internment was a suitable measure to introduce. I ask him to keep that option open. That is not an extreme or unreasonable request.

Mr. Soley: I hope that I may persuade the hon. Gentleman of something, because I get the feeling that he is persuadable. Is he so pessimistic and full of doom and gloom that he must assume that Northern Ireland will never be a normal society again? We believe that we should move forward by a series of steps and, above all, that we should restore the rule of law. Internment involves people being locked up without trial. It is inimical to the rule of law, and therefore to democracy. That is why it is important. I ask the Conservative party to try to come on board on this. It is a small but important step to say to the people of Northern Ireland, Unionist and republican, that they are not killing each other as they used to, so let us keep moving in that direction to make it a normal society once more.

Mr. MacKay: I respond to the hon. Member for Hammersmith by saying that I am not being—

Mr. Soley: I am not the hon. Member for Hammersmith.

Mr. MacKay: I am afraid I am not up to speed with the hon. Gentleman's constituency. The hon. Gentleman has taken an interest in Northern Ireland matters throughout the time that I have been in the House and he used to represent Hammersmith.

I believe that I am being not pessimistic but realistic. I am not saying that internment is a good idea; I am simply saying that it is not inconceivable that, in certain circumstances, the Government and—equally important—the Government in the south, who are not removing internment from their statute book, might need to use it. Of course I hope that they will not. Of course I hope that the men of violence will never resort to violence again. Of course I am pleased that, at the moment, there is a ceasefire and there are political talks, but the House must be realistic, not naive.

In Committee and on Report, we shall table amendments that we hope will alter the Bill for the good. We shall do all in our power to persuade the Minister that we are not asking him to make a major reversal, but saying that those things should be delayed until there is a permanent peace.

Surely the right time to pass this measure would be when a real measure of political settlement had been agreed, and when new political arrangements in Northern Ireland had a degree of stability. At that time, we could think about scrapping internment permanently. Now is not the time to do that—especially not, as appears to be the case, for political rather than security reasons.

We have misgivings about the Government's wisdom in this matter and we shall ask them to reconsider. Nevertheless, we believe that the Government are right to re-enact the legislation, and we shall not use our objections to certain elements as an excuse to oppose the entire Bill. The legislation remains essential, and we shall have no hesitation in supporting the Government tonight.

5.41 pm

Mr. Kevin McNamara (Hull, North): Clause 3 reads:

"Section 36 of, and Schedule 3 to, the Northern Ireland (Emergency Provisions) Act 1996 (detention orders) shall cease to have effect."

That clause alone justifies support for the Bill.

I listened to what the hon. Member for Bracknell (Mr. MacKay) said. I had not intended to quote my past words—I find it repulsive when politicians do that, but I shall be repulsive on this occasion—but I find that my past arguments match his arguments today.

"The first reason why we are dividing the House tonight is that we are against internment in principle. It is wrong, and it cannot hope to succeed. It will not succeed. If we uphold the rule of law, we cannot suspend it when the situation becomes a little bit ugly. We have to go through with it. We are against internment in principle whether on this side of the Irish Sea or in Northern Ireland, or if it exists in Southern Ireland."—[*Official Report*, 23 September 1971; Vol. 823, c. 274.]

It was, and is, a matter of principle.

It is a matter of record that the worst disturbances—the killings, the shootings, the explosions—from both sides of the community took place while internment was in force. Only when the present Lord Rees started the process of ending internment in Northern Ireland did the incidents start to decrease.

The reason was that internment, like two other issues, became a recruiting cry, a rallying cry, for Provisional Sinn Fein.

"Armoured cars and tanks and guns
Came to take away our sons"

was sung in clubs throughout Northern Ireland. The issue united a peaceful community against the Government because, no matter how many people from the other side might later have been interned, internment was regarded as patently unfair. The arrest of people in such circumstances was seen as fundamentally unjust.

[Mr. Kevin McNamara]

Labour Members complained that the British Army was carrying out that task and we could not question it because it was being done under the auspices of the Northern Ireland Government. It took the case of the hon. Member for Foyle (Mr. Hume), which went to the House of Lords, to upset that situation and to get legislation through the House.

Interestingly, handwritten legislation passed through this House and the other place in 24 hours. The then leader of the Liberal party, Mr. Jeremy Thorpe, tabled the only amendment—which was not passed—and 15 of us supported him in the attempt. I am happy to say that there remain in the House nine hon. Members who voted against internment on 23 September 1971.

Internment became a rallying cry, as did two other things: Bloody Sunday and the hunger strikes. Sadly, all three happened when the Conservatives were in government. We are now rectifying the situation and ridding the statute book of one of the principal causes of recruitment to Provisional IRA. I hope that, later this year or early next year, we shall have a positive statement about Bloody Sunday, because that will do a great deal to heal community illnesses.

Unfortunately, we cannot resurrect people who have died. Nevertheless, the Secretary of State and the Minister are to be congratulated on this positive step. If for no other reason than the abolition of internment, the House should pass the Bill by acclamation.

I support the introduction of audio recording into interrogation centres. Combined with video recording, it will provide a powerful boost. It will protect the security forces without affecting their ability to inquire and find and interrogate suspects. In every terrorist case in this country, audio recordings have been taken at Paddington Green police station.

Most policemen I know wonder why they ever opposed audio recording, because it has proved a great tool when they interrogate suspects. Now people cannot say, "I never signed that document" or "I never made that sentence"—the evidence is there. It is a great safeguard for the police. It is a great safeguard for people who are detained.

I wonder what the outcry would have been if we had heard the statements that Roisin McAliskey alleges were made to her when she was first arrested and taken to Castlereagh. I wonder whether she or the police would have been proved correct. If she is correct, the police conduct was outrageous; if the police are correct, what she said about them was outrageous. In any event, the Bill will bring an end to public suspicion about what goes on in Castlereagh and elsewhere. We should welcome what has been decided. Not only Louis Blom-Cooper has commented about the need for the measure; Lord Colville and others did so in their reports.

I am sorry that I was perhaps a little vindictive towards my hon. Friend the Minister of State on the question of contracting out and contracting in. I am sorry that he has been sent to the House to do the Attorney-General's job for him. As we now know, it was the Attorney-General's decision that we should not have certifying in, but should maintain the present system.

My right hon. and learned Friend the Attorney-General cannot have it in this way. An important matter of principle is involved. It is a question of getting as many cases as possible in front of juries in Northern Ireland. It is about seeking to achieve normality. His claim that it is because of the work load in his Department, when Northern Ireland by any account—even taking into consideration alleged terrorist offences—has the lowest rate of criminality anywhere in these isles, does not stand up as an argument. Even if it did, in terms of the enormous sums going into Northern Ireland, the cost of extra staff in the Crown Prosecution Service to deal with those cases would be insignificant compared with the boon of going back to proper jury trials.

I am glad that my hon. Friend did not advance the argument, as has been done from other Benches, that all the offences are really terrorist offences, so to certify some in as terrorist offences would be to point a finger at those particular offences. The finger is pointed by the fact that they are not certified out, so that decision is already made. The decision has important ramifications for the powers that are to be kept. It affects the admissibility of evidence, the loosening of the rules of evidence, changes in cases, and the burden of proof. Those are important matters. It would be far better to get back to normality.

I urge my hon. Friend the Minister of State to convey to our right hon. and learned Friend the Attorney-General the anger that is felt by his colleagues on the Back Benches who believe that he has made a serious error—or has he? I ask because I wonder what will happen under Lord Lloyd's proposals, and the decisions and the White Paper that will be issued by my right hon. Friend the Home Secretary.

To what extent will Lord Lloyd's proposals be put into legislation? Although they introduce changes, they are not as liberal as they appear. One has only to read his footnotes on internment. Will the Diplock regime, for example, become the mode of trial in the United Kingdom if there is to be a universal system—if terrorist or terrorist-related offences or drug offences are included within an all-embracing piece of anti-terrorist legislation? It is not an easy matter.

Because we have not had in the United Kingdom the problems of jury nobbling or witness nobbling in terrorist cases, it is wrong to think in terms of an all-embracing Act. It would be far better for the legislation to apply only to Northern Ireland, where there is a special and different problem. Terrorism in the United Kingdom that is not Irish-related will be subject to the ordinary criminal law, as is Irish terrorism at present.

We have had no difficulty in the United Kingdom dealing with Irish terrorist offences under our rules of law, our rules of evidence and our system—except, perhaps, when the prosecution has been so perverse in the evidence that it has presented that it has produced the Birmingham Six, the Guildford Four and the Maguire family. Generally speaking, however, there has been no undue difficulty with jury trial.

If we want to return to a system of jury trials in Northern Ireland and get people ready to accept such a return to normality, we must surely have a system of certifying in and not certifying out.

I do not intend to delay the House much longer. I have put down markers about what I fear may be the result of implementing some of Lord Lloyd's proposals. I hope that as liberal an attitude as possible will be adopted in what my right hon. Friend the Home Secretary proposes in his White Paper.

I give two and a half hearty cheers for the Bill, but not the three cheers that I would like to give because of the failure over certifying in. Nevertheless, the decision on internment is historic and important, and should be welcomed by anybody who wants a return to normality and the rule of law in these islands.

5.55 pm

Mr. Ken Maginnis (Fermanagh and South Tyrone): I have some sympathy for the Minister. Introducing the Bill, he has been required to give a backdrop to the situation in Northern Ireland, and he has been constrained by the fact that the talks process is taking place. He certainly does not want to do anything that would jeopardise those talks, and neither do I. I, as much as he, want success in the talks process, but I cannot afford—and the Minister will be judged foolish by history if he tries to achieve—a virtual whitewash of the continuing problems that we face in relation to terrorism.

Terrorism is not peculiar to the republican movement. Serious terrorism has emanated from both traditions in Northern Ireland. Nobody tries to hide that fact. The better organised—not the more deadly, but the more sustainable—terrorism emanates from the republican movement and from the IRA, because it approaches its terrorism strategically. It is not reactive; it is not tactical; it is strategic and is based on the Armalite and ballot box philosophy which enables the IRA terrorist to use as much force as he considers necessary to make an impression on society in Northern Ireland and on the Government here in Westminster.

The hon. Member for Hull, North (Mr. McNamara) referred to the factors that motivate terrorism. I know that he would be deeply offended if I suggested, and I will not for a moment suggest, that he is excusing terrorism on the basis of internment or Bloody Sunday or the hunger strike. When the hon. Gentleman talks about that, he should also mention Bloody Friday, Enniskillen, Warrington, Regent's Park, Droppin' Well Inn and Warrenpoint. In those instances, there might have been an upsurge by the entire Unionist tradition in Northern Ireland, but that did not happen.

Despite the tragedy and suffering caused by those events, the greater number of people in the Unionist community said that violence was not the way forward. They want to support democracy and see it at work, but they expect their Government to provide adequate law and order enforcement measures.

I would like to be able to tell the Minister that he is not doing as well as the previous Government, but I think that he is probably doing just as badly. The previous Government did not meet their obligations in terms of the serious violence in Northern Ireland. The RUC and the Army are always expected to behave like a fire brigade: they rush out when something happens, but they do not have a strategy for dealing with terrorism, because successive Governments for the past 37 years have failed to provide that strategy and the political backcloth against which it can operate.

I return now to the IRA and its Armalite and ballot box philosophy. My party and I must judge the IRA on what it is doing today. Has it changed its strategy? Is it trying to adjust to the circumstances and opportunities that are presented through the talks process? The answer is clearly no. The IRA leaders, who are now sitting at the table of democracy—the unreconstructed terrorists are sitting among those who, throughout their political lives, have been dedicated to democratic methods—have not told the rank and file, "You cannot achieve your objectives through violence."

The past 27 years have proved that decent people in both traditions in Northern Ireland are dedicated to a peaceful way forward, yet Gerry Adams stood in front of the city hall in Belfast and said, "The IRA hasn't gone away, you know." In Coalisland, Martin McGuinness said, "We intend to smash British rule in Northern Ireland." Only last weekend, a leading spokesman for IRA-Sinn Fein addressed a meeting of 150 IRA men in county Armagh. He referred to what would happen if the talks ended, and said:

"Whenever that does happen then we simply go back to what we know best".

Will the Minister tell the House that that will not involve violence—shooting, bombing and holding the civilian population to ransom for as long as the IRA can sustain it in the face of inadequate reaction by Government, who do not have a comparable strategy? This man has called for IRA, Sinn Fein and republican prisoners to unite as a "clenched fist" to force an end to British rule in Northern Ireland. Does the Minister pretend that that is not a threat to shoot and bomb the civilian population in Northern Ireland? Mr. Molloy, who thought that he was talking to his own people and did not realise that two journalists were in the room, then said:

"Sinn Fein's political policy was a tactic rather than an end in itself".

It is the Armalite and the ballot box—I cannot emphasise that enough.

If the IRA does not condition its rank and file to move away from reliance on the Armalite and towards a total commitment to democracy, it is saying that the ballot box and the ballot paper are valid only so long as the Minister, the Secretary of State for Northern Ireland and members of the Government are prepared to pay a ransom to keep the IRA at the table of democracy.

I shall not delay the House by rehearsing the ransom that has been paid—the danegeld that is paid weekly—to keep Messrs Adams and McGuinness at the table of democracy. The Minister knows as well as I do the reality of the situation. I see that the Under-Secretary of State for Northern Ireland, the hon. Member for Clydebank and Milngavie (Mr. Worthington), who has responsibility for education, is looking rather sceptical. I suggest that there will soon be an announcement regarding the creation of a university campus in west Belfast in order to provide jobs. Have hon. Members ever heard of creating a university in order to provide jobs?

Mr. Mallon: Will the hon. Gentleman give way?

Mr. Maginnis: No, I shall give way later.

I thought that university campuses were created to provide educational opportunities.

Mr. Mallon *rose—*

Mr. Maginnis: I shall give way when I have finished this point. Will the Minister tell us whether that university will be created? We know that a large part of the capital funding for the project will come from a source outside

[Mr. Maginnis]

the Government's immediate budget, but revenue used to sustain that campus will have an effect on primary schools, which are increasingly underfunded, and on secondary schools.

Mr. McNamara: Order!

Mr. Maginnis: With respect, Mr. Deputy Speaker, I shall not be intimidated. This matter is relevant to how we deal with terrorism in Northern Ireland.

Will the Minister try to tell me that secondary education is sustained at an adequate level in Northern Ireland and that the record is good? Has he not decided on swingeing cuts for grammar schools? Does he claim that he and previous Governments have not underfunded colleges of further education? Will he tell me that our university students will not have to pay tuition fees—initially £1,000 a year, but increasingly more than that?

For political reasons, the Minister is going to put an extra campus in Northern Ireland. We have one at Queen's. We have one at Jordanstown. We have one at Coleraine. We have one at Magee. We have a teacher training college at Stranmillis; and one at St. Mary's; and there are 1.6 million people in Northern Ireland. What nonsense are we getting into to pay the danegeld to the terrorists in west Belfast? I shall give way to the hon. Member for Newry and Armagh (Mr. Mallon) if he wishes.

Mr. Mallon: The hon. Gentleman posed a rhetorical question: did we ever hear of a university being set up to create jobs? Yes, it is called the university of Ulster, which was set up by a Unionist Government in the north of Ireland when, by any standard of justice, it should not have gone there. I thought it only right to remind the hon. Gentleman of his party's role in doing exactly that.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. We should draw a line under that part of the discussion and come back within the terms of the Bill. I hope that the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) will not respond further to that point.

Mr. Maginnis: I am grateful, Mr. Deputy Speaker, and I shall not respond to it. I think that I have made my point.

I implore the Minister to make his own judgment based on three things. He can look at the signs. He can decide whether he sees any evidence, in terms of the future for terrorism in Northern Ireland, that terrorism has been abandoned. I want him to look at history and ask himself whether, in terms of predicting what is happening and is likely to happen in respect of terrorism in Northern Ireland, we on this Bench have not done our best to give substantive guidance to the best of our ability. I think that we have been justified. I put it no stronger than that. The third piece of advice that I would give him is that he has to start thinking like a terrorist. He has to get into the psyche of the terrorist, because if he believes all that he is told he will eat all he sees, as the saying goes.

I do not know why the Chief Constable continues to tell us that the ceasefire is holding, when every signal that we are getting throughout the whole of Northern Ireland suggests that it is holding only because there are one, two, three, four—I do not know how many—further concessions that can be taken, which can be banked, before the terrorists return to the Armalite, as they have promised.

I shall deal now with loyalist terrorism. Their ceasefire is clearly becoming less stable, as much because of drugs and racketeering as of politics. Some horrible things are happening. The beatings and the intimidation are quite intolerable. I believe that it is happening because there is nothing to indicate to the people who organise such crime that the Government have real resolve. I say again that this Government are no different from previous Governments in that respect.

Having given the background to what we require, I shall look at one or two of the measures that we welcome in the Bill; one or two of the things that are missing; and one or two of the areas where I believe there has been an error.

I am delighted that the Minister has removed internal exile. It was an absolute insult to have internal exile within the United Kingdom. It is divisive and unnecessary.

As for the things that I believe are unwise, when video recording was introduced, we were told that it would protect those with responsibility for questioning terrorist suspects. Well, perhaps it protected the suspect and the person doing the questioning, but it was always dangerous for the police, because there are occasions, as history shows, when terrorists, faced with the reality of years—potentially—in prison, are willing to talk to those who interrogate them and become, to use the simple term, informers; to provide information and intelligence that is useful in the overall battle against terrorism.

Video recording makes that difficult, but it does not make it as difficult as audio recording. An audio recording can be sent for, I must assume, by the lawyer defending the accused person. That means that nothing can take place in the interrogation centre that will be of assistance to the police in the prevention of further terrorism. They cannot gain the confidence of perhaps relatively low-level terrorists, because, as soon as they are destined for court, they are told by their godfathers, "You must instruct your solicitor to get the audio recording." Knowing that, they will simply not be able to provide information that is of help.

Who is being helped by the audio recording—the terrorist or the ordinary member of society who depends on the police to do a very difficult job of bringing the villains to justice? If we are to have audio recording—the Minister tells us that we are—why does he stop at that? Why has he not considered the possibility of admitting telephone wiretaps as evidence? We know that if, as in the case of Adair, a policeman is wired for sound and has a tape recorder in his pocket, he can speak to a suspect and use the conversation as evidence in court. We know that he can bug a room and record what has been said in it and use the evidence in court, so why do we not give the police the opportunity to bring evidence that could be obtained through telephone wiretaps into court in the same way? It makes sense to me. Perhaps the Minister will deal with that point.

Why has the Minister still failed to consider the issue of identity cards? He and I have identity cards—our driving licences. Most people who work for large companies have identity cards as part of the security of the company.

The Home Secretary has said that he will introduce a card to identify those who are old enough to buy cigarettes and alcohol. I am not sure of the details of his proposal but, given that such a card is apparently to be introduced, why is the Minister still failing to introduce an identity card that would help the security services to deal with terrorism?

Let me remind the Minister, in the words of Gerry Adams, that the IRA has not gone away. Let me add—in the context of the emergency provisions legislation and the way in which it works—the words of Mr. Rowe, who said in his report earlier this year:

"Undoubtedly the powers and provisions of the Act are required for another year."

That is why we will support the Minister tonight, despite what we consider to be flaws in the legislation.

There is continuing terrorist activity, and there is a real threat of more. I agree with Mr. Rowe: as far as I can see, the EPA has been used fairly and carefully: I have observed no examples of abuse, nor have I been told of any. I believe that, if Mr. Rowe is right, we should endeavour to make the Act more, not less, effective. The terrorist will not respond to the payment of danegeld.

6.21 pm

Mr. Norman A. Godman (Greenock and Inverclyde): The gloomy forebodings expressed by the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) sit ill on his shoulders. He is normally a good-humoured, affable man, and I sincerely hope that he is wrong on this occasion.

Mr. Maginnis: So do I.

Mr. Godman: As the hon. Gentleman implies—from a sedentary position—we all want the peace talks to be brought to a successful and satisfactory conclusion: satisfactory, that is, from the point of view of all the ordinary, decent people of Northern Ireland.

I look forward to the day when Northern Ireland has an assembly of its own, based on proportional representation, and with a power-sharing constitution. I am only sorry that some of the secessionists in Northern Ireland who seek to separate Northern Ireland from Great Britain are utterly unpeaceable—unlike those in Scotland who seek a similar separation, but through entirely peaceful and democratic measures.

Along with my hon. Friend the Member for Hull, North (Mr. McNamara), I—who have long had reservations about the powers in the Act—will support the Bill, because of clause 3. Incidentally, I should point out to the hon. Member for Fermanagh and South Tyrone that the very welcome proposal to abolish internal exile is not in this Bill, but in the prevention of terrorism legislation. Nevertheless, that proposal must be welcome to all who live, as we do, in a mature parliamentary democracy. Internal exile has no place in a society such as ours.

I welcome the proposal relating to the audio recording of interviews with those in detention centres. As I told him in an intervention, however, I hope that the procedure will be introduced long before 2000, because it will protect not only the rights of the person being cross-examined but the criminal legal procedure system itself.

May I ask my hon. Friend the Under-Secretary of State for Northern Ireland—who will wind up the debate—a question about access to legal advice? In the brief that it sent to the usual suspects, the Committee on the Administration of Justice claims that the number of deferrals of access to legal advice has increased recently. I hope that my hon. Friend will respond to that claim. According to the committee, its members

"have viewed with considerable concern the government's inaction in this regard especially in light of recent figures, which indicate an increase in deferrals of access to legal advice. The whole of 1996 saw some 13 deferrals. However, the statistics for the first half of 1997 show an increase, with 19 individuals being refused immediate access to a lawyer."

If that allegation is true, there is a serious issue to be sorted out by my hon. Friend and his officials.

I share the reservations expressed by my hon. Friend the Member for Hull, North about scheduled offences, and about Bloody Sunday. I have made my views known to my right hon. Friend the Secretary of State: I believe that the matter should be reinvestigated, but not under the aegis of a member of the English legal establishment.

Finally, let me impress on Ministers that the procedures contained in the Bill must be administered very carefully. Serious concerns have been expressed recently about heavy-handed policing in south Armagh and west Belfast, to which I am sure the hon. Member for Newry and Armagh (Mr. Mallon) will refer if he catches your eye, Mr. Deputy Speaker. I believe that the Bill's proposals must be implemented in a way that does not infringe the human and civil rights of ordinary, decent citizens as they go about their business. We must make Northern Ireland as tolerable a community as possible, and that means that these measures must be implemented carefully.

6.26 pm

Mr. Seamus Mallon (Newry and Armagh): Like the hon. Member for Hull, North (Mr. McNamara), I am almost tempted to give two and a half cheers for the Bill. I say "tempted", but I shall not succumb to the temptation, for reasons that I hope to be able to clarify.

As one who has been involved in debate about legislation such as this for many years, inside and outside the House—on the Floor of the House, in Committee and elsewhere—I do not want to be churlish. I hold strongly to the view that, once the highest standards of justice are deviated from in a way that makes the process of justice one of trying to solve political problems, the real sufferer will be that process of justice.

Let me emphasise that starting point again. Had I the opportunity—despite the changes that have been made—to vote against the legislation tonight, I would do so: I make no bones about that. I would do so on the ground that, especially now, there is an absolute requirement for us to move in the direction not of restating the need for emergency legislation—not of reinventing a wheel that has not been able to circumvent the problem with which it was designed to deal—but of starting to create, imaginatively and courageously, an arrangement that would be adequate in the context of the new system for which we are aiming.

I note with interest the use of the term "peace process": a term of which I am not terribly fond. We have a thing called "peace", which is a valuable commodity where I come from, and a thing called "the political process",

[Mr. Seamus Mallon]

without which peace will be unstable. I make that point as the representative of the constituency of Newry and Armagh.

Peace is valuable: it does not belong to a Government; it does not belong to an Opposition; it does not belong to a political party; and it does not belong to a paramilitary grouping. Peace belongs to people: it is a basic, God-given human right. It is not to be doled out like lollipops by those who believe in violence, and it is not to be used by anybody.

I believe that every person in the north of Ireland must benefit from peace: not just where it is selected that they should, and not just in the places where there have been fewer problems on the ground. The people who should experience peace and should benefit most are those, like me, who live in my constituency and have suffered most from the implementation of emergency legislation that has deviated from the highest standards.

This thing called the peace process will not all of a sudden arrive on everyone's doorstep. It will have to be worked at carefully, for there is something more that the House, the Government and the Opposition parties have agreed. It will have to be validated not by Governments but by people in referendums in the north and the south. The referendum in the north has been agreed. Who will validate the peace? Whose validation is most important? Is it the people who have not been much affected by the problem these past 27 years, or the people who have got it in the neck from paramilitary groupings, from security forces and from emergency legislation? Their validation will, in my opinion, be much more valuable than that of those whom the troubles have not terribly affected. Let us not forget that.

Unless we make changes that are apparent, dangerous situations will develop. It has been proven that legislation such as this does not stop terrorism: not now, not in the past or in the distant past. One of the measures that I welcome immensely is the removal from the statute book of internment without trial. Many of us are products of a society or an environment that has experienced internment. Let us not forget that we had internment in the 1920s, 1930s, 1940s, 1950s, 1960s and 1970s: it was not thought up only in the 1970s. Internment failed in each of those decades: it failed to give peace, it failed to solve security problems and above all it failed to have the political effect that it was intended to have.

Mr. Maginnis: Was internment used more viciously and strenuously in the Irish Republic than in Northern Ireland? Is it not a reality that, when a terrorist organisation goes to war with society, society requires internment to protect itself?

Mr. Mallon: I make no defence of internment in the Republic of Ireland, now or in the past. It did not deal with IRA violence in any of those past decades, because if it had done so, we would not be debating this legislation now.

There is something much more important at stake: the absolute integrity of the process of law and justice. As individuals and as a community, ultimately our only protection is the system of justice under which we live; otherwise, we would be part of a Kafkaesque society. Many people in the north of Ireland know how Kafkaesque it has been.

The Minister said that there was no evidence that Diplock courts had produced perverse judgments or had lowered standards. We should remember that Lord Diplock said that any court that did not comply with the minimum requirements of the European convention on human rights was not worthy of the name of court of law, should not form part of the ordinary criminal justice system, and should not be staffed by ordinary judges who sit in other criminal courts. That is not my view, but the opinion of Lord Justice Diplock, after whom those courts are named.

Have they complied with European standards? There have been derogations, and they must be rectified. It has been rightly said that those courts come under different legislation, but the implementation of the part of the prevention of terrorism Act that deals with arrests applies to and interlocks with the emergency provisions Act.

I welcome the fact that internment has gone. I am quite sure that it will never be used again, because its failure as a method has been proven by successive Governments in this country and in the Republic of Ireland. The jury of public opinion and experience has accepted that verdict.

I welcome the prospect of a review of the panoply of—dare I say it, because I am beginning to wonder what term I should use—legislation that is not normal as it applies here and in the north of Ireland. I welcome the fact that internal exile in the form of exclusion orders has been suspended, and that none is in operation at this moment. I hope that those measures disappear. While that is being done, what people who come from the north and the south of Ireland are required to do at some ports must be examined, because it is not compatible with standards of justice. That is on the record in the House and outside. If we are to deal with this problem, we should consider that aspect. I ask the Minister to ensure that that matter is included in the review.

I very much welcome clause 5, which provides for the audio recording of the interrogation of people detained under the prevention of terrorism Act. It is a measure for which some of us have been pressing for many years. It has been dealt with in Committee and elsewhere in a way that has proved that the argument for it is irrefutable. Of course, there is one difficulty, which is when it will be implemented.

The Northern Ireland (Emergency Provisions) Act 1996 has been in existence for 15 months, but the codes of conduct for video recording, as provided for in that Act, are still not in operation. The hon. Member for Greenock and Inverclyde (Mr. Godman) asked the valid question when audio recording would become a reality. Is that the urgency that should underpin emergency legislation? If there is an emergency, there should be urgency, and that urgency should work both ways. I urge the Minister to deal with that matter quickly and explain why the 1996 EPA codes of conduct have not yet been implemented.

I refer in passing to the question of certifying in and certifying out. Like the Minister, I am not a lawyer, so I will not involve myself with the legalities. I think that I have also proved that I am not a mathematician but, in view of the figures that we have, it seems that certifying out is much more cumbersome than certifying in. If we start with that clean slate, it may not have any material effect on the cases that will be certified in as opposed to certified out, but it will be an indication, in the Bill, that there is in effect an intention to move towards jury courts.

The significance of certifying in will be that it is a declaration of intent to move not towards something radical, enormous or new but simply to the principle that people in court will be tried by a jury. Of course, in the context of Northern Ireland, that is new in many ways.

Cases in my constituency have been referred to the Attorney-General's office and to the Lord Chancellor's office. Applications have been made to have cases tried outside of the Newry courthouse, for them to be held elsewhere and a jury from another place to be sworn in to try them. There is the confidence in the court system and the jury nobbling, not by paramilitary groupings but by the legal process itself. It is a matter of record, but when it comes to jury nobbling, there are those in the north of Ireland justice system who can do as well as or better than those one would expect to be involved in jury nobbling. Abnormalities have developed in the operation of an abnormal system, and we have to take account of them.

I must express my disappointment that the question of emergency legislation is not dealt with in the Bill. Perhaps it could not be dealt with, but the signals being sent out at the moment should carry hope that we are moving to something new. I do not believe that there are any circumstances in the modern world in which there will be no legislation to deal with terrorism, be it national, regional or international, but that is a different matter. Here, we have a legal system that is abnormal; we have a system of implementation of that legal system that is wholly abnormal; and we have legislation that is abnormal. In that abnormality, those of us in the political process are charged with creating a normal political situation. That is the crux of the matter—that is the difficulty we face.

I must refer to the situation in west Belfast and south Armagh and the fact that they are saturated with security. This is not Sinn Fein propaganda, although Sinn Fein uses it as such; nor is it a stick with which to beat the legislation—it is simply my experience. I look out of my window when I am having breakfast and I see lookout posts on the hills. They are doing nothing, and never have done anything. They are there for the optics, yet the land was taken from the people. It was not asked for or bought, but taken.

What about the holding centres? I suggest that the Minister considers what was said about them by the independent commissioner for the holding centres, who pointed out that they were not suitable for the holding of people for the length of time possible under emergency legislation. Do those centres have to remain? Does Castlereagh have to remain as a monument to the failure of emergency legislation through the years? Does the Gough barracks have to remain in that shape or form, or is there the courage to take another little step into the future as another declaration of intent to ensure a new beginning in every sense of the word?

The Government should be commended on the changes. In many ways, those changes were courageous. I believe that the Government, coming from where they did in relation to this legislation, have shown courage. I ask them to take their courage in their hands, move a little further to that declaration of intent and give us all a chance to make a new beginning. I know of the difficulties and I know the advice that the Government will receive—I heard some of it tonight. I know the risk involved.

The Minister said that this was a very different ceasefire. He must have intelligence to which I do not have access and assessments that I have not seen. What I know about ceasefires is that they are all acts of faith in the future. They require confidence that simply cannot be quantified in terms of support, but what chance have we if we do not believe that peace can be a reality? What chance have we of solving any problems if we do not have the conviction that peace is something that we all can bring to the place in which we live? If we do not have that, we are simply wallowing in the failures of the past. That is why I regard this type of legislation, with its deficiencies, as an indication that there is a temptation to hold on to the past and not take the quantum leap into the future, a leap that will have to be made by all of us sooner or later.

6.48 pm

Ms Margaret Moran (Luton, South): Some hon. Members have been slightly reserved in expressing their appreciation of the Bill—but I say three cheers, primarily because we can celebrate the end of internment. I understand the reservations that have been expressed by some hon. Members, but, with this Bill, we are rapidly moving in the direction that most hon. Members desire.

The Bill represents the first opportunity that our new Labour Government have had to take the action we have for so long advocated: to remove the worst and most obvious injustices in the emergency provisions. It is a tragedy that the provisions have existed for 20 years. At last, however—at their first opportunity—a Labour Government have removed the aspects of the provisions that most people find so abhorrent, especially internment without trial.

In opposition and now in government, Labour has consistently highlighted the fatal flaws in prevention of terrorism legislation—especially internment without trial, Diplock courts and a lack of safeguards in interrogation. I am pleased to note that the Bill will remedy some of the worst injustices.

The House must realise that the Bill takes only the first steps. Moreover, some Opposition Members may be planning to table amendments to remove the Bill's provision ending internment. I realise that internment is an important issue, but—in the interests of the peace process and of building confidence in the community of all Northern Ireland—it is essential that it is ended.

Not one section but all sections of the community have been affected by internment over the years. Furthermore, often the parts of the community that are least able to speak for themselves have been most affected. The worst aspect of internment is the fact that those who are truly guilty of crimes have been allowed to hide behind perceived human rights injustices. Internment has also earned us the international community's opprobrium, because it has been perceived as contrary to human rights.

I ask Opposition Members to rethink their objections to ending internment, and to think about the confidence that will be needed in the peace talks. We must ensure that we send all participants the message that we are intent on building confidence—not in one part of the community, but across the entire community of Northern Ireland.

It is wrong and unjust to say that the new Labour Government are soft on terrorism. I welcome the Government's announcement that they will introduce

[Ms Margaret Moran]

anti-terrorist measures for both Britain and Northern Ireland, and I look forward, in the new year, to seeing that consultation document. The Secretary of State for Northern Ireland has given assurances that the measures will contain safeguards for the community of Northern Ireland.

We must make progress, and today's announcement that internment will end represents real progress for all of Northern Ireland. Ending internment will do much to restore confidence in legislation that has widely been regarded as unfair. The legislation has exposed Britain and British Governments to allegations of abusing human rights.

The Government have a clear human rights agenda, and I am proud to be a part of a Government who are adopting the European convention on human rights. This Bill accords entirely with our commitment to human rights—not only in our own backyard but around the world.

I remind hon. Members who oppose not only the removal of internment but other human rights measures that we are past mediaeval times. Britain must modernise its legislation and constitution, enabling us to be proud of our human rights record. The Bill represents a significant step in that direction.

6.54 pm

Mr. Lembit Öpik (Montgomeryshire): Let us remember what this Bill is all about. When I was seven, I lived on the outskirts of Belfast, and did not watch the news much or listen to the proceedings of Parliament. I knew, however, that there was something called the troubles, and that I lived in them. One night, I was woken by my mother, who was hanging blankets across the windows, because there had been a bomb scare. There was a chance that the windows would be blown in, and she did not want glass shards to go through the house. I asked her what she was doing, and she simply said, "This is Northern Ireland." That is what the Bill is about.

The Bill deals with a place where life is not normal—although it is more normal now than it has been for two decades. Nevertheless, Northern Ireland is still not normal. The Liberal Democrats are willing to support the Bill because of the current situation. We are not pleased to be supporting the Bill, however, because to be pleased to support it would be to welcome the reasons for it. Surely no hon. Member believes that it is laudable that such a Bill is required.

The House seems to be united in the belief that we need such legislation. Although the Liberal Democrats think that such measures are a regrettable necessity, they are a necessity. We shall therefore be voting to give the Bill a Second Reading.

As there currently does not seem to be an emergency, are emergency provisions justified? The Lloyd inquiry answered the question well, saying:

> "Once lasting peace has been established in Northern Ireland there will continue to be a need for permanent counter-terrorist legislation to deal with the threat of international and domestic terrorism."

Lloyd's advice is doubly sound. It is not only the conclusion of an extensive and well-conducted inquiry, but the lasting peace described during its deliberations was abruptly ended by a series of bombs marking the end of that IRA ceasefire.

As the hon. Member for Newry and Armagh (Mr. Mallon) eloquently said, we must have faith in the peace process. However, although it might be appropriate in the political context for us to regard both the loyalist and the republican ceasefires as permanent—as desperately as we might want that to be so—it does not follow that they should be regarded as permanent when framing security legislation.

Emergency powers should be kept to a minimum, and we should give the security forces all the powers they need—not all the powers they might need. There must be a balance. We must also remember the effect that some of the powers can have on some people in Northern Ireland. Misuse of brutal powers can create a brutalised society.

We welcome many of the Bill's changes to the emergency powers. More specifically, we certainly welcome the change in clause 2, because of concerns over Diplock courts, which have one judge and no jury. Northern Ireland's judicial system is simply not comparable to that on the mainland. Regardless of whether concerns over Diplock courts are justified, such concerns can undermine the objective of ensuring that justice is seen to be done. Such concerns can damage the outlook of those we must most encourage with confidence-building measures.

Although there are concerns over jury trials, the Bill's amendment of the Northern Ireland (Emergency Provisions) Act 1996 will provide welcome flexibility, easing the way towards a more normal judicial process in Northern Ireland.

I was confused about why, earlier in the debate, the question of opting in or out should have become such a big deal. Surely it is a matter of logic and of common sense to establish the most sensible route forward. There may be arguments on both sides, but please let us not pretend that deciding one way or the other is a major political problem. The problem could indeed be a logistical one.

Mr. McNamara: Does the hon. Gentleman agree that what is most desirable, if we can achieve it, is more trials before a jury?

Mr. Öpik: I and the Liberal Democrats agree that anything that we can do to create a normalised judicial process in Northern Ireland is to be welcomed—which is why certifying in has such an appeal. It makes the absence of a jury the exception rather than the rule. I welcome his intervention, so that I can emphasise that point.

I shall now turn to the clause that will remove the internment provisions. Those powers were last used in the early 1970s, and were widely regarded as counter-productive. The politics of internment come from the dark ages. In simple terms, internment converted terrorists into martyrs. That is why, as a matter of principle, and as a matter of strategic common sense, it is right to banish it for ever to the history books of Northern Ireland.

Because the powers have not been used for a long time, everyone presumes that they will not be used in the future, but that is not good enough. We have to make a statement, and I do not agree that such a statement is merely tokenistic. It is a profound statement of faith in the fact that Northern Ireland must become a more normal place to live, and that such kangaroo-court behaviour is not acceptable.

Clauses 4 and 5 deal with the recording, both audio and video of police interviews. It was once the prevalent view that taping of interviews would not be helpful, in part because interviews were a good environment for informers to provide information about terrorist activities. However, if the interviews were recorded, there is no reason to believe that valuable sources of intelligence would dry up.

While that argument was important, we always believed that it was overrated. Informers can inform in many other ways, but taped interviews may have other benefits, such as discouraging rough treatment by the interviewers. They also prevent interviewees from making mischievous claims that they were treated roughly. It works both ways.

The Liberal Democrats were pleased that silent video taping was included in the 1996 Act. However, it is a shame that it has taken so long for it to be introduced. I accept that the process set out in the legislation was lengthy, including the drawing up of a draft code of practice; public consultation; consideration of the replies; a new draft code; and instructions to the individual men and women who have to operate the new procedure.

Where has that process got to? The hon. Member for Newry and Armagh (Mr. Mallon) made that point eloquently. It would be helpful if we could have a specific commitment on when video taping will be introduced in the Province.

There are some omissions from the Bill, and I shall cite two specific concerns. First, stop-and-search powers were introduced for good reasons. If applied diligently and cautiously, they are an important tool in the fight against terrorism.

The Bill does not include a reduction in the stop-and-search powers of the police and the Army, but there are currently reports of high levels of harassment by both services. That harassment normally takes the form of repeated stopping and questioning under the provisions of the emergency provisions Act. There are also reports of some demeaning stop-and-search incidents.

Although we may question the veracity of some of those reports, it is likely that the claims have an element of truth, and the stop-and-search powers can certainly cause deep resentment. When the Minister winds up, I should be grateful if he could summarise the plans, if any, to review the stop-and-search procedures.

Secondly, under the emergency powers, an interviewee has no right to a solicitor in the first 48 hours of police questioning—once again, for reasons of security. It is feared that the solicitor may warn other suspects. However, since 1991, inferences of guilt can be drawn from an interviewee's silence and having a solicitor present has become much more important. Otherwise, the weak-willed and the impressionable may be pressured into a false confession and the malicious and mischievous may be able to cry foul and pervert the course of justice. Some 19 people were refused immediate access to a solicitor in the first half of 1997 alone.

In a legal case, Murray successfully took the issue to the European Court of Human Rights, but the Government do not appear to have amended the legislation in accordance with its ruling. When the Human Rights Bill comes through the Lords, that problem will become apparent and pressing. Amending the situation will involve legislative complexities, because the legislation that allows inferences of guilt to be drawn is different from the legislation that restricts the right to a solicitor.

However, I should like to know what plans, if any, the Government have to bring the legislation into line with the Human Rights Bill. I believe that to be a necessity, and time will dictate that it must be addressed. The Liberal Democrats tabled an amendment in the other place on the previous occasion that the emergency powers were discussed, which would have provided either that interviewees were denied a solicitor or that no inferences of guilt could be drawn from their silence. That issue must be resolved by the House.

The most important element in the question of Northern Ireland is not the Bill, but the need to solve the problems of the area. It is not enough to try to contain it through the emergency provisions.

We have seen some remarkable developments in Northern Irish politics. The settlement talks are a great endeavour, and the difficulties faced and risks taken by both sides cannot be overstated. Both sides have made themselves vulnerable in the search for peace. It takes courage and conviction to be involved in the process, and the participants can feel uncomfortable when justifying it to their supporters. To that extent, I have nothing but praise for the courage of those Ulster politicians who are trying so hard—with a genuine commitment to the settlement talks—to find a solution.

Set against that background, the Bill is a tactical but regrettable requirement It will not solve the problems of Northern Ireland, but it might provide the space for them to be solved. If that happens—I personally am optimistic that we will get a settlement of some sort—we must be optimistic that Northern Ireland will take vital and permanent steps along the road to peace. In that context, there might be a case for the early repeal of many of the provisions, which would be a further confidence-building measure for the people of Northern Ireland.

If everything goes to plan, I hope that we will find ourselves on the brink of a lasting settlement, in which tensions are recognised, acknowledged and accepted, differences are respected and valued, and communities are allowed to be sympathetic to each other without fear of retribution or being undermined by their own side. I know that that is how the residents of Northern Ireland feel. They love their country and are deeply committed to it.

It is our responsibility in Westminster and in Dublin to conspire to overcome the barriers, many of prejudice, that remain, in order to render the Bill obsolete. That challenge transcends party politics and if ever there is a subject about which we must be mature, it is this. I hope that the Bill will do its job, but more than anything I hope that the settlement talks will give us an opportunity to create an environment in the Province in which no child in future will be woken by his mother hanging blankets across the windows of his bedroom in case the bomb scare is not a hoax.

7.7 pm

Mr. Roger Stott (Wigan): I commend the hon. Member for Montgomeryshire (Mr. Öpik) on his consideration of the issue. He has a background in the matter, and I largely concur with his analysis.

I am a reasonable man, and I thought that the majority of the speech by the hon. Member for Bracknell (Mr. MacKay) was measured, reasonable and appropriate

[Mr. Roger Stott]

for someone speaking from the Opposition Front Bench. Regrettably, his opening remarks were typical of those made by members of the previous Government about the Labour party being soft on terrorism.

I can tell the hon. Gentleman that I stood where he stands for five years, with my hon. Friend the Member for Hull, North (Mr. McNamara). There was no ceasefire then, and I had to look under my car every day of the week when I took my children to school. I went to Crossmaglen, the Bogside, the Creggan and Turf Lodge, and I went to all the places from which terrorism emanated. I condemned them out of hand, no matter where I was. I stood four square at the Dispatch Box and condemned every terrorist atrocity. I was not soft on terrorism, and nor were my hon. Friend the Member for Hull, North or my party. I take offence at Conservatives accusing us of being soft on terrorism. We objected to certain provisions in the prevention of terrorism Act and the emergency provisions Act that were corrosive of human rights.

I went to a dangerous place on the border with my old friend, the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), for whom I have a great deal of respect. The hon. Gentleman has been astonishingly courageous throughout his career in his fight against terrorism and in the way in which he has spoken against it. I like to think that I have too, together with other hon. Friends.

My hon. Friend the Member for Hull, North—who is now back in his place—and I are the only two here this evening, I think, who were in the House 25 years ago to vote for the prevention of terrorism Act. We continued to vote for it as a temporary measure, until we discovered that some elements of it were unacceptable for reasons of human rights. The hon. Member for Fermanagh and South Tyrone has mentioned exclusion orders—internal exile. I am glad that my right hon. Friend the Home Secretary has agreed that they shall no longer exist.

A young boy from Derry called John Matthews was brought before a magistrate, charged with terrorist offences. He was sent to a high-security prison for three months and then released and brought back to the same magistrate who had sent him down three months before. The prosecution withdrew all charges against John Matthews. I was in the court at the time.

The stipendiary magistrate said, "Well, you guys were before me three months ago saying this guy was a terrorist." They said, "Your worship, we withdraw all charges." In my presence, the magistrate said, "Young man, you can leave my court without a stain on your character." Five minutes later, he was rearrested, the previous Home Secretary signed an exclusion order on him, and he was sent back to Northern Ireland.

That is how the provisions have been used. I did not vote for the prevention of terrorism Act last time it was brought before the House, because it included provision for exclusion orders.

I agree with the Minister that it is essential that anti-terrorist legislation should be available to the Government. My right hon. Friend the Home Secretary has announced the Government's intention to present new proposals to replace the EPA and the PTA with permanent, UK-wide counter-terrorism legislation, to be published in a joint Home Office and Northern Ireland Office consultation paper early in the new year. In the interim, before any fundamental reform of counter-terrorism legislation, a renewed and amended EPA will continue to provide the people of Northern Ireland with vital protection against the terrorist threat.

Having been involved with Northern Ireland matters for so long, I know that we have made substantial progress. My old friend the hon. Member for Newry and Armagh (Mr. Mallon) is not content, but I think that most of the corrosive effects of the original EPA are being removed. I hope that we can get rid of the Act and introduce a comprehensive, UK-wide anti-terrorism Bill to deal with the problem.

I sincerely hope that we shall never again hear the allegation from the Conservatives that we are soft on terrorism, or that we have ever been. I find those remarks personally offensive.

7.14 pm

Mr. Alan Clark (Kensington and Chelsea): In coping with terrorism, the House has two principal, but distinct, obligations. Resistance to crude violence, or the threat of violence, must be maintained at all times, but no opportunity should be neglected to utilise and enhance the democratic process to abate that violence. The paradox of the Government's present position is that, by discarding one of their principal deterrent weapons—internment—they are indulging in unilateral disarmament before they have received any concessions.

I accept the sincerity of the view of the hon. Member for Luton, South (Ms Moran), who spoke movingly on the subject, but I take a more practical attitude. We should never discard any mechanism or disarm in any way until we know what concession we will receive in return—and, hopefully, already have it in the bank.

I should like to add a short personal comment. Almost all of us have suffered the experience of being deliberately—and with relish—misrepresented in the press. As we all know, there is no point in denying anything, embellishing comments or attempting to put them in context. The media do not want enlightenment; they want controversy. It is safer by far to stay within Jowett's precept—"never explain; never apologise"—with the exception of remarks made in the House, where one can engage in debate with hon. Members of all parties and have one's words accurately recorded by the *Official Report*.

I therefore hope to put in context some remarks that were attributed to me at the Conservative conference in Blackpool last month, and to make some further reflective comment on the situation in Northern Ireland. At that time, I drew attention to something that I had written 12 years earlier: that one—one—approach to the problem of terrorism was the instant execution of a large number of known activists. Even then, I warned—this was not reported—that that would buy no more than 20 years.

Also unreported was my recent assessment that defence planners, faced with chronic infantry overstretch, should consider with as much detachment as they are allowed the fact that, in one small part of the United Kingdom, it is necessary to station 14 battalions of infantry with fully armed weapons and body armour. The policy conclusions that should be drawn from that are uncomfortable, but not necessarily invalid for that reason.

In neither instance was I recommending a particular course of action. I was simply making observations, as an historian and military analyst.

Of course, there is not the slightest value in my asserting that. As we all know, it is not actual but perceived truth that counts. Indeed, my own party's press office lost no time in briefing journalists to the effect that I was a dinosaur. That was perfectly all right by me, because the dinosaur has a thick skin, and has been around for 3 million years.

However, there are certain facts from which there is no escape. The IRA is the most resilient and formidable of all resistance movements in the west. More than 70 years ago, the Chief of the Imperial General Staff was shot dead at his front door in Eaton square. Less than 20 years ago, one of our own number was murdered on the exit ramp from the House of Commons car park itself. In addition to those individual acts of assassination, the IRA has taken the lives of hundreds of innocent people, and caused immense misery and suffering.

It may be that participation in the political process—true and genuine participation—can come only after the combatants have fought themselves to a standstill. We have seen that in European civil wars—in Spain in the 1930s, in Lebanon in the 1970s and in Bosnia in the 1990s. Ho wever, one hopes that things need not endure that long, and that the outcome will not be so wasteful and tragic.

In the meantime, there remains one curious omission in our line of approach. It is a political omission. Those representing and elected by the people—I designedly employ a term that will be familiar to Labour Members, because they have all been instructed by the Prime Minister to use it as often as possible—in Mid-Ulster and in Belfast, West are prevented from taking their seats, and even from entering this building.

I have always argued that we in this place have no authority to exclude anyone if he or she has been returned to sit here as a result of due electoral process. I shall remind the House of what I said on 22 June 1981 during proceedings on the Representation of the People Bill, which related to the attempt, contrived as I believed it to be, by the House of Commons to prevent Bobby Sands from taking his seat, although he had been elected for the constituency of Fermanagh and South Tyrone.

I said:

"There are many measures relating to the preservation of the rule of law in Northern Ireland that I would support. Some Opposition Members"—

the roles of the parties at that time were the reverse of what they are now—

"might disagree with some of those, but effectively to disenfranchise a part of the Province is not one of them . . . There is an unhappy mixture between political and constitutional considerations and the House should be extremely wary when a constitutional measure is put before it that has overtly political motivation . . .

Every hon. Member owes his position to the corporate wisdom—variegated and diffuse though it may be—of a variety of those entities, with their different characteristics, allegiances and viewpoints, that are scattered throughout the United Kingdom. It is wholly improper and an abuse of our position to isolate one of those units and tell it who it may or may not send to this place."—[*Official Report*, 22 June 1981; Vol. 7, c. 67.]

I readily understand that there should be concern in some, indeed in many, quarters about the oath of allegiance to the Crown and the high importance attached to it. However, I remind the House that when the returning officer reads out the results of an election, he gives the total number of votes cast for each candidate, and then says, "I declare that the undermentioned"—whoever that may be—"shall be returned as the Member of Parliament for the constituency of"—wherever it may be.

Is it really in the forefront of the minds of all those who return an hon. Member to this place—any hon. Member, let alone the Members who are entitled to sit here and represent the constituencies of Mid-Ulster and Belfast, West—that the person that they have returned will and must take the oath of allegiance? I rather doubt it.

How many hon. Members in this place were so concerned before they rode away from here in 1642 to do battle with the King's army at Edgehill, Marston Moor and Naseby, that they carried in the forefront of their minds the oath that they had taken to the Crown?

Many years ago your own predecessor, Mr. Deputy Speaker, was put under arrest because he was defending the rights of Members of this place to stand apart and to be distant from the Crown—or the Executive, as it may presently be termed—and to provide a balance.

Our proper role in this place is to balance the Executive, not to swear allegiance to it. The House of Commons has always balanced to some degree or another the weight and power of the Executive. It has been in existence for more than 350 years in that role. We have in our time had to swear an oath of loyalty in one form or another to the house of Stuart, to the house of Orange, to the house of Hanover, to the house of Battenberg and to the house of Windsor. And for all that time—

Mr. Douglas Hogg (Sleaford and North Hykeham): Will my right hon. Friend give way?

Mr. Clark: In the fulness of time, if my right hon. Friend will allow me to finish my sentence.

And for all that time, the Catholics in Ireland have suffered, or believed themselves to have suffered, repression.

Mr. Hogg: I do not necessarily disagree with my right hon. Friend's conclusions, but he has made one mistake in his argument, which he may like to clarify. He is talking about swearing allegiance to the Executive—that is the word that he uses. He seems to be confounding the Executive with the Crown for those purposes, and I do not think that he means to do that. His conclusions may be right; none the less I think that he would like to make a distinction between the Crown and the Executive.

Mr. Clark *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before the right hon. Gentleman responds to that intervention, may I remind him that he is going rather far from the subject of tonight's debate, which is the Second Reading of a Bill? I would be grateful if he got back on track fairly quickly.

Mr. Clark: I am grateful to you, Mr. Deputy Speaker, and of course I bow to your ruling. This is a Second Reading, on which some latitude is often permitted. I do not feel that I am straying any further than the

[Mr. Clark]

hon. Gentlemen who spent many minutes of the time of the House discussing the future and validity of higher education in Belfast.

Whether or not you want me to deal with my right hon. Friend's intervention, Mr. Deputy Speaker, may I say that I believe it is relevant to the introduction of the political process into the attempt to find a settlement in Northern Ireland? After all, the Act that we are discussing is closely related to that, and to regulating, restricting and confining within legal limits illegal activity in Northern Ireland. It is my contention that it should also be supplemented by political measures.

I take no sides in the controversy. Often there are impossible choices to be faced in a true democracy—choices that were exemplified by what my hon. Friend the Member for Bracknell (Mr. MacKay) said about internment and by what Liberal Members have said. However, always overriding must be one imperative—that there should never be seen to be surrender, or apparent surrender, to naked violence.

Moreover, where the democratic process has been followed and the ballot box has returned its verdict, we should not be able to interfere. If we deny that right—effectively removing a constituency from the United Kingdom—we are encouraging all those who argue the case that it should no longer be a part of the United Kingdom. That is the essential distinction which we must master.

As for the oath, Mr. Deputy Speaker, which would you or the House regard as more honourable—to refuse to take the oath on the grounds of conscience or commitment, or to take it, as did the Minister for Sport, the hon. Member for West Ham (Mr. Banks), while smirking at the television cameras with his fingers crossed?

7.29 pm

Mr. Andrew Hunter (Basingstoke): As the 1996 emergency provisions Act expires in August next year, I support the Government's decision to place in this year's programme a measure to fill the vacuum that would otherwise exist. I therefore do not quarrel with the bald fact that the Government propose to extend by two years the life of the 1996 Act, making it effective to 2000.

Continuing in the spirit of co-operation, good will and charity towards the Government, I suppose it could be said that it is a matter of considerable relief that the Bill leaves untouched most of the provisions of the 1996 Act. Their collective value has been demonstrated on numerous occasions, and most are needed and used now—notwithstanding the so-called "ceasefires", which are in any event only tactical. The powers can be used most extensively in the event of a resumption of widespread violence. I note with interest that the Government have not pursued, for the time being, the theme of certifying in rather than certifying out, and I am glad that the powers to stop and search remain.

I shall be ultra-selective in my remarks on the Bill. I wish to ask some questions on a part of clauses 4 and 5 that I do not understand. The 1996 Act, as the Minister reminded us, provided for silent video recordings of police interviews with persons detained under the 1989 PTA. Clauses 4 and 5 of the Bill extend the practice in two ways, and I do not quarrel with that. First, they provide for video and audio recording and, secondly, they widen their use to

"interviews held by police officers in such other circumstances as may be specified in an order".

My question is this—what precisely are we to understand from the words "in such other circumstances"? Do they mean under the provisions of legislation other than the PTA? If not, what do they mean? If they mean other legislation, can the Government be more specific? Will they indicate which provisions of which legislation they have in mind? What criteria will the Secretary of State use to determine what should or should not be included in an order? For instance, would the criteria extend to the criminal record, if any, of the person being questioned, or to his known support of paramilitary organisations? It is not unreasonable to query why such a little-defined executive authority should be given to the Secretary of State.

As I see it, the key issue of the Bill is internment, and I do not apologise for returning to the subject. The arguments are well rehearsed and there is no need to recite them in detail. It is a fact of life that, although it has remained on the statute book, the power to detain without trial has lapsed technically in the legislative context and practically in the context of its usage.

For my part, I accept that internment is an infringement of civil liberties, and it is folly to deny that. I agree that internment in the 1970s was counterproductive and the overall effect was to strengthen, rather than weaken, the IRA. However, I reject the proposition that we should therefore now abandon the power to intern. I fear that, in seeking to do that, the Government are making a serious mistake. The fact that internment failed in the 1970s certainly does not mean that it is bound to fail in the future—far from it.

In the 1970s, we suffered from woefully inadequate and inaccurate intelligence and, to put it mildly, the mood of the time was far from supportive. Internment was not applied even-handedly. In such circumstances, it is scarcely surprising that it backfired. However, times change; such circumstances do not and will not always prevail.

The principled objection to internment—the civil liberties argument—has strength, but I do not believe that it carries the day. I agree with my hon. Friend the Member for Bracknell (Mr. MacKay); although the power has not been used for 20 years and has lapsed in the technical sense—and although we may dislike it because it infringes civil liberties—it should nevertheless be retained because we cannot foresee the future. We simply do not know what may happen when, and what the turn of events may be.

We cannot and should not completely discount the possibility—however remote it may sometimes seem—that, at some time in the future, circumstances may arise in which the introduction of internment could be justified as the lesser of two evils because it could save lives—perhaps the lives of innocent bystanders. For that reason alone, I would argue that it is folly to abandon the power now.

Clause 3 should not and cannot be seen in isolation, and it is an illustration of the Government's underlying approach to Northern Ireland. I do not doubt for one moment that that approach is well intentioned, but I believe

it to be fundamentally flawed. The Provisionals have not earned their place at the negotiating table. They are not unequivocally and exclusively committed to non-violence and democracy, nor have they any intention of decommissioning unless the talks deliver what they want.

As the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) has said, the Provisionals are exploiting the process for all they can, and they are doing so successfully. They won concessions by delaying the first ceasefire, and gained further concessions during that ceasefire. Even more concessions were gained as the price of the second ceasefire, and one can legitimately ask the Government if there is a limit to the price that they will pay to maintain that second ceasefire. That is the wider context in which clause 3 and the ending of the power of internment must be placed—the context of what is in effect, although not intention, a policy of appeasement.

7.38 pm

Mr. Peter Robinson (Belfast, East): I do not believe that any Member of Parliament could approve emergency legislation with any relish; by its very nature, it shows that an abnormal situation obtains in the section of the community to which it applies. It also requires that the local community be denied rights enjoyed by other parts of the United Kingdom.

I approach this debate, and the issue of internment in particular, as one of those who opposed the use of internment in the 1970s. I did not oppose then, nor do I now, the provision that permits the use of internment, but I did not believe that the circumstances were right for using it in the 1970s, and I think that subsequent events have shown that to be a fair judgment.

The circumstances were not right for two reasons: the first was that all other means of dealing with the problem had not been exhausted, and the law was still capable of dealing with the situation; the second, and most obvious, was that the intelligence was not available to get the right people. When 80-year-olds who had been involved in the campaign of the 1920s started being picked up for internment, it suggested that perhaps the Royal Ulster Constabulary did not have available to it the most up-to-date records on the basis of which to take decisions and advise the Prime Minister.

I opposed the use of internment then, and I do not believe that circumstances are such that it is likely to be used now, but, to answer the earlier question posed by a former Secretary of State, the right hon. Member for Cities of London and Westminster (Mr. Brooke), I can indeed conceive of circumstances in which it could perhaps be necessary, even though we all hope that it will not be. While that possibility remains, the power should be retained on the statute book.

People argue—I find it hard to accept—that I should not be pressing for decommissioning and that we should allow the weapons to rust; does that not suggest that the best way in which to deal with internment is to let it wither on the vine? If internment is not needed, it will not annoy anyone, because the power will simply not be exercised.

It is clear why the Government are introducing the measure. They are removing internment for a political reason, as a sop to the IRA. They have said that specifically: the Minister, who is raising his eyebrows, said that we had to move the process forward. What on earth did he mean by that? The hon. Member for Luton, South (Ms Moran) explained clearly that it had to be done to win the confidence of the nationalist community.

I sometimes wonder whether anyone is concerned about winning the confidence of the Unionist community in Northern Ireland, the people who have suffered most as a result of the violence. I do not believe that internment should be removed from the statute book, but I am not arguing that the circumstances exist in which it is likely to be used.

I do not have as much difficulty with silent video recordings as I do with audio recordings. Given the reason for introducing recordings, silent video recordings would in many ways have been better. It was argued that excessive force was being used and that people were encouraged by physical or other abuse to make statements that they would not otherwise have made. That could well have been overcome by silent video recordings.

The measure does not concern me so much that I would be greatly opposed to its introduction, but I hope that it, and the way in which it is introduced in Northern Ireland, will do nothing to make more difficult the Royal Ulster Constabulary's task of getting the information and intelligence that save lives in Northern Ireland.

In 1994, Members of Parliament had to make a judgment, as those outside will have done, about whether they considered the Provisional IRA's announcement at the end of August to amount to a cessation of violence. There are clear criteria that could have been used to make that judgment. For instance, was there any repentance on the part of the Provisional IRA for the terrorist activity in which it had been involved? Was there any sign of remorse or expression of regret? Far from it: it congratulated its so-called volunteers on the murder campaign in which they had been involved.

Did the statement contain a commitment to cease violence permanently? Of course not: it was clear that the IRA intended to use the cessation of violence simply as a means to extract concessions from the then Government, and to resume violence when the tactic was no longer of value.

There were no apologies in the statement for the victims of IRA terrorism, and it was clear from the wording that there was nothing there to convince anyone that the ceasefire was genuine and would last. I made that judgment at that stage, and the IRA's deeds thereafter could have helped anyone to make a judgment: the Provisionals continued to develop new weapons, target individuals, raise funds and recruit—all activities suggesting that they intended to restart their campaign.

The IRA once again decided to use tactically, to gain concessions, what it describes as its armed struggle. It switches it off, then on again. When it switched it off on the most recent occasion, the Secretary of State, not having learnt from the 17 months of the IRA's previous tactical cessation of violence, determined that she was much wiser than anyone else and would be able to assess within five weeks the genuineness and permanence of the ceasefire.

With a five-week timetable, it was not hard for the IRA to send its so-called volunteers on a five-week holiday; but, as sure as night follows day, the Provisional IRA campaign has started to wind up now that that time has elapsed. The Minister is deluding himself, or

[Mr. Peter Robinson]

attempting to delude us, by suggesting that the ceasefire is holding; it is fraying all round the edges, and obvious terrorist acts are taking place.

The Minister is closing his eyes to terrorism. Does he consider what is described as a punishment beating to be a terrorist act? If a gun were put at the back of his knee and his kneecap was blown off, he might consider it a breach of the ceasefire. That would, I suspect, have been the view of Tone Donnelly, a 21-year old from west Belfast, whose kneecap was blown out last night by the IRA's so-called punishment squad. We suspect that he will be permanently crippled.

That was only one of a number of beatings carried out by the provisional IRA and other paramilitary organisations. It seems that, if they do not claim responsibility, no blame is attached to them. It is not only a matter of paramilitary beatings: a man was killed in Bangor, and the security forces know that a loyalist paramilitary organisation was responsible; a man was killed only last week in Belfast, and the security forces know that the loyalist organisation responsible is associated with people who are sitting at the talks table.

How on earth can the Minister say, as he did in his opening speech, that the loyalist and IRA ceasefires are holding? They are doing nothing of the sort. The Minister is closing his eyes to obvious facts. Many of us wonder what paramilitary organisations have to do before being considered to have breached the ceasefire and the Mitchell principles. They would have to go a long way before this Government were prepared to face that reality.

The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) gave some details of a speech made by a leading member of Sinn Fein-IRA at the weekend. When Councillor Francie Molloy spoke in a pub in Cullyhanna, he thought that he was speaking to 150 of his Provo friends. What he did not know was that two journalists were in the crowd, taking a full note of what he had to say. The Minister invites us to find a transcript. I have a transcript of what Molloy said at Cullyhanna, which was taken from one of those journalists, and I will give the Minister the benefit of a few sentences from it.

Mr. Molloy said:

"Unity is our strength. We see the obstacles and try to counteract them. If we put up one finger it is a very weak and delicate piece of our bodies. But with our clinched fist it is very strong, hard to break open.

And we will be strong when we are together, united in one fist facing the British government whether it be Oglaigh na hEireann"—

my pronunciation is probably wrong, but the interpretation is "Provisional IRA", for those who are not acquainted with the Gaelic language—

"Sinn Fein, the prisoners, all of the different aspects of the struggle all contained in the one body facing the Brits and taking them on".

What does it mean if the IRA is taking on the Brits? Is that consistent with the Mitchell principles and with that party's participation in the talks process?

Mr. Molloy continues:

"This phase of negotiations may fall apart . . . And whenever that does happen then we simply go back to what we know best. But we don't go back to the same tactics we used maybe 20 years ago. We go back with new tactics, we devise new methods, new strategies and we go back again to face the Brits again in negotiations."

The phrasing is clear—if the negotiations do not work, go back to violence, soften everyone up a bit more and then go back to the negotiations. He continued:

"There's no one asking everyone to take on the role of the volunteer. Those who want, still there's certainly a role for them to play as a volunteer"

of the IRA. Clearly, he was drumming up support for the Provisional IRA, identifying himself with it and calling on it to take on the Brits, among whom I class myself.

Those actions are in contradiction of the Mitchell principles. Lest the Minister is not aware of them, principle 1 is a commitment to

"democratic and exclusively peaceful means of resolving political issues".

Another is a commitment to

"renounce for themselves, and to oppose any effort by others, to use force"—

and so forth. Clearly, Mr. Molloy's remarks were in contravention of those principles.

What does the IRA have to do, and what do Sinn Fein spokesmen have to say, for this Government to determine that they are acting contrary to the Mitchell principles? Not only are Francie Molloy's statements contrary to those, but they fall within the incitement to hatred legislation. If a Unionist had made those comments in support of a loyalist paramilitary organisation, he or she would have had a visit from the Royal Ulster Constabulary by now.

Furthermore, the comments were a breach of the local government code that Mr. Molloy was required to sign to stand for election. He is not allowed to support or approve of any terrorist organisation. His speech, from which I quoted only a few sentences, is full of approval for the Provisional IRA. It simply is not good enough for the Minister to close his eyes and pretend that all these events occurring around him have no impact on the ceasefire and the IRA's position.

I am sure that the Minister has seen in *The Irish Times* a column written by Jim Cusack, a security correspondent known to have lines into the Provisional IRA, who in the past has been able to break stories as to the IRA's thinking. This week he again indicates that IRA units in the north have been told by their leadership that the ceasefire is temporary. The Secretary of State made her decision because she was satisfied that the IRA-Sinn Fein organisation was exclusively committed to peaceful and democratic means. Have the Government any cause to doubt whether it is still of the same mind?

Finally, like many other people in Northern Ireland, I become more and more frustrated with a Government who have eyes but see not, and who have ears but hear not, things that affect so intimately the security of this nation. We wonder when they will put it to the Provisional IRA movement that it will go out of the talks process if it does not abide by the rules. I do not accept that it ever did; it was the Government who accepted it.

The criteria were set down by two Prime Ministers. They said that anyone participating in constitutional negotiations had to be exclusively committed to peaceful and democratic means. Are the Government telling us that they have a different yardstick against which they will judge the participation of Sinn Fein-IRA? For, if the same judgment is to be made, I await the Government's response on the issues that I have raised tonight, and on

other issues of which they are well aware, involving the IRA's participation in acts of violence at present in Northern Ireland.

7.55 pm

Mr. Malcolm Moss (North-East Cambridgeshire): We have had a typically robust and wide debate, ranging from the potential university campus in west Belfast to fringe meetings at Conservative party conferences, with due respect to my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark).

A number of important questions have been put to the Minister, covering all aspects of security policy and dealing with the peace process. I am sure that the Minister who is to reply will be delighted that he has two hours in which to do full justice to all those pertinent questions. I shall deal with some of the points made, but in a moment.

This has also been an extremely timely debate, because, if the reports are to be believed, the process could be entering a crucial phase. Of course, I am referring to the widespread newspaper reports of splits within the republican movement—Sinn Fein and the IRA—over future strategy. Sinn Fein now seems to be playing down what appears to be a number of high-level resignations from its organisation in recent days.

If the reports are true, they are disturbing, to say the least, as indeed are the remarks made at the weekend by the leading Sinn Fein councillor and reputed moderate party strategist, Francie Molloy. The hon. Members for Fermanagh and South Tyrone (Mr. Maginnis) and for Belfast, East (Mr. Robinson) made that point. Molloy's comments, which were no doubt intended to reassure republican activists, were full of bellicose and ritualistic anti-British venom. They certainly sit oddly by the side of his party's professed commitment to the Mitchell principles of democracy and non-violence—another point made clearly and eloquently by the hon. Member for Belfast, East.

Let us remind ourselves of what Mr. Molloy said, which was printed in *The Daily Telegraph* on Monday 17 November. He stated:

"This phase of negotiations may fall apart, it may not succeed. And whenever that does happen then we simply go back to what we know best."

Most hon. Members present will have their own ideas as to what precisely Sinn Fein-IRA does best.

Like the Government, we hope that Sinn Fein's commitment to the democratic process is not in doubt; but such comments hardly inspire the sort of confidence—not least among the other parties participating in the talks process—that will be necessary if those talks are to be successful. Sinn Fein-IRA needs to be clear about one thing: a commitment to democracy and non-violence is not a flexible principle, to be adopted one day and discarded the next when things are not going the way they want. If we are to take Sinn Fein at its word when it professes its democratic credentials, the sort of language used at the weekend has no place and we should have no more of such ambivalence. I trust that the Government will continue to monitor closely such statements.

The comments serve as a welcome reminder to the House of the necessity of renewing the emergency provisions for a further two years, and they totally vindicate the Opposition's approach to the Government's proposed changes, especially the dropping of the power of internment. That approach is based on a hard-headed assessment of the realities of the current situation in Northern Ireland, and, as my hon. Friend the Member for Bracknell (Mr. MacKay) said, we have been here before, only to see the hopes for a lasting peace cruelly dashed. Like all hon. Members, we hope that Sinn Fein has ceased to be an apologist for violence, but we require a good deal more evidence of its democratic intentions and credentials before we can support a weakening of the powers contained in the legislation.

Nothing more graphically illustrates the capacity of Sinn Fein-IRA to split than the events of recent days. It is an enduring feature of violent Irish republicanism—indeed, of paramilitary groups from across the community. By seeking to discard the power of internment today, the Government are being over-hasty and potentially reckless, as my hon. Friend the Member for Basingstoke (Mr. Hunter) ably pointed out. For the sake of all the people of Northern Ireland, I hope that the Government do not come to regret their action.

Our other concern is the significant increase in the number of scheduled offences that will become eligible for certifying out, for the reasons set out by my hon. Friend the Member for Bracknell. I know that the Minister of State is on slightly uncomfortable territory here, as it was only in March this year, during the renewal debate on the 1996 Act, that he argued for the system to be changed to one of certifying in. The hon. Member for Hull, North (Mr. McNamara) embarrassed Ministers by pointing out that that was Labour party policy when in opposition, and he made a strong case for the change to certifying in.

Judging from the *Hansard* in front of me, the Under-Secretary, who is to reply to the debate, also made an eloquent case for that policy. When he winds up, I hope that he will explain the change to the House in a way that we can understand, because the Minister of State did not convince me, or the hon. Member for Hull, North, that the reasons for the policy change were valid. We look forward to a full explanation why, within the space of some six or seven months, Labour party policy on certifying out or certifying in has effectively done a U-turn. We welcome that change of heart and hope that Ministers will continue to support the policy as and when the review of the prevention of terrorism Act and associated legislation takes place, some time next year.

I shall now pick up on some of the contributions with which I concur and I hope the Minister will give full answers to hon. Members in his winding-up speech. Several hon. Members sought an assurance that the Government will not seek to appeal over the heads of the political parties for a solution in Northern Ireland; and that consent, as it applies to the second element of the triple lock, means the people of Northern Ireland alone. We also seek an assurance that any measures to ease security on the ground should be taken only following the closest consultation with the General Officer Commanding and the Chief Constable.

Why do the Government consider it necessary to amend the Act in such a way now, especially in the light of the Home Secretary's announcement of the review of all the anti-terrorist legislation in the new year? It is only six or seven months since the previous Government brought this legislation to the House, so we are interested in learning

[Mr. Malcolm Moss]

why the current Government have seen fit to introduce changes at this early date—bearing in mind that there is a full review in process and some of the matters being debated could have waited until the new year. Finally, on the question of scheduled offences through the Diplock procedure, can the Minister tell us how many charges have been brought under any of those offences in recent years, other than those that are specifically terrorist-related?

Northern Ireland does not yet enjoy a permanent and lasting peace. We wish the Government well in their efforts, through the talks process, to secure those objectives. As long as they respect the fundamental principles for a settlement that have been negotiated over several years between successive British and Irish Governments and the Northern Ireland parties, they will enjoy our support. The most fundamental of those principles is consent: nothing must be implemented that contravenes that principle—of that, there can be no room for doubt.

In the event of a settlement and a lasting peace, it might be that the emergency provisions could be relaxed, although we believe that there would still be a strong case for permanent anti-terrorist legislation to remain on the statute book. We are, regrettably, far from that point today, for all the reasons stated by my hon. Friends and me. Despite our grave doubts about the Government's wisdom in removing the power of internment, we shall not—unlike the Labour party in opposition—use that as an excuse to play party politics. The issues at stake and the legislation itself are too important for that, so we have no hesitation in supporting the Government tonight.

8.6 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Tony Worthington): I listened with great interest to the debate, as I have retained a special interest in the emergency legislation. I regret that the hon. Member for Newry and Armagh (Mr. Mallon) is not in the Chamber—he has put in his apology for being absent due to other engagements. He, my hon. Friend the Member for Wigan (Mr. Stott) and I hope that this is the last time the House will be involved in a Second Reading of an emergency provisions Act.

The debate has been long and, as the hon. Member for North-East Cambridgeshire (Mr. Moss) described it, robust, which is consistent with past experience of these matters. I am grateful to all hon. Members who have spoken, expressed their view and contributed to the debate. I shall respond to as many points as possible, but I am sure that hon. Members will forgive me for replying only to the matters that are relevant to the Bill and thus imposing a discipline on myself that not all hon. Members applied.

Many hon. Members correctly identified the key matter as the removal of internment from British legislation. The hon. Member for Bracknell (Mr. MacKay) referred to that as merely token politics. That legislation that is deeply disturbing to everyone with any concern about human rights should be regarded as token politics is worrying. Internment is a matter of considerable importance.

Let me remind hon. Members what internment means: it involves a decision by the Government to deprive individuals of their liberty, without trial and without the normal safeguards which the law provides for the protection of the accused. Hon. Members frequently said that we must not surrender to violence, but it is possible to interpret internment as a surrender to violence, because it involves using the methods of violence to deprive people of their liberty without the safeguards of courts of law. That is why it is so offensive. It has never been a means of achieving stability in the community. If we were to use it, the effect would be quite the reverse.

I was again disturbed by the hon. Member for Bracknell asking why we are removing internment now and his suggestion that, if minority groups became involved in violence after a settlement, it would be time to apply internment. That seemed to be the implication of his remarks. I cannot think of a means by which violence would more surely return than the introduction of internment in those circumstances.

It is worth remembering Lord Colville's review of the Act in 1990. He identified and discussed in some detail the difficulties associated with the operation of internment and its repercussions on the nationalist community. He noted that perhaps the most sinister by-product was the tendency to strengthen terrorist networks and to increase hostility and criminal skills among those detained, and that it served significantly to undermine respect for the law and the judicial process.

We must take seriously the international community's perception of internment. It is important to establish our democratic and law-abiding credentials in this firm way. I was pleased by the praise of Labour Members for our having taken the first possible opportunity to honour our commitment in opposition to remove internment from the Act. That is an important statement of political principle that does honour to this Government and to this country.

Several hon. Members mentioned audio and video recording. My hon. Friend the Member for Greenock and Inverclyde (Mr. Godman) asked about the delay in introducing silent video recording. I am pleased to say that it is now being done at Castlereagh. I cannot answer for the delay that occurred before 1 May, but one reason for the delay since is that we knew that we were going to introduce audio recording as well. It was important to ensure that the systems that we introduced would be compatible. It is more complicated than it sounds, because there has to be a code of practice and staff must be trained. We stated in opposition that we would bring in audio recording, which introduces a new element into procedures.

Mr. Godman: I am grateful to my hon. Friend for his response to my intervention. My point is that the audio recording system should be introduced long before 2000, although I admit that the introduction of such technology is complicated, as we know from our Scottish experience.

Mr. Worthington: We are moving ahead on this. Audio recording will also be an important step forward for the forces of security and justice. One of the most compelling arguments was made by Mr. Justice Kerr in the case of the Ballymurphy Seven when he said:

"it is my confident opinion that had"

audio recording

"been available, this trial could have been completed comfortably within a few weeks instead of the 16 months that it occupied."

That would not only have saved money but dealt with any specious arguments used against the security forces. It is a safeguard for both sides, and I was surprised that the previous Government did not take that step.

Let me move on to the tangled subject of scheduling, certifying in and certifying out, in which my hon. Friend the Member for Hull, North (Mr. McNamara) has taken his PhD. All Labour Members agree that it would be most desirable to get away from the Diplock system. We would like to introduce normal law in normal circumstances, and that includes trial by jury. The Government should be given credit for adding to the number of offences that the Attorney-General may certify out at his discretion. That represents a significant move towards reducing the number of potential cases to be tried before Diplock courts.

As I know from when I led for the Opposition in Committee, we have always argued that it is not feasible to move with a big bang from a Diplock system to a non-Diplock system. We are moving gradually. Under the Bill, the Secretary of State will at any time be able by making an order to take a collection of offences out of the Diplock procedure.

Mr. McNamara: My hon. Friend said that this change would be "significant". My hon. Friend the Member for East Kilbride (Mr. Ingram), in a reply that I received today, said:

"It is not possible to predict the number of cases which will be heard before a jury as a result of the proposed changes. It will be for my right hon. and learned Friend the Attorney-General to determine, on the merits of each individual case before him, whether or not to certify it out."

We do not know whether this is a significant or insignificant step. It would be significant if we went to certifying in.

Mr. Worthington: If I heard my hon. Friend correctly, he asked me to do the impossible: to predict the number of cases that will be affected. I cannot do that, because I do not know what offences will be committed. I give credit to the previous Government—this was raised by the hon. Member for Newry and Armagh—for having achieved some progress towards normalisation: 85 per cent. of the cases that would qualify for scheduling are now taken under normal court procedure.

Hon. Members are correct to say that, in opposition, we said that we wanted to certify in rather than certify out. The hon. Member for North-East Cambridgeshire is very alert and can read *Hansard*. He knows that I made that statement in opposition. Since then, we have consulted on the matter and the Attorney-General has pointed out that it might be regarded as invidious if he had to certify in. As the prosecuting authority, he would be in the position of denying particular defendants trial by jury.

Mr. McNamara: We have that already.

Mr. Worthington: With respect, it is not the same. If we pass the Bill, the decision about normality—we all regret this law in a way—would be that of the House, not the prosecuting authority. The Attorney-General has reasonably said that it would look invidious if the decision to deny someone a trial by jury was explicitly his, as the prosecuting authority.

Mr. McNamara: With the greatest respect to my hon. Friend, it is a specific responsibility of the Attorney-General to give a person a trial by jury under the exceptions that he is laying down, so the position has not changed at all.

Mr. Worthington: I have explained the point, and I believe that I have made it clear. It is a question of balance, and I believe that my hon. Friend and I would agree that the key is that, by whatever method, we are moving towards normality, and each year a smaller proportion of cases is held under Diplock procedure. That is the key factor, which we should receive credit for.

My hon. Friend the Member for Greenock and Inverclyde raised the issue of legal advice. He said that, as one of the "normal suspects", he had been approached by the Committee for the Administration of Justice on that matter. I have ceased to be one of the "normal suspects" so I have not received the correspondence from the Committee for the Administration of Justice that he has received.

I cannot give a full answer to his point now. If the number of cases in which legal advice has been deferred has increased, the increase may or may not be significant. The number of such cases is now very small and information on the nature of each case will help us to understand whether the change is significant. As those figures were not drawn to my attention, I cannot give a full answer at present, but I undertake that a letter will be sent to my hon. Friend.

The hon. Member for Basingstoke (Mr. Hunter) asked about clause 4, in which there was a point that he could not understand. It is simply an amendment of an oversight in the current Act, regarding silent video recordings of police interviews at holding centres. Occasionally, the police require to interview at a holding centre a person who is in custody in the care of the prison authorities, and also occasionally a magistrate may order a person to be produced to a holding centre for questioning. In such cases, arrest and detention will not have been under the PTA. The clause will ensure that such interviews are recorded on silent video in the same way as other interviews conducted in the holding centres. I hope that that is clear to the hon. Member for Basingstoke, if to no one else.

The hon. Member for Montgomeryshire (Mr. Öpik) mentioned the John Murray case. There has been a long period of consideration because it is an extremely complicated case, raising issues regarding the treatment of suspects under emergency and criminal law. The European Commission of Human Rights judgment has required very wide consultation within Government, but I can give the undertaking that the Home Secretary has written to colleagues and responses are being gathered on this matter at present.

In closing tonight's debate, I ask hon. Members to view the Bill, not in isolation, but in its wider context. The Bill aims to provide a proportionate response to the terrorist threat, so it must be reviewed against the background of the prevailing security and political scene. There has been much discussion of that tonight and I do not intend to rehearse that, but I say by way of summary that, although we are encouraged by the progress that has been made in the talks, and although terrorist groups maintain their ceasefires, we are profoundly conscious of the fact that other such groups, such as the Continuity Army Council, the Irish National Liberation Army and the Loyalist Volunteer Force, have not called ceasefires.

That means that the people of Northern Ireland, the Government and the security forces who protect us all cannot drop their guard. Only a few weeks ago, on 16 September, a 400 lb bomb exploded in Markethill in the vicinity of a primary school, a police station and a

[Mr. Worthington]

cattle market, causing serious damage. My hon. Friend the Minister of State spoke of the great damage that might have occurred in the motor tax office in Derry.

Postal bombs have been sent to several Unionist Members, civil servants in the Anglo-Irish Secretariat have been told to resign or become legitimate targets, and last week a device capable of exploding was sent to the Conservative party offices in Bangor, County Down. All that is evidence, which we do not ignore, of the aim and ability of some groups to continue to cause disruption and destruction. We are determined that those who are engaged in such vile activities shall be pursued under law, and the renewal for a further two years of the main provisions of the EPA will allow that to happen.

That brings me to the Government's longer-term plans and the wider context in which the Bill must be viewed. It is an interim measure, pending the introduction of permanent legislation for which I believe that the Government should get credit, because what we promised we will deliver. The permanent legislation will be sufficiently flexible to take account of any continuing threat from terrorism in connection with the affairs of Northern Ireland and to take account of the current and future threat from international terrorist groups.

Mr. Maginnis *rose—*

Mr. Worthington: In bringing the Bill before the House, the Government are acting to ensure that the security forces and the criminal justice system in Northern Ireland can continue after August 1998 to deal effectively with terrorism and we are acting to correct inherent flaws in the existing provisions. I believe that we all gain from correcting those flaws. In terms of the ability to counter terrorism, nothing is lost and much is gained as a result of the Bill, which I commend to the House.

Mr. Maginnis *rose—*

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to the Standing Order No. 63 (Committal of Bills).

NORTHERN IRELAND (EMERGENCY PROVISIONS) BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Northern Ireland (Emergency Provisions) Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenses of the Secretary of State by virtue of that Act.—*[Mr. Pope.]*

Question agreed to.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

HOUSING (SCOTLAND)

That the draft Homeless Persons (Priority Need) (Scotland) Order 1997, which was laid before this House on 31st July, be approved.

VALUE ADDED TAX

That the Value Added Tax (Payments on Account) (Appeals) Order 1997 (S.I., 1997, No. 2542), dated 27th October 1997, a copy of which was laid before this House on 27th October, be approved.

FINANCIAL SERVICES

That the Financial Services Act 1986 (Extension of Scope of Act) Order 1997 (S.I., 1997, No. 2543), dated 27th October 1997, a copy of which was laid before this House on 27th October, be approved.

SUMMER TIME

That an humble Address be presented to Her Majesty, praying that the Summer Time Order 1997 be made in the form of the draft laid before this House on 27th October.

MERCHANT SHIPPING

That the draft General Lighthouse Authorities (Beacons: Maritime Differential Correction Systems) Order 1997, which was laid before this House on 28th October, be approved.

PUBLIC HEALTH

That the Food Protection (Emergency Prohibitions) (Dounreay Nuclear Establishment) Order 1997 (S.I., 1997, No. 2622), dated 29th October 1997, which was laid before this House on 31st October, be approved.—*[Mr. Pope.]*

Question agreed to.

Mr. Maginnis: On a point of order, Mr. Deputy Speaker. I do not know whether you were aware that the Minister, when he responded to the debate with an hour and a half left to go, deliberately ignored those Members who speak on behalf of constituencies in Northern Ireland. He responded to every other hon. Member who had spoken, but deliberately ignored two Unionists representing Northern Ireland. There may be little that you can do about it, Mr. Deputy Speaker, but I should have thought that, as a matter of courtesy, the Minister might have accorded some recognition to the fact that we have sat in the House all afternoon.

Mr. McNamara: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I am dealing with that point of order.

Mr. McNamara: Further to that point of order, Mr. Deputy Speaker. I think that, after the way that I behaved today, I should come to the defence of Ministers and say that I heard my hon. Friend the Minister, in summing up, say specifically that he was not going to refer to some of the matters that were raised by the hon. Gentlemen, so they may not have had the answer they wanted, but they were certainly referred to.

Mr. Deputy Speaker: The way in which Ministers respond to debates is not a matter for the Chair.

NHS (North Essex)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pope.]*

8.28 pm

Mr. Simon Burns (West Chelmsford): I am delighted to have the opportunity to discuss the situation in the health service in north Essex, particularly in my constituency in the mid-Essex part of north Essex.

My constituents and I are justifiably proud of the fantastic health service that we have in mid-Essex. More than 60 per cent. of patients are members of fundholding practices. There are two main hospitals in my constituency—St. John's hospital and Broomfield hospital—which are staffed by excellent consultants, doctors and nurses, as well as some very good administrators who try to streamline their operations so that the maximum amount of money available can be spent on providing health care to my constituents rather than on excessive bureaucracy. The way in which all those staff look after my constituents is second to none, and deserves the highest commendation.

Over the past 10 years, we have witnessed the provision of successful health care and improvements in the services available to my constituents. Until the past decade or so, far too many of my constituents and others in north Essex had to travel to London or up to Addenbrooke's in Cambridge for specialist services. That obviously caused discomfort, not to mention expense, to the patients who had to travel for treatment, and to their family and friends who wanted to visit them while they were receiving treatment.

In the past 10 years, a plethora of enhanced services and new services has come to Broomfield hospital in particular so as to minimise that movement of patients down to London or outside the region for specialist care. The nationally famous burns and plastic surgery unit is being transferred from St. Andrew's in Billericay to Broomfield in Chelmsford—a move brought about not by cuts or financial considerations, but because it is such a centre of excellence that the site at St. Andrew's in Billericay was too small and the unit needed to move to a green-field site within the Broomfield hospital area to carry on its fantastic work in new premises.

I was particularly pleased about that decision, because there was at one time a possibility that the unit would not stay within the north Essex area, but would be transferred to the M25 area towards London, which I would have regarded as a retrograde step. In the past five years, as a logical flow-through of the reforms in the health service in London, more and more services have been coming locally to areas such as north Essex to serve its growing population.

We have benefited from enhanced cancer services in Chelmsford and in the constituency of my hon. Friend the Member for North Essex (Mr. Jenkin). There has been an improvement in breast cancer screening. The clinic in Chelmsford closed down for a few months last year, not for financial reasons, but because a member of staff resigned and another qualified member of staff could not be found immediately. The clinic has now reopened with an enhanced service, larger space and more staff to look after females in my constituency who need that important specialist care.

[Mr. Simon Burns]

There has been an improvement in orthopaedics in the area. We now have our own kidney dialysis unit, thanks to the generosity of the people of mid-Essex who, through the work of Dr. Mike Weston, raised the funds to build the kidney unit which is now being run as part of the costs of the Mid-Essex Hospital Services NHS trust for the benefit of my constituents. No longer do they have to go elsewhere for kidney dialysis; they can receive treatment on the premises, close to their homes.

I am pleased to say that mental health care has also been greatly enhanced, with the building of the Linden centre on the site of Broomfield hospital, providing state-of-the-art premises with one or two secure rooms for patients who need to be looked after in more secure circumstances, rather than the old Victorian buildings that we associated with mental health care until recently.

St. John's hospital in my constituency offers primarily, although not exclusively, geriatric care, maternity care and children's services. The children's unit has been modernised, partly through the generosity of local people who raised funds a few years ago with the help of a campaign run by the local newspaper, the *Essex Chronicle*. Geriatric care has also been enhanced. Maternity care in the hospital is extremely good, although I am sad to have to report to the House that far too many of my constituents still complain that, despite the excellent medical care they receive when they go in to have their babies, the food at the hospital is bad. We should be able to improve the quality of food served in hospitals.

As a result of all those improvements, the service is vibrant. I am not so blinkered as to say that everything is 100 per cent. perfect. Clearly, in any service, especially one as sensitive as health care, where many thousands of patients—in-patients and out-patients—are treated every day of the year, there will be some problems and some mistakes. North Essex is not immune to that, but there is no point in harping on about the few problems that occur in such a service when, as a whole, the health care, it provides is excellent.

Regardless of whether there is a Conservative Government or a Labour Government, the occasional problem will arise and mistakes will be made, but they must be seen in the context of the vast majority of patients who receive first-rate treatment and care.

Of course, all the services cost money. Before the reforms and the establishment of the North Essex health authority, there was a serious problem in mid-Essex. Under the old North East Thames regional health authority, the Government of the day gave the regional health authority X hundred million pounds a year to distribute to the districts in its region.

It was not the Government, but the regional health authority, that determined how much money the district health authority received. That difficulty was compounded by the problems of the resource allocation working party system introduced in the late 1970s, which ran until the early 1990s. As a gross generalisation, it could be said that an affluent area with a rapidly expanding population was linked into a regional health authority with an area such as the east end of London, which had a falling population, social problems and problems of urban deprivation that do not occur in mid or north Essex.

Under the operation of RAWP, the east end of London, with a falling population, received a disproportionate amount of the funding each year from the North East Thames regional health authority compared with the Essex end of the region, which over the years had a significant impact on the level of funding for mid and north Essex. As long as that system operated, there was no way for them to catch up. There was a ratchet effect, and RAWP dictated how the money was be distributed.

Mr. Bernard Jenkin (North Essex): I hope that I am not interrupting the detail of my hon. Friend's speech, but the situation was worse than he has described. Under RAWP, resources were allocated disproportionately to London health districts and, at the same time, money was allocated from the Thames region to other areas of the United Kingdom that had historically been underfunded. The home counties suffered a double whammy: money was squeezed from us and allocated to London, and money was squeezed from the Thames region generally. As a result, we were, by any standards, underfunded.

Mr. Burns: I am extremely grateful to my hon. Friend who, with his usual perspicacity, has anticipated my next point. He is absolutely right: it was a double whammy.

The situation improved in the early 1990s, when RAWP was removed and a new formula was introduced. In its dying days, the North East Thames regional health authority had the decency to admit, after many years of denial, that north Essex had suffered as a result of its distribution of Government money. From about 1993–94, the change brought genuine benefits to areas such as mid-Essex and to the constituencies of my hon. Friends the Members for Maldon and East Chelmsford (Mr. Whittingdale) and for North Essex, and to that of the hon. Member for Braintree (Mr. Hurst) and his predecessor, Lord Newton.

The new formula took into account areas with rising populations and the number of people in the district. In 1993, my hon. Friends the Members for Maldon and East Chelmsford, and for North Essex, and the former right hon. Member for Braintree, and I went to see the then Secretary of State, my right hon. Friend the Member for South–West Surrey (Mrs. Bottomley). We explained, yet again, the problems that our areas suffered as a result of RAWP. My right hon. Friend gave a commitment that she would ensure that, as the reforms came through, areas such as mid and north Essex would begin to make up funding and narrow the gap between the money they actually received and what they would receive if the money were distributed differently.

To her credit, my right hon. Friend and her successors in the Department of Health delivered on that promise. North Essex has done extremely well in the past four financial years. The level of funding reflected the historic problems in our area—the government of the day made no bones about that. Year after year, we received significant increases in health funding over and above the rate of inflation. The gap narrowed and extra money was spent on the provision of patient care—the purpose for which it is intended.

The Government have just announced the funding allocations for next year. It does politicians no good to pick holes for the sake of it, so I say at the outset that we welcome the extra money that will be provided for health

care in north Essex next year. North Essex will receive £14 million, or 5.01 per cent. That is a real funding increase—given that the Government are using 2.75 per cent. as the inflation indicator—of 2.25 per cent. I hope that my maths is correct.

Mr. Greg Pope (Hyndburn): It is 2.26 per cent.

Mr. Burns: I am grateful to the hon. Gentleman for his assistance.

It would be churlish and foolish to criticise that allocation—and I have no intention of doing so. The least one can do is recognise the assistance that is being provided.

However, that does not mean that I am 100 per cent. happy with the situation. I shall not spoil my speech by beginning to carp, but I know the Minister is aware—his capable civil servants will have briefed him before the debate—that the Government have changed the formula for 1998–99. It has not changed radically—perhaps one could say that the Government have tweaked the formula. The change was forecast in a written answer to me on 8 July this year, and I was told that it would probably occur in time for 1998-99, so it comes as no surprise.

The tweaking of the formula has altered the change in needs formula and reduced the number of pay zones. That impacts on the amount of money that north Essex will receive next year. The situation is horrendously complicated, and the Minister can rest assured that I shall not rehearse the minutiae of the funding formula and its operation, which is open to interpretation. The bottom line is that if the formula had not been tweaked this year and we had used the present formula, the North Essex health authority tells me that we would have received £1.2 million more. That money will now go to East London and The City health authority.

I do not want the debate to degenerate into a party political slanging match, but I ask the Minister, in all seriousness, to re-examine the changes that have been made to the formula. It would be unrealistic to expect the Minister to look at the operation of the formula next year and revisit those allocations. The Government have changed the formula, calculated the allocations to health authorities and announced those sums.

The Minister may argue, with some justification, that we are talking about a relatively small amount—it is small in monetary terms, but not so small in terms of health care provision next year—but if the formula continues on the same basis beyond 1999, the cumulative effect over several years could be a widening discrepancy. That is why I ask the Minister—he does not have to commit himself tonight to a final decision—to reconsider the tweaking of the formula for 1998–99 to see whether any improvements can be made in future.

The Broomfield hospital and the Mid-Essex Hospital Services NHS trust had a terrible problem last year and the year before over the thorny and difficult question of bed blocking. From my own experience, up to 1 May we heard the same old arguments: social services blamed the health trust or health authority, and the health trust or health authority blamed social services. In all too many cases, they were waiting to see who blinked first, as the one to blink first would probably pick up the bill.

It has been a problem for many years. The Department of Health is extremely concerned about it and a number of measures have been taken in the past two years to get social services and health authorities to work closer together from the top down, but particularly lower down, so that there are no territorial battles, petty jealousies and so on and so that they do not try to avoid responsibility for taking decisions.

We had a serious problem. It has not gone away. The last figures that I have seen for bed blocking at Broomfield hospital is 91 beds. That is significantly more, if my memory is correct, than this time last year, when I think the figure was about 60.

The Government announced—late last week, I think—that there is an extra £300 million, which is being distributed to the health authorities and social services to help solve the problem and any crisis during the winter months. I am delighted to see that they are following the example of my right hon. Friend the Member for Charnwood (Mr. Dorrell) who, as Secretary of State for Health this time last year, and in February of this year, also provided extra money to help overcome problems with the winter crisis and bed blocking. We welcome the money that the Government have allocated to the health authority and to social services in north Essex. I genuinely hope that it helps to deal with the problems that could arise during the winter.

All of us are, of course, totally in the dark as to the extent of any problem, because by definition we do not know what the weather will be like over the next four months. I remember that the colder and more difficult it gets, the more strains and pressures are put on the health service and that a large proportion of the people affected are elderly. We welcome the money.

I shall appreciate it if the Minister will at least look at the formula again to see whether anything can be done in subsequent years to avoid the recurrence of a problem that we thought we had got rid of in 1993–94 but which seems to be coming back.

8.52 pm

Mr. Alan Hurst (Braintree): I am most grateful to the hon. Member for West Chelmsford (Mr. Burns) for securing this debate on a subject of great interest to hon. Members who represent the northern part of the county of Essex. I am also grateful to him for his historical sweep and panorama of the history of health services in the county and his skill with the abacus when trying to ascertain the precise financial calculations. It is a matter that bedevils hon. Members from north Essex.

The Government have made more funds available for the health service in north Essex. A very substantial sum, as the hon. Gentleman said, has been made available this winter to deal with what is crudely called bed blocking. That sum is now available. Indeed, very large sums are available for the coming year. The figure that I have in mind is £17.5 million for north Essex. In growth terms, £7.8 million is available for north Essex. I do not have the advantage of the instant mental arithmetic necessary to say whether those figures are right or wrong, but I am advised that they are correct.

Whatever the precise situation, the sums are very much greater than what was envisaged. Notwithstanding that, the health authority has initiated a consultation exercise entitled "Taking the Initiative". Unfortunately, many of my constituents regard that as a misnomer. The term that they would use is taking the mickey—not out of any

[Mr. Alan Hurst]

disrespect whatever for the health authority or the trusts. Up to the early part of this year, we were told that everything in the garden was rosy.

Further south than the area represented by the hon. Member for Colchester (Mr. Russell) and my hon. Friend the Member for Harwich (Mr. Henderson), things might be somewhat rosier. Indeed, the Mid-Essex Hospital Services NHS trust has spent very large sums on extending, to a very high standard—for which it is to be credited—the hospital at Broomfield. That hospital is on the north-west side of Chelmsford and is not in the Braintree, Colchester or Harwich constituencies. As a consequence, those who live in Braintree, or, indeed, other places, are now expected to go to Broomfield rather than their local hospitals. They have a much greater burden on them.

I am particularly concerned, as I represent Braintree. We have three hospitals, but one of them, Black Notley hospital, was marked for closure long before the present Government came to office. That hospital carried out elective surgery to a very high standard and was enormously popular but, unfortunately, many in my area would concede that the battle is lost. The document "Taking the Initiative" proposes that the health authority considers representations from the trust to close the remaining two hospitals—St. Michael's and, with great insensitivity, the William Julian Courtauld hospital.

The name Courtauld is probably known way beyond the confines of north Essex. The Courtauld family were very large weavers and millers in the towns of Braintree, Halstead and elsewhere up to the 1960s. They were very large employers of labour and were great benefactors to the town of Braintree. After the first world war, William Julian Courtauld donated the site, at the very least, of the William Julian Courtauld hospital. Thereafter, as I am advised by those more senior than I in the town of Braintree, the rest of the money was raised by public subscription pound for pound between the Courtaulds and those who worked for them. Hence the name William Julian Courtauld hospital.

Over the years, the William Julian Courtauld hospital has stood the town in very good stead indeed. At one time, operations and all manner of medical procedures were carried out there. It is right to say that the scope is more limited now, but many would say that it is probably one of the finest non-acute maternity hospitals in the county. Mothers who have had their children there will endlessly speak well of it, and will vehemently oppose its closure on that ground alone. What is even more ironic is that, at the beginning of this year, the Mid-Essex Hospital Services NHS trust, which now says that it cannot possibly afford to keep any of these hospitals open, spent £360,000 on the William Julian Courtauld hospital on improvements and renovations. That is less than nine months ago from the moment we speak.

The new extension was opened—proudly, with a fanfare—by the high sheriff of the county. The ceremony was attended by my predecessor, now Lord Newton. Only a few months later, however, the same health trust brought out "Taking the Initiative"—as it called it; the initiative was to close that very hospital.

I think that hon. Members can imagine the horror with which the move was regarded in Braintree. I am sure that my hon. Friend the Member for Harwich will say similar things about what is proposed in Clacton. Very large public meetings have already been held in Braintree, in which the health trust has had to face its accusers—its accusers, of course, being the patients and people of Braintree.

I give the trust full marks for the courage and fortitude that enabled it to stand before 600 or 700 people, all of one mind, who say that hospitals in Braintree should be retained and people in that town should not be sent down to Broomfield—however wonderful it is—for everything that they need to go there for. Strangely enough, in the smaller print of the document that the trust chose to call "Taking the Initiative", further cuts are proposed in the transport provisions that the trust will provide.

Braintree is not a wealthy town. Many of those who live in adjoining areas inhabit small villages. Travelling to Broomfield is not an easy ride unless the traveller has a car. Travel by public transport is an expensive and time-consuming business. That will place further strain on, frequently, an elderly relative, if that person's husband or wife is in hospital recuperating after an operation.

It is accepted that serious operations will need to take place in Broomfield, but there is a great need for recuperation beds in patients' own towns and close to where they can be visited by their relatives. I say this on no medical authority and I am sure that it is not in Gray's "Anatomy", but I have no doubt that those who are close to home, visited daily by uncomplaining relatives, may mend that much faster than those who are in a strange place where their relatives are tired and irritated because the bus did not arrive or it was raining on the journey. I believe that there is a very good case—especially given the extra money that the Minister has provided for Essex—for the present services in Braintree to be retained.

Finally, I shall make a broader point that emerges from tonight's debate. It relates to the local administration of health services in the county of Essex and, I suspect, in the country as a whole. On 1 May, a different Administration were elected. I make no political point about that, but one of the crucial features of the programme of that new Administration was extra provision for health.

My colleagues in the Department have made large amounts of money available for health, but that money is now being administered by non-elected bodies, usually composed of people who are not naturally of a progressive persuasion in politics, advised by officers who may also not necessarily be of that view. There is therefore a danger that, unwittingly—I am sure that there is no deliberate intent on the part of those who serve on health trusts—such people will come into conflict with the Government.

As could be imagined, the health trust sought to justify the draconian closures that it initially proposed. It is fair to say that it has now backed off and proposes to close only one unit, although that involves taking away most of the services. It said, "We did not really mean to close them all to begin with"—but it is there in scripture: it is there in the document, for all to see.

The fear is that the trust is justifying what appears to be an absurdity. The more money it is given, the more closures must follow. It will say, "Look to your Member of Parliament to explain the answer; ask the Government why it is," but it is the Government who are providing the money and the services.

We should think long and hard about the future administration of health locally, and the trusts should be accountable not only to the Government who provide money, but to the residents whose wishes and needs they are there to serve.

9.3 pm

Mr. Bernard Jenkin (North Essex): I hope that unelected individuals who have worked long and hard for the health service will win the trust of the hon. Member for Braintree (Mr. Hurst). I realise that he may have found the early months of this Parliament somewhat bruising, given the prospect of so much change in the health service in his constituency. He laments the fact that unelected individuals may come into conflict with the Government, but that seems to show that individuals appointed by whatever party are doing their job to the best of their ability. The usual criticism of appointed individuals is that they are never prepared to come into conflict with the Government, who appointed them.

I notice a little conundrum in the hon. Gentleman's criticism, and I reiterate that people in health authorities and those who run trusts are doing a good job. They are working extremely hard for the health service, and in some respects are the unsung heroes. It is easy to pay tribute to nurses, doctors and consultants, but it is more difficult to pay tribute to administrators. They get the flak: they are down with politicians, journalists, estate agents and ad men in the public's esteem. I suggest tentatively that politicians have lumbered them with this job, so we should be grateful to them.

In particular, I should like to pay tribute to Nigel Offen, the chief executive of Essex Rivers Healthcare trust. He suffers the indignities of being in public life and is subject to public scrutiny. If he were in the private sector, he would command a considerably higher salary. He is committed to public service, and he deserves more public support from us than he gets, although I am not criticising the hon. Member for Braintree for that.

I congratulate my hon. Friend the Member for West Chelmsford (Mr. Burns) on securing this debate. It is a luxury to have such a long time to debate the north Essex health service. I pay tribute to him, because he has brought to the Chamber not only the Minister, but my hon. Friend the Member for Maldon and East Chelmsford (Mr. Whittingdale), and the hon. Members for Braintree, for Harwich (Mr. Henderson) and for Colchester (Mr. Russell). This is where decisions are made, and where it matters.

I have been critical of one or two of our Essex colleagues for attacking those who are carrying out the decisions that are made by the House instead of bringing their complaints to the Chamber. I am pleased to see that so many Essex colleagues are present, so I withdraw that criticism. They are showing their commitment to the proper political process.

Mr. Ivan Henderson (Harwich): One of my criticisms of North Essex health authority concerns its finances. Its draft business plan of October 1996 showed uncommitted capital for 1997–98, but all of a sudden it was £6 million in debt. It should have shown more expertise in forward planning, and should not have left it until six months later to decide that it was £6 million in debt. I have asked the Minister's Department to look into that issue, because it worries my constituents. As a result of that deficit, a review of my two local hospitals was started last April. Questions need to be asked, and we deserve answers from the health authority.

Mr. Jenkin: The hon. Gentleman is entitled to answers, but I am confident that, if he speaks to North Essex health authority or to the health trusts in his constituency, he will get those answers.

One of the features of NHS finance about which the Labour party was a little unsympathetic, if I can put it that way, was that NHS finance is extremely difficult to manage. One of the reasons why North Essex health authority has regularly had deficits is that Essex Rivers Healthcare hospital—the Colchester general hospital in the constituency of the hon. Member for Colchester—regularly treats far too many patients. I say that not because those patients do not need treatment, but because the hospital treats far too many in terms of its budget and forecasts. That is particularly the case in the accident and emergency department.

It is one of the unexplained phenomena of modern health care that there has been an exponential increase in the number of people who walk into accident and emergency departments every day, to the extent that, during my time as a Member of Parliament for a north Essex constituency, the number of people being treated in accident and emergency departments by Essex Rivers Healthcare has virtually doubled. That is not because more people are having twice the number of road accidents or falling down stairs; it is simply a matter of rising expectations.

The excess of capital is the result of delays in capital projects. It is something that we struggled with in government, trying to introduce the private finance initiative into the health service to maximise the use of capital. I have no doubt that the Labour Government will have similar difficulties, but I hope and pray that they will be successful.

In response to the hon. Member for Braintree, I would say that there is a general philosophy in the health service. It starts in the Department of Health; it is replicated in the management outposts, which are in effect vestiges of the old regional health authorities; and it continues throughout the whole culture of the service. That philosophy is that big is beautiful.

Big is what administrators like; big is what consultants like, because it means that they spend less time driving from hospital to hospital; and big is also what accountants like. However, as my right hon. Friend the Member for Wokingham (Mr. Redwood) discovered when he was Secretary of State for Wales, that philosophy often results in expensive readjustments to health capacity and the closure of smaller units. We should ask quite openly—the hon. Member for Harwich should pursue this with regard to the Harwich hospital—whether that is the right philosophy. If it is not, are we right to expect health trusts, which are essentially general hospitals, to deliver small-unit, local hospital care, or should we be more imaginative and find alternative methods of delivery such as GP fundholding?

Why not extend the principle of GP fundholding beds into the community? Many GP fundholding practices are hungry and ambitious to do better for their patients. They would look after day patients, or even overnight cases,

[Mr. Jenkin]

perhaps much more effectively and nearer patients' homes than a general hospital could. That would also free up capacity, and such practices could bring in more private capital. I do not want to get bogged down in the usual ideological arguments across the Floor of the House, but we have to be open-minded about such ideas, as they might help the hon. Members for Harwich and for Braintree.

Mr. Bob Russell (Colchester): When the Minister replies, will he take due account of how the Essex Members of Parliament across the political divide are all singing the same song? Mention was made of small neighbourhood hospitals. Colchester is indeed blessed with a new hospital, for which we must thank the previous Government. My concern is that it is on a cramped site. Various arms of the national health service, which is one of the largest landowners in Colchester, are busily selling sites at the expense of the general hospital's future. If the neighbourhood hospitals in Clacton, Harwich and, indeed, Braintree were closed, it would have a serious effect on the Colchester hospital.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I remind hon. Members that interventions should be very brief, and not be speeches in themselves.

Mr. Jenkin: I am grateful for that admonition, Mr. Deputy Speaker. I shall take it to heart myself and be as brief as I can. The Minister heard what the hon. Member for Colchester said, and I hope that he will respond positively.

As my hon. Friend the Member for West Chelmsford said, spending pressures will have an effect across the north Essex health area, not only on the constituency of the hon. Member for Colchester but on my own constituency—thereby increasing pressure on demand for services at Colchester general hospital and, more directly, affecting residents at places such as St. Osyth and Tendring, in the east.

Those effects will be felt because, under the Government's new adjusted formula, we are still short by about £8 million. On the original formula, we would have been £19 million short.

Yesterday, I received from the Minister a written answer in which he said that it is futile to make hypothetical calculations on the basis of a formula that is no longer used. However—without getting involved in party political argument over the size of any increases—the current allocation leaves us £19 million short of what we would have received under our formula.

We have never been fully funded, and we have always complained that we were not fully funded. The depressing aspect of the matter is that we are going backwards. Whereas, over the years, we were gradually catching up in our formula allocations, the net effect of the formula change is that we are falling behind. As my hon. Friend the Member for West Chelmsford said, the Minister should re-examine the matter.

I wrote to the Secretary of State for Health to ask whether he would meet a delegation of north Essex Members to discuss the formula. In much the same way that hon. Members had constructive and non-cantankerous meetings with the previous Secretary of State, my right hon. Friend the Member for South-West Surrey (Mrs. Bottomley), we should like to have similar meetings with the new Secretary of State. Although I wrote that letter on 30 October, I have not yet had a reply to it. I know that he is a busy man. I hope, however, that the Minister will take it on board that I made the request on behalf of north Essex Members and that, eventually, we shall be able to meet the Secretary of State.

The bed blocking issue hangs over us. As my hon. Friend the Member for West Chelmsford said, we are enjoying extremely mild weather, but there is bound to be a cold snap. That is when accident and emergency departments will fill up with extra patients, and bed blocking will worsen. More beds are clogged this winter than at any time since I have been a Member of Parliament. Despite the extra money, therefore, the situation could become more serious than it has ever been before. Unless we deal with the fundamental problem of how resources are allocated, the bed blocking problem will keep recurring.

I very much welcome the debate and hope that, in the long term, we can resolve the problems. I again congratulate my hon. Friend the Member for West Chelmsford on securing the debate.

9.18 pm

Mr. John Whittingdale (Maldon and East Chelmsford): It is a pleasure to follow my hon. Friend the Member for North Essex (Mr. Jenkin). Before the election, my constituency straddled two of the former health authorities in north Essex—the north-east Essex area and the mid-Essex area—and I echo his remarks about the managers who work for our local health service. He is right to say that they often do not receive the recognition that they are due. I join him in paying tribute to all the people who work for the health service, including the managers, in north Essex.

I congratulate my hon. Friend the Member for West Chelmsford (Mr. Burns) on obtaining this Adjournment debate, which is of great importance to my constituents and, of course, to all the constituents of hon. Members who have spoken. I thank my hon. Friend for allowing me to make a brief contribution. He has already described in some detail the history of underfunding that North Essex health authority has suffered. I do not want to cover the same ground that he has already gone over, but suffice it to say that—for the five years that I have been in Parliament—my hon. Friends and I have regularly banged on the doors of Health Ministers to plead the case for north Essex.

As my hon. Friends have described, the situation is not new, because north Essex has suffered from underfunding for some time. In the past, our case has been recognised, and the fact that North Essex health authority has suffered a greater shortfall in the amounts actually received compared with the target allocation has led North Essex to receive one of the biggest increases of any health authority in the country. It is for that reason that the change in the formula is so worrying to us.

I join my hon. Friend the Member for West Chelmsford in welcoming the extra money that has been provided this year, both in the allocation that has been made for health authority spending and the extra that has recently been announced to tackle the specific problem of emergency

admissions this winter. However, the target allocation for the health authority has been reduced as a result of the change in the formula that the Government have made. That means that north Essex can no longer look forward to increases on the same scale that it has enjoyed in the past. For that reason, North Essex health authority has really had no choice but to contemplate reductions in facilities and services.

My hon. Friends and other hon. Members have referred to some of the likely consequences of any reductions. I wish to concentrate on the specific implications for one hospital—St. Peter's hospital in Maldon in my constituency. St. Peter's is a community hospital, in that it serves people living in the district of Maldon. It has extensive out-patient facilities, as well as 58 elderly persons beds, eight general practitioner beds and a maternity unit.

All those facilities are greatly valued by the people in Maldon, which is a large district with a scattered community. In particular, those living in the Dengie peninsula are a long way from the main general hospital at Broomfield, which has already been mentioned. St. Peter's hospital is therefore essential, so that patients living in my constituency can receive treatment without having to travel an unreasonable distance.

In seeking to make savings, the Mid-Essex Hospital Services NHS trust originally put forward a proposal that would have led to the closure of St. Peter's hospital. I am pleased to say that that option has been rejected by North Essex health authority. Although it would have released some £2 million in savings if the whole closure programme had been implemented, the health authority has said that it is not a realistic option. I warmly applaud that decision, which is admirable common sense. However, there is still a proposal on the table to close the GP beds and the maternity unit at St. Peter's.

In the year to March 1997, 189 deliveries took place in the maternity unit at St. Peter's. That may not seem very many, but it must be borne in mind that the alternatives available to expectant mothers living in the Maldon district are to have their babies at home or to travel to St. John's hospital in Chelmsford. St John's hospital is some way away, particularly for those mothers in some of the more distant villages in my constituency, such as Bradwell or Tillingham.

There is also a proposal on the table that, in the long term, St. John's hospital will no longer be available. Eventually, maternity facilities may be concentrated at Broomfield hospital. The hon. Member for Braintree (Mr. Hurst) referred to the difficulties that his constituents have in reaching Broomfield, on the north-west side of Chelmsford. My constituents in the further reaches of the Maldon district will find it even more difficult. They may face journeys of up to an hour to get to the hospital.

In 1993, the Government published a document entitled, "Changing Childbirth", which stated Government policy on maternity services. The document says:

"Maternity services must be readily and easily accessible to all. They should be sensitive to the needs of the local population and based primarily in the community."

That document was produced by the previous Government. I wrote to the Minister about that. His reply of 5 October said:

"I can confirm that the Government fully agrees with the principles of women-centred maternity care, as outlined in 'Changing Childbirth'."

That document still represents Government policy on maternity services. If that is to be a reality and if the Government are to meet the objective of serving the needs of the local population by basing care primarily in the community, closing St. Peter's maternity unit would be a great step backwards.

The proposal to close the maternity unit at St. Peter's has understandably led to considerable protest in the Maldon district. Two local mothers, Nicky Crisp and Caroline Anderson, have put together a campaigning organisation called MOMMS—Mothers Opposed to Maldon Maternity Shutdown. In just a few months, they have collected more than 7,000 signatures on a petition, which I hope to be able to present to the House in the near future.

I am encouraged by the assurance of the chief executive of North Essex health authority that the current consultation period is genuine and that no final decisions have been taken. I hope that that is the case, and that there is still an opportunity for the decision to close the maternity unit to be reversed. If St. Peter's is to have a long-term future, the only real solution will be money. That is why I come back to the points made by my hon. Friends the Members for West Chelmsford and for North Essex.

North Essex has enjoyed large increases in the past because of the extent to which funding has fallen short of the target level. If the Government's change to the formula means that the area can no longer look forward to the same level of increase that we have enjoyed, I am pessimistic about the future of St. Peter's. I therefore echo the appeal of my hon. Friends to the Minister to reconsider the issue, to see whether the formula can be adjusted to reflect the genuine needs of my constituents and the constituents of other hon. Members who have spoken in the debate.

9.28 pm

The Minister of State, Department of Health (Mr. Alan Milburn): I am delighted to have the opportunity to respond to the debate. I congratulate the hon. Member for West Chelmsford (Mr. Burns) on securing time for it. The fact that so many hon. Members from both sides have contributed to this full debate is indicative of the seriousness of the issues raised. I pay tribute to him.

I also support the tributes that have been paid to all national health service staff. They do an extremely good job, often in difficult circumstances and under enormous pressure.

It is especially appropriate to record our thanks at this time of year, with winter pressing. One thing is certain in the national health service—that winter inevitably brings additional pressures, not only in Essex but throughout the country. The people who will be on the front line of coping and of delivering high-quality services are the staff who work on our wards and in the community—and yes, those in the offices, too. NHS staff perform a vital function, and it is right and proper that hon. Members on both sides of the House have recorded their thanks to them.

[Mr. Alan Milburn]

I assure the hon. Member for West Chelmsford that the Government share his desire to see high-quality health care available to people in all parts of the country. He went out of his way to make the House aware of many of the developments that have taken place in and near his constituency over recent years, and clearly those developments are welcome to his constituents.

In framing our national policy as a Government, we must ensure that the same advantages that have accrued to the hon. Gentleman's constituents are available to all. As he knows, the national health service was founded on the principle that the best health care should be available to everyone on the basis of need alone; I am sure that that is a principle that all hon. Members share.

However, the national health service that the Government have inherited is not always providing the best care in all circumstances at all times. Many people within the NHS—the very members of staff whom the hon. Gentleman praised—have become increasingly concerned in recent years about some of the unfairness that has crept into the delivery of care. There are concerns about accessibility and variations in quality—and, of course, there are concerns about the fact that sometimes the NHS has become rather too burdened with unnecessary bureaucracy and red tape.

However, as the hon. Gentleman will be aware, the new Government have already taken several steps to remedy that situation. I am sure that he and others will bear with me for a moment if, before dealing with the specific situation in north Essex, I briefly mention some of those developments—not least because many of the policy developments that we have instituted over the past few months have a direct bearing on the situation facing his constituents and those of other hon. Members.

As the House will know, a wide range of action is in progress, or has already been taken, designed to replace the internal market in the NHS. Guidance has been issued to introduce common waiting lists for non-urgent cases, and to move the health service away from the market mentality that has developed in recent times towards a more co-operative approach to commissioning health services.

Management costs in the current financial year have been reduced by £100 million, and that money is being applied to front-line patient services. I noted with interest the hon. Gentleman's support for such developments in his opening remarks. I am sure that such support will be welcome both in the Department of Health and elsewhere.

Only last month, my right hon. Friend the Prime Minister announced an extra £300 million for the national health service. The hon. Member for West Chelmsford rather cheekily claimed that that followed the precedent set by the previous Secretary of State.

Mr. Burns *indicated assent.*

Mr. Milburn: It is true that the previous Secretary of State allocated extra cash for the winter months last year, but I must remind the hon. Gentleman that, although his right hon. Friend did that on two occasions, he allocated a total of only £25 million. Of course that money was most welcome in many constituencies, and proved a real bonus for the NHS—but I must point out that it is somewhat dwarfed by the £300 million invested this year by the present Government.

Mr. Burns: Would the Minister be kind enough to check that figure and write to me after the debate?

Mr. Milburn: I will gladly check the figure—it was two tranches, one of £20 million and another of £5 million. I am happy to write to the hon. Gentleman if that is helpful.

The money that has been made available—the extra £300 million—is not just to deal with the immediate pressures of the winter, which we recognise. It will help to raise the foundations for long-term developments that will deal with some of the issues raised tonight—the problems which bedevil the delivery of services between the health and social care systems. My right hon. Friend the Secretary of State describes this as a "Berlin wall" and we are determined to break down that wall.

The people who suffer when the interface fails to deliver are the most vulnerable patients—people with mental health problems, disabled people and the elderly. We are determined to improve that situation.

My right hon. Friend the Chancellor of the Exchequer's Budget allocated an extra £1,200 million to the NHS next year, and we brought forward the allocation to the end of last month, to allow health authorities to plan over an 18-month period.

Finally on the subject of money, the hon. Member for North Essex (Mr. Jenkin) talked about the problems which have bedevilled the private finance initiative. There have been problems with the PFI, but they are problems of the past. This Government have taken decisive action to unlock the gridlock in the PFI. As a consequence, we were able to announce a few months ago an additional capital investment for the NHS, through the PFI, of £1,300 million for 14 new hospitals. Since then, we have been able to announce a new hospital to be funded through the PFI, which will be built at Greenwich.

Mr. Jenkin: My hon. Friends refrained from wandering down the path of party political comparisons, because we wanted to discuss a particular issue, and I hope that the Minister will not use all his time making comparisons. We could all join in that game, but that is not the point of this debate.

Mr. Milburn: The hon. Gentleman will be aware that I am coming to the issues in Essex, but it is important to place in context the issues that Opposition Members have raised. Many of the issues raised tonight have been questions of funding.

Since the election on 1 May, the Government have invested an extra £1,500 million in the NHS for revenue purposes, and more than £1,300 million for capital purposes. Those and other policies which we will produce in due course will enable health authorities throughout the country—including those which serve the constituencies of Opposition Members—to provide better care for everyone.

I listened with great interest to the comments of the hon. Member for West Chelmsford about the level of funding and the changes to the funding formula for next year and beyond. I listened also to his historical discourse

about the problems which he imagines have been endured by his part of the world. As he knows from his time at the Department, the funding formula is a fiendishly complex issue, and I thought it might be useful to him and to others if I explained briefly the three main changes to the formula we have made for the next financial year, beginning on 1 April.

First, we have extended the needs adjustment from 86 per cent. to 100 per cent. of expenditure, in line with advice that the Government received from the expert committee which served under the previous Government. Secondly, we have improved the market forces factor by reducing the number of pay zones from 61 to 51. Thirdly, we have introduced a geographical cost adjustment for the emergency ambulance service, partly in recognition of the need of shire areas. Under that element of the changes, North Essex is a gainer, and I am sure that Opposition Members will welcome that.

We are making the changes as part of our commitment to making the distribution of resources fairer, in support of our objective of reducing both inequities in access to health services and inequalities in health. The changes will not be the end of the matter.

I can give an undertaking that the Government will consider further changes to the formula. Indeed, we have established a new advisory committee on resource allocation to do specifically that. Its programme for next year will include a special focus on the market forces factor, which, as the hon. Member for West Chelmsford knows, has been the subject of much controversy in the national health service. I shall also ask the committee to consider whether the existing method of counting the population in health authority areas is accurate, as there have been some concerns about under-counting of particular groups in the population.

The changes are not the end of the matter, but they are a start. We want resources to be more fairly distributed across both primary and secondary care. For 1998–99, beginning on 1 April, every health authority in the country will receive a real-terms increase in its allocation for the delivery of local health services. There will be a minimum growth in allocation of 1.35 per cent. in real terms.

North Essex does rather better than that, receiving 2.2 per cent. in real terms. That makes it the 26th biggest gainer out of 100 health authorities. We have changed the formula, and that results in changes to health authorities' target shares. I can give an undertaking that we will move health authorities, including North Essex, to those targets over time.

There was a fundamental misunderstanding at the heart of the comments of the hon. Member for West Chelmsford, about the implications of the changes in the formula. As he knows, the matter is fiendishly complex and difficult, but it is simply not the case that North Essex has lost out, for the straightforward reason that we apportion growth according to the distance from target of health authorities as a whole. We cannot view North Essex or any other health authority in isolation. We consider the composite picture.

Certainly, if there had been a different formula, there would have been different distances from target. As a consequence, there would have been a different apportionment of growth. The hon. Member for North Essex—I think that it was him—queried my answer about hypothetical situations, but it really is impossible to compare like with like in the straightforward way that he wants. Perhaps we shall have to confront that problem, but that is the nature of the formula that we have inherited from the previous Administration.

We have changed the formula and made it fairer, and North Essex is a net gainer this year, especially in comparison with other health authorities.

Mr. Whittingdale: I understand what the Minister is saying, but our point is that, under the previous formula, North Essex and South Essex were the two authorities furthest from target, and were, as a result, the first and second biggest gainers in allocation of funds. Because the target has been changed and North Essex is no longer the furthest away, it is now, as the Minister said, only the 26th biggest gainer, rather than the first or second.

Mr. Milburn: North Essex got a 2.2 per cent. real-terms increase, compared with the English average of 1.9 per cent., and I can give the hon. Gentleman the historical context.

Our allocations for next year, giving a cash increase of 5 per cent., as opposed to the 2.2 per cent. in real terms, are higher than the average for the previous five years. So, the argument that Opposition Members are advancing that somehow—*[Interruption.]* If the hon. Member for North Essex will calm down and resist the temptation to make the statistics squeal until they confess and look at the figures objectively, he will see that the increase of 5 per cent. for next year is bigger than the average for the previous five years. I should hope that Opposition Members would have welcomed that. It is a real benefit to his constituents and to those of other Opposition Members.

Mr. Burns: Of course the Minister is right, but let us look at the figure. He said "five years", and he did so for a reason, because the first year was the last year of RAWP, when the percentage cash increase was 2.7 per cent. In the remaining four years, until this year, it was between 4.5 per cent. and 6.4 per cent., and that is why the average is so high. Using the first year has brought the average down. If the Minister had given the average over the past four years, it would have been higher. Our point was that that was done to catch up because of what had happened under RAWP until 1992–93.

Mr. Milburn: I understand the hon. Gentleman's point—it is pretty straightforward—but, however we look at the statistics, North Essex is doing extremely well. Its growth for next year is greater than that allocated for this financial year by his Government when he was a Minister in the Department of Health. I do not want to make a party political point about that. I merely want to make it clear that the Government are committed to the fair distribution of resources, which includes looking after the needs of residents in North Essex on a fair basis, and ensuring that they have the health services they deserve.

I am aware that there has been a problem in North Essex because of the financial position of the health authority and a number of the trusts, about which several hon. Members have raised concerns. An overspend of about £6.9 million was incurred by the health authority in 1996–97. As a result, it commissioned an investigation by an external agency into its financial planning and

[Mr. Milburn]

management systems. The report identified certain shortcomings, and made recommendations to remedy them.

I understand that the health authority has implemented all the recommendations in the report, and that that has added a robustness to the authority's financial position. However, I recognise, as do other hon. Members, that the authority is facing a complex set of interdependent issues.

As hon. Members know, it is simply not possible to extract one hospital or one bit of the health authority area from another. Nowadays, the national health service works increasingly as one. Indeed, my hon. Friend the Member for Braintree (Mr. Hurst) made some of those points about the flow of patients and the fact that care is delivered on a more holistic basis than it has been.

The ultimate goal is to ensure that sustainable, high-quality clinical and cost-effective services are provided in modern facilities in all parts of the country. Although the consultation to which I will refer shortly will take time, those processes should ensure that whatever solution emerges is based on informed debate among the public and professionals.

A further financial problem was presented by three of the trusts in North Essex, which got into trouble recently and reported significant financial deficits. Those were carried forward into the current year, but, following work carried out by the trusts, the health authority and local general practitioner representatives, they have been considerably reduced, and are expected to be eliminated completely within the next two years.

However, I have asked the NHS executive's north Thames regional office to continue to monitor the situation closely. The last thing I want is for the national health service to enter the next financial year in the parlous state in which it entered this year, with record levels of debt.

My hon. Friend the Member for Braintree and the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) referred to the consultation on the subject of changes to acute and community services in north Essex. I have listened to their concerns and the case they outline, and I am aware of the strong local feelings on the proposals. It is vital that plans for service development are determined in a democratic manner and implemented sensitively and appropriately.

However, as that consultation is still in progress, it would be inappropriate for me at present to express an opinion either on whether or not consultation has been undertaken properly, or on the substantive issues it raises. The hon. Member for West Chelmsford will be aware that, if there is an objection from one of the local community health councils, the issue will end up on Ministers' desks, and it will be for Ministers to decide. I must and will keep an open mind until then, but I have listened carefully to what has been said this evening.

I will say that it is especially important to have local accountability, which my hon. Friend the Member for Braintree mentioned. The way services are run and the way they develop must be properly in tune with local needs and views, and it is extremely important that all those involved in running the NHS should remember that it is a public service. The NHS does not belong to them any more than it belongs to me; it belongs to the local community.

All those engaged in the processes of consultation and service development should take that as their yardstick. That is what the Government expect, and we will judge proposals accordingly. I can assure hon. Members that there is no fait accompli. We have a statutory responsibility to consult publicly, and we shall weigh the results both fairly and carefully.

A major challenge faced by the NHS in north Essex at present is that of managing the pressures that are always present in the health service during the winter. Those are being exacerbated in Essex by the large number of people who are waiting in hospital, despite being medically fit to be discharged—a point raised by the hon. Member for West Chelmsford. That backlog of people waiting for discharge constitutes a severe pressure on acute services.

As I said, the Government have allocated an additional £300 million to the NHS to help the services to manage winter pressures. North Essex health authority has proposals, jointly drawn up with Essex county council and the local trusts. As a consequence, I have agreed that £2.8 million will be given to North Essex health authority this winter. More than 60 per cent. of that money will be spent on social care initiatives, which should considerably alleviate the delayed discharge problems by enabling people to be discharged from hospital into more appropriate care.

I have listened extremely carefully to the concerns expressed by the hon. Member for West Chelmsford and other hon. Members this evening. This and other debates will inform the Government of the changes we will need to make to restore the NHS to a proper condition.

I give the House the assurance that those changes will be properly thought through and introduced sensitively; but changes there have to be, to ensure that local hospitals are able to provide a proper health care service in tune with our founding principles of the NHS. It is particularly important that we restore local accountability. The way services are run and the way they develop must be properly in tune with local needs and local views.

I recognise that the NHS in north Essex, like the service everywhere, is facing challenging times. The Government have recognised the problems, and have moved to help the local NHS by allocating the extra £7.8 million for the next year and the additional £2.8 million this winter. That should enable the NHS in North Essex to rise to the challenges it faces.

I share the determination of the hon. Member for West Chelmsford that high-quality treatment and care are available to the people of his area. I am sure that the trusts in North Essex and the North Essex health authority share those commitments. Whether the proposals before the public will assist that process is a matter on which I shall certainly keep an open mind. I will consider the results with great care.

Question put and agreed to.

Adjourned accordingly at six minutes to Ten o'clock.

House of Commons

Wednesday 19 November 1997

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Kyoto Summit

Motion made, and Question proposed, That this House do now adjourn.—*[Janet Anderson.]*

9.34 am

Ms Joan Walley (Stoke-on-Trent, North): It is a privilege to initiate the debate on the Kyoto climate summit to be held in December. I am pleased to see the Minister for the Environment at the Dispatch Box. I am pleased also to see so many Members in the Chamber for this really important debate. I hope particularly that my hon. Friend the Member for Gillingham (Mr. Clark) will be able to contribute to it. He is as genuinely concerned about the effects of global warming in Gillingham as I am about the effects in Stoke-on-Trent, North.

We must remember the context in which the debate is taking place. The Kyoto summit will be the third conference of the parties to the United Nations framework conference on climate change. It will review progress to date, and it is an opportunity which we cannot afford to lose.

There are many reasons why I wish to raise the issues surrounding the Kyoto summit. It is important that we have the opportunity to debate them, but I want the debate to be for the many and not the few. It is not enough for Parliament to have the debate; we must ensure that it spreads ever wider throughout the country.

I noted with great interest this morning's announcement by my right hon Friend the Secretary of State for Education and Employment that he is setting up an advisory panel to promote citizenship among young people. I hope that its chairman, Professor Bernard Crick, will make arrangements for that awareness to include environmental issues.

I want the media to take up the debate about Kyoto and about how we might make progress towards achieving the tightest possible emission standards. I am pleased that the two programmes "Costing the Earth" are to appear on television this week and next week. I hope that they will give the public the opportunity to consider the scientific evidence and to make up their own minds about what is happening. I hope also that debates such as this will take place in parliaments throughout the world so that parliamentarians, as well as Governments and Ministers, can take part in a crucial worldwide debate.

More than anything else, I want to give our new Government the most resounding send-off when they go to the important negotiations in Kyoto. It is crucial that the debate here takes place in time to influence events and so that Ministers know that they have the backing of the country when they go to Kyoto.

I know that my right hon. Friend the Deputy Prime Minister will be part of the mission, which may even save the world at Kyoto. I want him to return with a legally binding agreement on greenhouse gas emissions. I am mindful of the work that he has already done in respect of the sea and seafarers and transport policy. I have confidence that, given what my right hon. Friend learned so often with the International Maritime Organisation, he, of all people, knows that it is crucial to go for the highest denominator, not the lowest. That is the message of optimism that we must send from the House.

I would not be so bold as to assert that people throughout the country talk of nothing else but Kyoto. I should like to think that that was true, but things do not work quite like that. I know that in many parts of the country people are talking about major political issues. One major issue, for example, is whether we will get the world cup four years after Paris. I should like the debate about Kyoto to be on a par with interest in the world cup. I should like to think that the debate about global warming is of such importance that people will wish to become well informed and well versed on issues that will become everyday matters of conversation.

Although such topics may not be on everybody's lips, people are increasingly concerned about the effects of global warming. It does matter; it touches their everyday lives. People want something to be done, and they want to be part of the solution.

We are not quite in the same situation as people who live in small island states such as the Maldives, who fear that, because of the rising sea level, their islands could disappear, but we face a real danger of flooding. What will happen to low-lying areas? There are crucial issues involving health, the water supply, shortage and biodiversity. Most of all, we have to look at the scientific evidence to see whether what we have heard could happen is just scaremongering or whether there is a scientific base for the worst possible scenario. As most hon. Members know, I would want us always to take the precautionary approach, and I hope that I will be able to carry many people with me.

The scientific evidence is indisputable. The 1996 Intergovernmental Panel on Climate Change, which comprised no fewer than 2,500 experts, concluded:

"There is a discernible human"—

I stress human—

"influence on global climate."

A report is due next month from the workshop held in Boulder, Colorado, in September, which was attended by the world's biggest wildlife groups, including the World Wide Fund for Nature, and Wildlife International, of which our own Royal Society for the Protection of Birds is a member. All the evidence is there. Groups such as Greenpeace, for which I have the greatest respect, and Friends of the Earth are not scaremongering. There is evidence, which we have to accept. Having done so, we cannot just leave it. To know is not enough. Once something is known, something has to be done about it. That is why all of us are here. We all have to do as much as we can, in whatever way we can, about Kyoto and the huge issues we face.

It concerns me that there are still people, for example the chairman of Exxon, who say that climate change is not really an issue, and that it should not be dealt with by

[Ms Joan Walley]

regulation. We have to tackle people who still say that. We must ensure that we make real progress with the climate conventions, and ensure that this Parliament—I stress that it is not just for the Government and Ministers—gives full backing to our Government in what will be an uphill, or "up-bank", as we say in Stoke-on-Trent, struggle that they will have on their hands when they go to Japan.

The run-up to the 10 days of negotiations at Kyoto will be a testing time for the United Kingdom. It is not just our hopes that are pinned on the leadership of the new Labour Government. The whole world has recognised, particularly at the Earth summit II conference in New York last July, that, with our Prime Minister, we have new vision and leadership. Having seen what can be done, there is even greater emphasis on what more could be done. I still believe that, if anybody can, our Government can achieve the best deal.

It is a question not of doing as I say, but of doing as I do. For that reason, I welcome the very clear commitments that my right hon. Friend the Deputy Prime Minister has given, including various presentations at the Select Committee on the Environment, Transport and Regional Affairs. We are aiming for a 20 per cent. reduction in 1990 emission levels by 2010. Above all else, that commitment makes the Government most able to squeeze the best deal out of negotiations. I accept that the dash for gas has helped us to achieve things that we might never have dared hope for, although at a price. None the less, that is our starting point. Now we can achieve even more.

There is also a track record since July. I recognise that the former Secretary of State for the Environment, the right hon. Member for Suffolk, Coastal (Mr. Gummer), tried to address the issue. We have a Cabinet committee, which is at the heart of government, to ensure proper environmental assessment on all issues. It will not be easy to get that from the Treasury when the Green Paper is published. When I talk about a green Budget, my right hon. Friend the Chancellor of the Exchequer may not have the same ideas that I have, but the Cabinet committee can start to make progress on these matters, and I hope that it will.

We will continue the round table on sustainability. That can play an important role in the debate that we need to have throughout the country. I am delighted that the Environment Audit Committee, which was a manifesto pledge, has been set up. I am proud to be a member of it, and I want to play my part on it to get real progress. We now have the Department of the Environment, Transport and the Regions, which comprises the former Departments of Transport and the Environment. We have an opportunity for integrated transport. The consultation period has just ended, and we are about to have new Green Papers and White Papers. What is more, the Deputy Prime Minister is striding round the world, bringing together all the countries that have not yet signed up to what we want them to sign. He is also chairing the annexe 1 group of countries at Kyoto.

It is not all simple and straightforward. Achieving the 20 per cent. target that this country wants will not be plain sailing. It will present us with difficulties. More can usually be achieved at the beginning than further along the way, because, by the later stage, the big savings have already been made. However, sometimes it is possible to achieve more later, because more people understand the issues. That is the message which we have to get across. There will be hard choices, but I have every confidence that my right hon. Friend will see how we can balance them. I shall list just a few.

In our integrated transport plans, I want to see targets for road traffic reduction as well as for transport. At some stage, however much we may not want to do so, we will have to consider the issue of aviation fuel and tax subsidies.

There is a threat of opencast coal mining in my constituency. I want us to have a presumption against opencast. I want legislation for energy conservation and efficiency. I am not happy that the gas regulator, unlike her predecessor, is not prepared to understand the arguments about energy savings and conservation. It may well be a matter on which the House will need to legislate, but my understanding is that we could not do so within about two years. What happens in the meantime? Are we to let her get away with saying that it is not her responsibility? It does not appear to be anybody else's responsibility either.

While on the subject of energy conservation, I say to my right hon. Friend the Minister for the Environment, in the nicest and most supportive way that I can, that I met the Energy Saving Trust yesterday, and although I understand that we have accepted the previous Government's spending limits, it does not seem quite right in terms of our priorities that the trust's budget has been reduced from £19 million to £13 million. I am sure that, with the right will, we can find a way forward so that it can continue its invaluable work.

Clean coal technology for deep-mined coal needs to be on the agenda. Sooner or later—perhaps later rather than sooner—we must look at switching the balance towards renewables, and at the whole role of oil exploration.

We have to ensure that civil servants are doing what the political masters and mistresses here are saying that they could be doing.

There is enormous hope for optimism because of what we have committed ourselves to. As with anything, it is no good our doing our best if we cannot secure agreements on the world stage for what needs to be done internationally.

As far as I can see, Japan is not doing enough. As the host country for the summit, it should be under a special obligation to be at the cutting edge and to make the greatest possible commitment to what is needed at Kyoto. Extra pressure needs to be exerted, and I hope that our Government will be able to put in whatever word is needed. As a member of the Trade and Industry Select Committee, with the prospect—I put it no higher than that—of a visit to Japan, I hope that the Committee will be able to continue where the Government leaves off post-Kyoto.

I know that the work of the House deservedly has a considerable personal following throughout America. We recognise that President Clinton may be between a rock and a hard place—between Congress and the Senate—but we want him to look afresh at the issues. We pin great hopes on his securing tighter agreement in his country about what should be happening at Kyoto. I hope that our Government can exert further influence in America, so that it, too, can play its part. President Clinton was

elected on an environmental platform, and I feel that he can do better than stabilising emissions at 1990 levels by 2012.

We all have a special responsibility for the annexe 1 countries. It is vital that we do not transfer to the developing world the mistakes that the industrialised countries have made. I have every confidence that my right hon. Friend the Secretary of State for International Development will take that on board, but I feel that a message of support should go out from our Parliament.

Binding targets must be agreed at Kyoto. It is the best chance we have. I want these to be "ten days that shook the world". Energy-efficient technology needs to be transferred, and, as part of the reform of the United Nations, we need to find a way of monitoring, policing and enforcing agreements so that there is full compliance. I hope that Klaus Topfler will be able to carry out some of the necessary reforms if he moves to the United Nations Environment Programme. I also hope that we shall be able to make progress when we attend conferences with other parliamentarians.

We should not lose heart just because we may not secure the best possible deal at Kyoto, and may manage only a modest first step. The United Kingdom must go on leading. We need a permanent process to keep the negotiations moving and to follow through success or failure at Kyoto. The European presidency will provide us with a huge opportunity to do that.

We need more than a one-off, ad hoc debate in Parliament on this important issue. We need a strategy. Perhaps the Procedure Committee could ensure that we have regular follow-up discussions, so that we can identify the targets and establish how much progress we are making. There is no way out for any of us. We must make certain that the debate reaches out to the heart of our democracy—to schools and local government, through Agenda 21; to business, and to community groups. We need full and regular scrutiny of how our 20 per cent. targets are progressing here in the United Kingdom. Parliament has a real role to play, and I hope that through today's debate—in which I know many hon. Members wish to speak—we can take things forward, and send our Government off to do the job that we depend on their doing in Kyoto next month.

9.53 am

Mrs. Teresa Gorman (Billericay): I congratulate the hon. Member for Stoke-on-Trent, North (Ms Walley) on securing a debate on such an important matter. Perhaps we should discuss environmental issues more than we do. In fact, this is not just a question of the environment; it is a question of the economy, the politics of the country and our attitude to various of our industries, including important industries such as the car industry and the fossil fuel industry.

Let me put my cards on the table. I drive a car, and Ford UK is in my constituency. That company is an important employer, but, like the rest of the car industry in the west nowadays, it is also extremely responsible in regard to emissions. Over the past few years, it has reduced the particulates—the bits and pieces that come out of exhaust pipes—to practically nil.

We are not talking about the kind of pollution that we associate with the old-fashioned smogs. We are talking in particular about Kyoto, which is intended to deal with the level of carbon dioxide emissions in our atmosphere. We must discover where those emissions come from. In fact, the great majority do not come from motor cars: only about 20 per cent. of the alleged carbon dioxide emissions into the atmosphere—by which I assume people mean emissions other than the natural carbon dioxide emissions from decaying vegetable matter—come from cars.

I should say in passing that I have been a scientist for the past 35 years, and I therefore know something about the detail of the subject. Facts and figures sometimes drive people nuts and do not get to the point, but the point is that the motor car is not the villain that it is sometimes portrayed as being. The vast majority of carbon dioxide emissions probably come from house dwellers—from the fuel they burn or from the fuel they waste. Housing should be better insulated, because it can have a detrimental effect on the air that we all breathe.

Of course we are all keen to improve the environment, but the atmosphere and its effect on our climate have little to do with anything we do on this earth. Most climate changes are due either to the sun, which influences our climate enormously, or to our planet's orbit around it. That orbit varies, as was demonstrated recently. Those who were awake and looking at the sky one night in September will have seen a remarkable eclipse of the moon, which, for a short period, appeared much larger than usual. That was because of one of the wobbles in the earth's orbit.

The climate is also strongly influenced by ocean currents, as we saw recently. El Nino has had a massive effect on the climate. It causes huge changes, producing violent rain storms and other destructive weather, for which some people immediately blame motor car pollution.

Another massive cause of climate change is volcanic activity. People seem to think, from what they read in the papers, that a volcano pops off occasionally—that it is a one-off event that occurs every few years, and is not significant. That is not true. In the Antarctic region, close to the area where the measurement of ozone holes is carried out, there is a very active volcano, Mount Erebus, which produces in a year more chlorine gases—which contribute to the chlorofluorocarbons in the upper atmosphere—than the whole of industrial production since the beginning of the industrial revolution. Those are the three massive forces over which human beings have little control.

Another significant climatic element is the fact that the Earth is basically a water planet, 75 per cent. of whose surface is covered by water. Only 15 per cent. of the remaining part—the land mass—is habitable: most of it consists of mountain ranges, ice plains and deserts.

The inhabited part of the earth's surface is very small, and only a tiny portion of that is industrialised; most of it is agricultural land. It is important to keep the facts and figures in proportion. Only a small part of the Earth's surface is involved in industrial activities that contribute CO_2 to the atmosphere. There is a tendency to think that industrial activity is extremely dangerous for our atmosphere and climate, and that the problem can be dealt with by punishing the motorist and cutting down on the use of the motor car. At that point, the argument comes down to politics.

I see from the attendance in the Chamber for this debate that a number of hon. Members are concerned about this matter. If they want to hear the other side of the story,

[Mrs. Teresa Gorman]

I advise them to read documents produced by NASA. Its upper atmosphere research programme puts out extremely informative documents about changes in the atmosphere and about the amount of gases, including greenhouse gases. It insists that the hysteria that is generated by this subject, particularly on climate effects, is unwarranted, but that is not a particularly popular view. An enormous number of institutions, such as Globe, genuinely believe that there is a serious problem that industrialised western countries can deal with.

I should love better quality air. Everyone wants that; it is like motherhood and apple pie. I deplore the fact that, when I was in Egypt recently, I could see across the Nile at 7 am, but not at 10 am, because pollution levels from the old rust buckets that roam the streets were such that the atmosphere was very unpleasant. That applies in other parts of the world, such as China, although I have never been there. I know Mexico City very well, and it has a dreadful pollution problem, but that is partly due to the fact that the city is surrounded by mountainous regions.

There is an alternative point of view, and it is well received in the United States. It brings me to the attitude of President Clinton to the Kyoto conference. Without the agreement of the Americans to the proposed 20 per cent. reduction in emissions, nothing much will happen. President Clinton has laid his cards on the table. We should not assume that his is just the voice of a careless and vote-happy President who wants to preserve his industries against the better interests of mankind. The Americans are as pollution-conscious and as concerned about global warming as we are.

In science, one has to deal with the facts and consider both sides of the story. The amount of investment in our industrial society, the jobs it provides and its importance to the standard of living of the people we represent are serious considerations. We should not go to the Kyoto conference calling for global figures, such as a 20 per cent. reduction of CO_2 in the atmosphere, just because that is a nice target at which to aim.

Rev. Martin Smyth (Belfast, South): I appreciate the hon. Lady's argument, because I recognise that other factors are at work, but we should take the right remedy. The car industry produced the catalytic converter, but it is not much use in industrial cities and is a waste of money. Does the hon. Lady accept that the argument coming out of the United States is that the Americans do not want their industries to be injured further while other countries are polluting more than they are? The argument is not just about the scientific fact that nature produces its own pollution: it is about the Americans looking after the mighty buck.

Mrs. Gorman: I take the hon. Gentleman's point. I put it to him that it is the duty of any Government to ensure that industries, which are the backbone of communities, are properly looked after and protected. I hope that every hon. Member has the same attitude.

Is President Clinton being selfish or is he being responsible in saying that emissions produced by motor cars in the United States are relatively small, given the improvements that have been made, especially with regard to particulates as opposed to the CO_2 element? How important are CO_2 emissions from the motor car compared with other forms of adding CO_2 to the atmosphere? I repeat that less than 20 per cent. of CO_2 emissions into the atmosphere come from the car, so it is an easy target. Insulation of properties is less easy, because everyone could do something about that, as opposed to leaving an individual industry to do it.

Other parts of the globe, such as China, the countries of the former Soviet Union and Mexico, are not able to make those improvements, especially given the low level of wealth of their citizens. The way to help those countries is to improve their economies overall. I am sure that the Egyptians who were driving rust buckets around Cairo would love to have a nice car with controlled emissions and catalytic convertors, whether or not they work.

My argument is about the importance of the motor car. This debate and the discussions at Kyoto are an attack on the industrialised west, its alleged greedy consumption of fossil fuels such as coal and its selfish use of raw materials in the production of motor cars.

Mr. Cynog Dafis (Ceredigion): It is important to note that objective scientific work has been done on this subject. The energy technology support unit has produced an account of how it believes the United Kingdom proposal of a 20 per cent. reduction could be achieved by 2010. It has produced figures for different sectors: industry and services could reduce by 9.6 million tonnes of carbon; the domestic sector by 7.6 million tonnes; transport by 14.9 million tonnes, so that is an important component; and renewable energy could make a contribution of 2.7 million tonnes. Those figures show a 40 million tonne carbon reduction. That is not a random attack on any particular sector, certainly not on the transport sector. However, the reality is that transport can and will have to make its contribution.

Mrs. Gorman: The hon. Gentleman's point is perfectly acceptable, but I am trying to explain to the House that most of the carbon dioxide that goes into the atmosphere is not the responsibility of the motor car. Furthermore, gas carbon dioxide is only one of the greenhouse gases; most of it is water vapour that rises above the Earth, forms clouds and helps climate control by acting as a screen.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): Will the hon. Lady give way?

Mrs. Gorman: No, not at the moment.

Carbon dioxide in the atmosphere is welcome because it aids the photosynthetic process of plants. It is not an awful substance: it is not poisonous to human beings, except in vast concentrations, and it is positively helpful to vegetation. It is a soluble gas, especially in sea water where plankton rely on it for photosynthesis, which affects the food chain right up to mankind. We must stop regarding that gas as a poisonous substance which does us enormous harm.

Mr. Matthew Taylor (Truro and St. Austell): The question is not whether there is a natural balance in the atmosphere, which includes natural CO_2 as well as that which is emitted. In time, that balance will alter. The issue is whether mankind's additional CO_2 emissions are

upsetting that balance. The hon. Lady seems to miss the fact that, overwhelmingly, the world's scientists take the view that we are upsetting that balance. The OECD nations and the Government have also accepted that. Even oil companies such as BP have accepted that it is a serious issue and that our actions are affecting the climate because we are upsetting the natural balance.

Mrs. Gorman: The hon. Gentleman has his view. I recently attended a meeting in the House of Lords with the energy industries. Those industries, and especially the coal industry, expressed great concern that the demands of Kyoto would wipe them out. Every hon. Member knows that it is important not to devastate key industries because that would have an enormous backlash affecting the amount of support that we would have to provide to those communities. If we are not careful, they could be destroyed by the casual adoption of a target whose significance I challenge in terms of improving the global climate, pollution or the well-being of mankind in general. I presume that I shall be the only person to present that view.

I do not wish to denigrate the sentiments of the dedicated followers of orthodoxy, including the Globe European network mentioned by the hon. Member for Stoke–on–Trent, North. I do not suggest that they are on a crusade to destroy basic industries. My point is that there is another side to the scientific evidence. The United States is much more aware of that, because its technological and scientific groups such as NASA are producing the statistics to back that view. Far from being irresponsible and selfish, President Clinton's attitude is balanced, sensible and sane.

We all want to make life better for people and the way not to do that is to attack, seek to destroy or make more expensive the use of the motor car, which is people's pride and joy, or increase the cost of fuel for heating their homes. That is a sensitive political issue and we should not lightly embark on increasing fuel costs because of concern for what may not be as important an issue as it is made out to be.

10.12 am

Mr. Andrew Stunell (Hazel Grove): It is tempting to respond in detail to the speech by the hon. Member for Billericay (Mrs. Gorman).

Mr. Jeremy Corbyn (Islington, North): Don't.

Mr. Stunell: I shall take that advice.

The topic is vital not just for us but for our children and our grandchildren. Some of the hon. Lady's comments were sad. Climate change is real, global warming is serious and both of them are avoidable. The hon. Lady has missed those points. Kyoto provides an opportunity to concentrate people's minds on the impact of failure. If it succeeds, there is little doubt that climate change can be arrested, but it will take decades of hard work internationally, nationally and locally.

If Kyoto fails, climate change is likely to spin out of control. The consequences for the United Kingdom would be serious, and the hon. Member for Billericay has missed some of those. Elsewhere in the world, the effects would be catastrophic. There is no doubt that some nations would disappear, and the feedback from catastrophes elsewhere will produce political instability, poverty, homelessness and hunger on an international scale that we have not seen so far.

The hon. Member for Billericay is right to say that global warming is a natural consequence of our atmosphere. Its greenhouse effect adds about 21 deg C to the temperature of the earth, and the hon. Lady might think that an extra couple of degrees will not make much difference. It will make a great deal of difference. It will add 50 cm to sea levels in the next 40 or 50 years and the levels will continue to rise. That is why the Liberal Democrats think that it is right for the United Kingdom and the European Union to take the lead in tackling global warming.

We welcome the United Kingdom's progress over the past few years, although we recall that much of it was accidental—the consequence of the destruction of our indigenous coal industry and the dash for gas. We welcome the Prime Minister's pledge of a 20 per cent. reduction in carbon emissions by 2010. It is good to hear that that will remain a Government commitment even if Kyoto is not a success. Promises must be backed by action. We recognise that it is early days for the Government to produce an impact on the issue. There has not been much time to sort things out, and we accept what the Prime Minister said on television on Sunday. He is a man of honour and he intends to deliver. I know that the Minister fully shares that view.

However, the Government need to recognise some harsh realities. The first is that UK carbon emissions rose by some 2 per cent. last year, after a period during which they had been dropping. Contrary to the comments of the hon. Member for Billericay, the good work is being undone by the additional mileage on British roads. The growth of that transport has led to the increase in carbon emissions, and that is a worrying trend. We take 1990 as our base line and look forward to 2010. We are a third of the way through that 20-year interval, and Britain has rising carbon emissions.

There is a risk that by the year 2000—halfway through the 20-year period—we will have failed to reduce emissions to the 1990 level. The previous Government had intended to be about 8 per cent. below that level by the year 2000. The figures show that significant new policies will be needed if Britain is to reduce emissions to 20 per cent. below 1990 emissions by 2010.

The hon. Member for Stoke-on-Trent, North (Ms Walley) was right to speak about positive actions by the Government. I must balance the account and point to some less positive happenings since 1 May.

The targets will be harder to reach because most Departments do not know whether they are keeping to targets. I recently asked a series of parliamentary questions and in every case I was referred to the climate change book which was produced by the previous Government. I thought that perhaps I was a slow reader and had missed a bit at the back listing every Department and giving targets, but no such information is there. If the parliamentary answers are to be believed, Departments do not have clear, internal energy policies, objectives and plans. I asked the Secretary of State for Health what representations he had received about public health and hygiene as a result of climate change, and he said that he had received none.

[Mr. Stunell]

The targets will be more difficult to achieve for another reason: in a commendable effort to reduce fuel poverty, the Government have cut value added tax on domestic fuel to 8 per cent., but kept it at 17.5 per cent. on insulation materials, which could help to reduce fuel consumption. Last week, the House debated the fossil fuel levy, which can now be applied to renewable energy producers—another Government decision which is difficult to understand. It would be interesting to hear whether the Minister for the Environment believes that that is sensible.

The hon. Member for Stoke-on-Trent, North mentioned the Energy Saving Trust. Can it be right that, last year, supported by the Department of the Environment, its budget was £25 million, that this year it is £19 million and that next year it is projected to be £13.5 million? Is that a sensible way to set about reaching the targets?

The hon. Member also mentioned that the gas regulator is blocking a levy to support renewables. It is interesting that, when Neighbourhood Energy Action asked MORI to do a poll of the public, asking, "Would you prefer to have your fuel bills reduced by the installation of insulation in your home or by being offered lower prices by your fuel supplier?", 40 per cent. of people said that they would prefer the insulation solution and 30 per cent. the lower prices solution. It would be both popular and sensible to invest in insulation rather than simply in cut-price fuel supplies.

Mr. Alan W. Williams: I agree with the drift of what the hon. Gentleman says. Meeting the 20 per cent. reduction target by 2010 is ambitious and may be difficult, but may I console him with this fact? Most of the progress to date has been because of the dash for gas. At present, only about 20 per cent. of our electricity is generated from gas. By 2000, it will be 50 per cent. and, after that, it will be more, so the dash for gas will continue. I know that that is bad news for coal mining areas, but the continued dash for gas makes a large contribution to savings.

Mr. Stunell: I accept what the hon. Gentleman says. It is still true that the driving force for that dash is the gas surplus in the world market. Therefore, as its price is low, a levy could be placed on the fuel by the regulator, with customers still receiving lower gas prices—although not perhaps as low as they would be if one went for bargain-basement pricing—and would be invested in insulation, which would reduce overall fuel consumption and carbon emissions.

Mr. Matthew Taylor: There is an absolutely key point here. This is one for Government; the previous Government failed to face it. With energy prices falling and likely to continue to fall, the Government can simply allow that to happen, with customers receiving the benefit and inevitably using more fuel because it is cheaper, or take action through levies to pay for improvements to tackle fuel poverty. For the people who can least afford to heat their homes, fuel price cuts are not significant. Insulation would be far more significant. It would mean a stabilisation of fuel prices, which would send a signal that people cannot expect a cut in prices.

Mr. Deputy Speaker (Mr. Michael Lord): Order. This is a brief debate. Interventions should be short. The hon. Gentleman is depriving other hon. Members who badly want to speak of the time in which to do so.

Mr. Stunell: I thank my hon. Friend the Member for Truro and St. Austell (Mr. Taylor) for what he has said, which I fully support.

In the run-up to Kyoto, the Government should, first, be working more closely with non-governmental organisations. It was disappointing for the Prime Minister to reply that the Government would not be including any non-governmental organisation representative in the official delegation to Kyoto, and it is worrying that neither the Prime Minister nor the Foreign Secretary will be going to such a major international event.

Secondly, the Government should ensure that every Government Department and agency establishes an energy-saving plan with clear objectives and targets for the reduction of greenhouse gases. Thirdly, the Government should cut VAT on insulation materials and sign up to the Energy Saving Trust plan, which would reduce domestic fuel consumption by 17 per cent. and carbon emissions by some 14 per cent. over the next 13 years. It would also save money for consumers purchasing fuel and create 20,000 jobs.

That is an ambitious target, and I return to the point made by the hon. Member for Billericay. We are talking about the development of high-technology alternative industries. If Britain manages to be at the forefront of those industries, they will be profitable as well as ecologically sound.

Fourthly, the Government should reconsider their new deal plan and the money that they put into the environmental task force. At present, the materials grant is up to £90 per week per person. In many cases, that will mean that insulation projects are beyond the reach of the task force. I hope that the Government will consider that apparently small point, which could have a major impact.

Fifthly, I hope that the Government will pledge support and time to the Road Traffic Reduction (United Kingdom Targets) Bill, which would make a material difference on traffic emissions into the atmosphere.

Sixthly, as a Liberal Democrat, I say, of course, that it would be appropriate for the Government to cut vehicle excise duty on cars below 1,500 cc and to increase fuel tax to raise the extra money required. In that way, we could achieve a pattern more like that of the Danes and the Italians: we could have smaller cars and fewer journeys.

I could say much more, but I know that this is a short debate. I give credit to the Government for their stance and promises on global warming. I and other Liberal Democrat Members wish them every success in the difficult and complex negotiations, but I sincerely urge them to get stuck in here in the UK. There is much to be done and there is plenty of public support for it to be done. There is no great mystery about the policies that are needed, and most of them do not have a high price tag. Liberal Democrats want some Government courage and some Government determination. That will bring success and profit.

10.27 am

Mr. Paul Clark (Gillingham): It gives me great pleasure to deliver my maiden speech, and I am grateful to my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) for securing this debate. It is a great pleasure because I recognise the honour bestowed on me by the electorate of Gillingham and because I am representing my home town, of which I am immensely proud.

My success on 1 May was, of course, another's failure. James Couchman was the sitting Member of Parliament and had held the seat for some 14 years. He served on the Social Security, Health, Public Accounts and Northern Ireland Select Committees and was Parliamentary Private Secretary to many Ministers during those years.

Times move on, but I am pleased to say that Gillingham people are loyal, at least to the authority of Parliament. History records that, during the civil war, a distinguished Gillingham citizen, Philip Fraude, fought on the side of the king, but:

"The district as a whole appears to have prudently supported Parliament".

Long may Gillingham people have so much sense.

Some hon. Members may ask, where is Gillingham? It lies on the estuary of the River Medway in Kent and some of my constituency is a special scientific interest area, which has been a matter of consultation this week. Gillingham is one of the Medway towns and, unlike its neighbours, Chatham and Rochester, it is densely populated: its total population is more than 90,000, squeezed into just 4,500 hectares of land. That figure includes the special scientific interest area that lies in the River Medway—not much use for people in terms of expansion. However, it is important in other ways, as I shall mention. There are a number of differences between the older part of the constituency, which lies to the north of the A2, and the southern part. On indices of overcrowding, as defined by the 1991 census, many of the northern wards have figures in excess of 3 per cent., when the average for Kent is 1.8 per cent. A survey of private sector stock showed that 8.5. per cent. of properties were unfit—for example, in poor repair, damp or with kitchen problems—compared with a county level of 5.6 per cent. In one ward, more than one fifth of properties were classified as unfit. Gillingham has a number of challenging issues, and none more so than the overcrowding of its land space.

Was Gillingham born out of reorganisation? No—it is recorded in the Domesday book of 1086. It is said that it was named after a war lord, Gyllingas—from the old English "gyllan" meaning "to shout". He was a notable man in Kent history as he led his warriors into battle screaming and shouting. I suppose that a modern translation of Gillingham would be "the home of shouting men"—and, of course, women, to be technically correct. I am delighted to tell the House that we keep up that tradition. The shouting men and women of Gillingham can be found every other Saturday on the terraces of Priestfield stadium, the home of Kent's only football league team, Gillingham FC, which is going from strength to strength.

Gillingham has assumed a role that has perhaps been unknown, but has been an important part of the defence of this country. It developed as a fishing village and port and 450 years ago, in 1547, storehouses were rented by the Navy for use at Gillingham water—so started Gillingham's long association with the Navy. Gillingham dockyard formally opened in 1559, and it is from those early beginnings that the Medway towns developed. Over the centuries, thousands of men and women have been involved in the defence of the realm.

Gillingham is also the home of Her Majesty's Corps of Royal Engineers. They are an integral part of the town and their headquarters continues to provide the finest military engineering training to be found anywhere in the western world. The corps headquarters have also been, at one time or another, home to great heroes of British history, such as Kitchener, Gordon and the eminent father and son team of Generals Sir Manley and Sir John Glubb. Gillingham is proud to have the engineers museum in the town, which I recommend to hon. Members as well worth a visit.

Many hon. Members will be saying, "Gillingham dockyard; Medway towns—wasn't it called Chatham dockyard?" Yes, it was, despite the facts that it started in Gillingham, and that, until the day it was closed in 1984, two thirds of the then modern-day dockyard lay within the boundaries of Gillingham. No one knows for certain why the name changed, but anyone who knows anything about using semaphore flags will be well aware that it is easier to spell out Chatham than Gillingham.

Gillingham has other claims to fame. Louis Brennan lived in Gillingham and tested his monorail in the town. He was clearly a man of great foresight, recognising traffic congestion in the early part of this century and the need for an integrated transport system.

Will Adams was equally famous, but he did not realise that he was to lay the foundations for Gillingham's future. He was shipwrecked off the coast of Japan—where the Kyoto summit is being held—and he stayed there to help develop Japanese ships. From that has arisen a link with two Japanese cities, Yokosuka and Ito. We have grown close to them through exchange visits. That has enabled us to form close links for business development. Gillingham business park is home to many thriving businesses, including Fuji Seal, Fuji Copian and Hochiki. They are the bases for their European operations.

There is a great deal of hope in Gillingham, which has a great deal to offer. Rising from the ashes of its former glory, the dockyard, there are high-quality developments providing jobs and housing on brown-field sites, but all that will pale into insignificance if we do not tackle the fundamentals that are being presented at the Kyoto conference. The cost of failing to reach agreement on the global climatic agenda will be to fail our country and our children.

As other hon. Members have said, it is essential that the greening of our policies must permeate all our thinking. I welcome the positive steps taken so far by the Government, such as the clear commitment to cut carbon dioxide emissions by 20 per cent. on 1990 levels by 2010, and the decision to put sustainable development at the heart of policy making, as is evident in the bringing together of the environment, transport and the regions into one co-ordinated Department.

Tough targets have been set, but they are achievable by policies that are sensible in their own right. An integrated transport policy will make public transport more acceptable and attractive. There should be increasing use of renewable forms of energy. We must achieve greater efficiency in firms and bring the public sector up to the standards of the best. We must also improve energy efficiency in homes.

[Mr. Paul Clark]

The first Labour Budget in 20 years was used to show that the environment has been placed at the core of the Government's objectives for the tax system. Among other measures, duties on road fuel were increased by 6 per cent., with a commitment to future increases of about 6 per cent. It is estimated that that will lead to additional savings of about 2.5 million tonnes of carbon annually by the year 2010.

Failure to secure legally binding targets in Kyoto will present us with the unthinkable. Other hon. Members have referred to the Intergovernmental Panel on Climate Change conferences in 1990, 1992 and 1996. The Geneva conference in 1996 concluded that there was discernible human influence on climate, which none of us can afford to ignore.

What does Kyoto mean to the people of Gillingham? Even today, when certain weather conditions prevail within the north sea and the Thames barrier is raised, there is a chance of flooding in the Medway estuary. The effects of rising sea levels would seriously affect the Medway towns. Gillingham's north Kent marshes are designated not only as a site of special scientific interest, but as a special protection area under the European directive on the conservation of wild birds. In addition, the marshes are a listed Ramsar site under the convention on wetlands of international importance.

Seven internationally important bird species, including the Brent goose and the redshank, live in the Medway marshes. They would all be threatened by rising sea levels, with the mudflats being affected and, hence, the loss of a valuable source of food to support the birds of coastal habitats.

There is also the possibility of increased rainfall, especially in the south and south-east areas. It is predicted that certain red data book species in Gillingham and the surrounding towns would disappear—for example, the lizard orchid, a species to be found in Kent and, in particular, on the Darland banks in the southern part of my constituency. Various butterflies are equally vulnerable, along with the bush cricket, which is predominantly found within the Medway and Thames estuaries.

At its simplest level, the link to population levels is clearest—the more people there are, the higher the emissions are likely to be. The more we alter land use patterns and associated vegetation, the more we add to our problems of water run-off and pollution levels. That is why we must take local control of our local environment. It is no good local authorities issuing planning briefs for areas that allow development surrounded by patches of natural environment, supposedly to maintain ecological balance, only to allow substantial infilling on those areas a few years later. All too often, we see good intentions thrown out of the window.

In Rainham, at the eastern end of my constituency, a windfall site has occurred since the county council decided that it was no longer required for its intended use. It is a wedge of unspoilt land which runs between highly developed and populated areas. To walk through it takes us back to the Rainham of 40 or 50 years ago—orchards, open space teaming with wildlife and an important natural and undisturbed habitat for many species. It is important to the people of Rainham as an escape from the demands of everyday life. There is now a battle to save it from the developer's bulldozers. Clearly, we must take in hand our own concerns.

The House needs Kyoto to deliver, and the people of Gillingham need it to deliver. A protocol containing legally binding commitments for industrialised countries will have to be adopted. We fully support our Government's objective of reducing CO_2 emissions to 20 per cent. of 1990 levels by 2010. In setting that objective, they are showing leadership to those who are less willing to respect our climate, notably the United States and Japan. The developed, industrialised countries must not only bear responsibility for past emissions and lead the way in setting challenging targets but offer our knowledge and expertise to developing countries to help them to avoid the pitfalls of the past.

If the Government's representatives need any moral support when they attend the Kyoto conference, I assure them that they will have the good will of the people of Gillingham. During the general election campaign, apart from education and health environmental issues were a serious concern among voters in Gillingham. As Gillingham's Member of Parliament since May, I have had to deal with a number of environmental issues.

I hope that I have explained the importance to the people of Gillingham of what some might regard as an irrelevant conference in a far-flung part of the world. I am sure that what is relevant for my constituents is relevant for all of us in the United Kingdom. We look forward to success in Kyoto.

10.40 am

Mr. Tim Yeo (South Suffolk): I congratulate the hon. Member for Gillingham (Mr. Clark) on his excellent maiden speech. Unfortunately, time prevents me from following up his points in detail, but the House looks forward to hearing from him again.

I congratulate also the hon. Member for Stoke-on-Trent, North (Ms Walley) on securing the debate. I deplore the fact that the Government have not made their own time available for such a debate. The request that I made at business questions three weeks ago was refused. Since then, the House has more than once addressed such internal issues as modernisation.

I much regret that, only two weeks before Kyoto, the Government have declined to explain in any detail to the House their position on the issues that the conference will address, and have denied many hon. Members—including some who would have liked to speak in this debate—an opportunity to express their views to the House. The Government's refusal does not sit easily with their claims to be seeking greater accountability and openness in the processes of government, and to be committed to environmental ideals. It rather provokes the suspicion that their green commitments are more about soundbites than about substance—although the Minister for the Environment will have the chance to correct that impression when he replies.

I am sure that the Minister will agree that climate change is one of the most crucial and urgent issues facing Governments around the world. It is crucial because the science is clear; human activity is affecting the world's climate. It is urgent because the longer that Governments in any part of the world delay acting, the more drastic, expensive and disruptive the solutions and the action will

have to be. Many people—most people, I think—now realise that sustainable development is a goal whose achievement is essential for the world's survival. I hope that even my hon. Friend the Member for Billericay (Mrs. Gorman) is close to accepting that point.

Passing on to our children and grandchildren a world that is as good as the one that we inherited depends on sustainable development and addressing climate change. The damage that climate change could do to the world—a world that future generations will inhabit—is not dissimilar to the damage that could be inflicted by nuclear weapons. The damage is perhaps less immediate and less threatening to the short-term survival of the human race, but the long-term consequences for the earth are no less far reaching.

Climate change is not accurately described by the phrase global warming, and it is not only about an agreeable Mediterranean climate coming to these shores. Even within the United Kingdom, many of the consequences of climate change will not be pleasant. There will be severe droughts in parts of the country, including the south-east and East Anglia. There will be more violent storms, and serious consequences for farming, tourism and insurance. Some coastline will be threatened. For the world, the consequences are, of course, much more far-reaching. The very survival of some low-lying territories, where millions of people live, is under immediate threat.

Britain has had a distinguished role in the issue. I am sorry that the hon. Member for Stoke-on-Trent, North did not have the grace to acknowledge the previous Government's record.

Ms Walley *rose—*

Mr. Yeo: I am sorry, but the hon. Lady had much longer to speak than I have, and I cannot give way.

From the time when Margaret Thatcher forced the issue on to the agenda of the world's Heads of Government, Britain has been at the forefront of the debate. Leadership has never been more needed than now. Expectations of what will come out of Kyoto are running high. Public interest is greater than it has been for several years, and the importance of a good settlement is widely recognised.

However, there are two dangers. The first is that the overall target that is decided at Kyoto will be too lax. There will be a risk if the United States influence at Kyoto is too great. We simply cannot defer for another 12 years the timetable for achieving the Rio targets.

The second danger is greater and, more subtle can be summed up in the word flexibility. A good headline target for cutting emissions by 2010—perhaps to 10 per cent. below 1990 levels—could be rendered valueless if the small print contains too many loopholes. If such loopholes are included in an agreement, Kyoto's contribution to averting continued and damaging climate change will be as effective as Munich's contribution, in 1938, to averting war in Europe. A fudged deal in Kyoto will be worse than no deal at all.

I therefore ask the Minister to confirm that Britain will resist any proposal allowing countries such as Russia—whose emissions have fallen sharply since 1990, because of economic collapse—to take credit for those falls, and to sell those credits to other countries under emission trading arrangements which may be established early in the next century.

Will the Minister also clarify the Government's attitude to New Zealand's proposal to use gross emissions as the 1990 baseline figure, which would allow some countries to take credit for reductions resulting from the existence of carbon sinks, although those sinks already existed in 1990?

Above all, will the Minister confirm that the Government understand that the fine print of the Kyoto agreement is as important as the headline target?

The Government's target of a 20 per cent. cut by 2010 has my full support. The European Union target of a 15 per cent. cut also has my full support. I hope that, in the next six months, the Government will use the presidency of the Council of Ministers to stick to that 15 per cent. target, whatever the outcome of the Kyoto negotiations. Will the Minister confirm today that both those targets will remain, even if—as is very likely—Kyoto settles for less challenging figures?

There is growing evidence that people and businesses in advanced countries are prepared for challenging targets. Business increasingly recognises the potential opportunities of accepting the actions that are necessary to tackle climate change. I congratulate BP on pulling out of the Global Climate Coalition in the United States, and on its forward-looking approach to climate change issues. I hope that Shell will follow in its footsteps. I welcome moves by both those great energy companies to step up their efforts in solar energy. Eventually, we may persuade even Exxon to see the light.

Does the Minister understand that, if Britain is to offer the necessary leadership and to continue exercising influence, merely announcing challenging targets is not enough? There must be, and as soon as possible, details of the policies that will enable those targets to be achieved. I regret that they have not already been spelt out.

As the hon. Member for Hazel Grove (Mr. Stunell) said, new policies will be needed. Even if the Minister does not want to gives us details of those policies today, confirmation of some broad principles would be helpful.

For example, will the Minister confirm that coal's contribution in power generation must continue to decline? In transport, will he confirm that market instruments, rather than regulation, will be the main way in which emission reductions are achieved? Will those instruments include, for example, variable rates of vehicle excise duty, to encourage cleaner and more fuel-efficient cars?

Will the Minister confirm that tax changes that are introduced to tackle climate change will be revenue neutral? Environmental goals must not be a smokescreen behind which the Government raise revenue. The model of the landfill tax, where all the proceeds of a new tax on pollution were used to cut the tax on jobs, should continue to be followed.

Finally, the Opposition will not let go of the issue of climate change after the Kyoto conference; it is far too important. We shall continue to monitor the Government's future action. The verdict so far is that the rhetoric has been good but the action disappointing, especially as the tax on energy consumption has been cut, but the tax on energy saving has been maintained at a much higher level. I hope that the Minister recognises that the more he says today about the Government's policies, the louder Britain's voice will be at Kyoto next month.

10.50 am

The Minister for the Environment (Mr. Michael Meacher): We have has an excellent debate which shows the House at its best. I join others in congratulating my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) on obtaining the debate. I thank her for introducing it in a positive, generous and elegant manner. I agree that she has raised what is arguably one of the greatest environmental issues currently facing the world.

I shall cover as much ground as I can in very little time and respond briefly to some of the points that have been raised. We are concerned about the domestic measures to deliver our targets and reduce road traffic. That is why my right hon. Friend the Chancellor introduced the 6 per cent. fuel price escalator, and we are currently putting through the House regulations to increase local authorities' traffic management powers for that purpose. We are also concerned about the contribution of aviation fuel to greenhouse gas emissions. The EU is in favour of an international tax and we are looking to the United States, among others, for support.

We are certainly in favour of extending energy-saving measures. Standards of performance have been provided by the electricity regulator since 1994, but not by the gas regulator, so we shall address that. I am concerned about the reducing budget for the Energy Saving Trust, as it does an excellent job. Of course, we inherited public expenditure totals to which we are keeping, but a comprehensive spending review is being undertaken in Departments precisely to see whether we can redistribute money into key areas. I am also keen to see the development of clean coal technology.

I warmly welcome what my hon. Friend the Member for Gillingham (Mr. Clark) said in an amusing, enjoyable and well-informed maiden speech. I thought that I knew Gillingham and the Medway pretty well, but I have learnt a great deal more about its history from my hon. Friend. I endorse what he said and thank him for his support for our policies in respect of integrated transport, energy efficiency at home and environmental taxes. The House should have regard to what he said about the effects of greenhouse gas warming on rising sea levels, not just in Bangladesh or the Maldives, but in parts of the United Kingdom such as the Medway marshes.

The hon. Member for Billericay (Mrs. Gorman), in a stimulating speech, seemed to be representing the car industry or the Global Climate Coalition. She should recognise that, although, as she said, traffic emissions represent only 25 per cent. of United Kingdom CO_2 emissions, CO_2 emissions represent 81 per cent. of all greenhouse gas emissions. Therefore, traffic emissions represent about 20 per cent. of all greenhouse gas emissions. It is a substantial figure which we cannot ignore.

The hon. Lady raised a number of scientific points that some might consider as debunking the conventional wisdom. I understand her point about the effects of the sun and the Milankovich cycles, about the effect of El Nino, which is now more frequent and more violent and may have some connection with the effects of global warming and vulcanism, what happened at Mount Pinatubo and other factors. However, it is fair to say that the balance of evidence is strongly against her and the Intergovernmental Panel on Climate Change, which comprises 2,500 scientists and experts from around the world, believes that the evidence clearly suggests a discernible anthropogenic effect on the climate. We have to accept that and act on it.

I thank the hon. Member for Hazel Grove (Mr. Stunell) for his fine comments and I share nearly all his concerns. It is a little early to expect all Government Departments to have clear targets. As he said, we have been in office for only a short time. However, the White Paper that we shall issue in the spring will include energy-saving and transport-saving plans for each Department and targets that they will have to achieve. I accept his point—I am on the record as referring to it before the election—about the desirability of synchronising VAT on energy and energy-saving materials. A Customs and Excise review is under way, looking at precisely that point.

Before I turn to the main part my speech, let me at last refer to the speech by the hon. Member for South Suffolk (Mr. Yeo). We have heard two speeches from Opposition Members which seem to be diametrically opposed. This is one of the rare occasions when I agree with the remarks of the Opposition Front-Bench spokesman, rather than the speech of a Back Bencher. The hon. Gentleman is quite right about superheating in Russia. Of course, it is perfectly sensible that there should be joint implementation so that Russia is able to grow using the latest technology and that it should be able to obtain credits for that. However, there must be emphasis on the restructuring of domestic economies. Flexibility and joint implementation are meant to strengthen those targets and not be a substitute for them.

We are concerned about carbon sinks. The EU has yet to take a final decision, but the entire world has seen the fires in Indonesia and the destruction of the forests which sequestrate carbon and the increase in CO_2 that forest fires produce. The hon. Gentleman was right to say that we need to be careful about how we write that into the protocol, if we do.

On the hon. Member's important point about the EU, following Kyoto—assuming that it is a success—there will be a new burden-sharing arrangement to be agreed at the first EU Environment Council in March, when Britain will have the presidency. We shall also maintain our domestic target of a 20 per cent. reduction in emissions. Our first commitment is to achieve our legally binding commitment, as agreed at Kyoto, but, in time, we will go beyond that to achieve our own domestic target.

The hon. Member for South Suffolk said that we had not set out the details of our policies. We have not had a great deal of time, but the delivery mechanisms will be set out in detail in our White Paper in the spring.

We were elected on a manifesto commitment to lead the international fight against global warming. It is not fair for the hon. Gentleman to say that it is a matter of soundbites. Although we have made substantial progress already on delivering that promise, a successful outcome to Kyoto is far from assured. We shall certainly do everything within our powers. My right hon. Friend the Deputy Prime Minister and I will be engaged in extensive international consultation involving much travelling over the next fortnight precisely to exert diplomatic pressure where we can.

As I said, we have committed ourselves to a 20 per cent. cut in carbon dioxide emissions by 2010. The Prime Minister restated his support for action in a speech to the United Nations. I should make it clear that I believe that

the previous Administration had a good reputation on climate change. Indeed, to be fair, my hon. Friend the Member for Stoke-on-Trent, North said that. I pay tribute to the previous Secretary of State. The problem was that he was not backed up by his Cabinet colleagues; he did not have the support of the rest of the Government. That is what is so different this time. The whole Government are behind our objectives.

As others have said, global warming will not be as attractive a prospect as some may believe. Yes, there may be more long, hot summers, more alfresco dinner parties and warmer winters, as we are seeing, but the reality in future will be very different if we do nothing. There will be more rain, frequent floods, more storms, hurricanes and disasters, and diseases such as malaria will certainly reappear. Prime agricultural land will begin to disappear under the waves, and if the Gulf stream shifts, which could well happen, we could certainly face a much colder climate—perhaps more like Siberia than the south of France.

Mr. Deputy Speaker: Order. We must move to the next debate.

Oxford and Cambridge College Fees

11 am

Dr. Evan Harris (Oxford, West and Abingdon): A story runs that only in Oxford would one hear a snatched conversation between two people walking down the street, in which one is saying to the other, "And ninthly." The House will be pleased to know that, although I have a number of points to make, I shall not tax its patience or my numeracy by matching that caricature.

I should begin by making clear what I shall not be speaking about. I shall not be claiming that Oxford and Cambridge are the only two excellent universities. Indeed, I would mention that, in many of our leading universities, departments across a range of subjects rival and even exceed the quality found in Oxford and Cambridge. I hope that Members will not spend time this morning arguing that point, which I think has already been conceded.

This debate allows discussion on how we can improve access to excellence in teaching and research. It does not concern privilege or elitism in any sense other than we would wish to help to produce an academic elite just as we would artistic, cultural and sporting innovators and leaders. There is no reason why the term "elite" should be one of abuse, providing that there are opportunities for all members of society with the right gifts and talents to access the means by which they may excel.

Mr. Robert Jackson (Wantage): Will the hon. Gentleman spell out to the Government the limited range of practical steps for many colleges if the fee that the Government pay is abolished or substantially reduced and if they are not allowed to resume the charging of private fees? As he will point out, such options are stark. Colleges could close, they could scale down their activities to the level that their endowment and university-derived income provides, or they could substantially increase the number of full fee-paying overseas students. Does he agree that the Government would be well advised to cut out egalitarian dogma and focus on practical implications?

Dr. Harris: I am grateful to the hon. Gentleman. Although I shall not necessarily imply that I believe that that is what the Government are doing, I shall turn to some of the options for universities if they are faced with a cut in income of any kind, specifically the potential cut in college-fee income. Access is at the heart of the debate, and I shall return to it later.

The current review is being conducted because the Dearing report said that any funding differentials between different educational establishments should be reviewed with a view to maintaining higher levels of investment only if there is an improved difference in provision and if the state, through the Department for Education and Employment, decides that it is a good use of resources. The review is therefore welcome because it is an opportunity for Oxford and Cambridge universities to justify their additional funding.

It is right, as Lord Plant said last week in another place, that any differential funding by the state be the subject of proper scrutiny. It must be publicly justified and periodically reviewed. The review provides an opportunity to show value for money and to re-energise universities' efforts to expand access.

[Dr. Harris]

We must remember that the Government and parliamentarians share an interest in ensuring that nothing said here will deter state-school applicants of appropriate merit from applying to Oxford and Cambridge universities. There is a great problem with image; it is an outdated one which portrays them as caricatures and as stereotypes in the media. We must ensure that any comments that we make today can be used by people who wish to see the excellence offered at Oxford and Cambridge and other universities open to state-school applicants.

Today's debate, and the review which prompted my request for House of Commons' time to discuss it, provides a valuable opportunity to debunk the Oxbridge myths. I was educated in a Liverpool state school and trained in medicine at Oxford university so that I could go on to a career in public service—the health service initially. I am therefore anxious to eliminate the myth of Brideshead-style privilege. Broadening access and encouraging the most able from all backgrounds to apply and undergo the, albeit rigorous, selection procedures is a job for the two universities, in co-operation with the Government.

Some people will always be attracted to Oxbridge for what we might call the wrong reasons, but I am concerned with the substance rather than the fluff of what it produces. We must deprecate the fact that the press do not publish pictures of people in formal academic dress at other universities which have the same or similar ceremonies to those at Oxford and Cambridge and approximately the same number of annual occasions. I want to move away from the associated image of gilded youth and dreaming spires.

The Government are right to be taking advice and seeking information from various sources, including the Higher Education Funding Council for England, which has been asked to give a view. We should, however, remember that the funding council has a relatively narrow remit to look only at funding issues, and then only within its terms of operation, which is generally to even out funding. The Government must not allow any reduction in funding to be implemented without proper consideration of Oxbridge's place and role in what the Prime Minister likes to call "the big picture".

Our secondary education system is severely damaged. The state sector achieves relatively poor results compared with private and grammar schools. People have made great play of the apparent wider access to universities in former days, but that was of course before the huge expansion in private secondary school education over past decades, when grammar schools moved into the private sector.

We have also seen a huge expansion in the number of assisted places. The figures that Oxbridge collects—the only universities to publish them—will include people who, in the 1960s, would have attended state grammar schools and who come from all backgrounds, especially lower socio-economic groups. We must remember that, until recently, such people did not progress through assisted places.

Problems with access—the ratio of state to privately educated students at Oxford and Cambridge is approximately 50:50—together with the British tendency to associate the word "elite" with class privilege, has skewed our perceptions of excellence in higher education. The French have no problem with the concept of an elite, and pour far more money than we do into students who attend the top higher education institutions—the grandes écoles. Since the French have a totally egalitarian state secondary school system that works, their elite is meritocratic. We need to move more quickly toward that ideal, as I am sure the Government would agree, by broadening access to the best institutions and not by homogenising or levelling down.

The Government have spoken of their commitment to excellence in, for example, their intention to create centres of excellence and special training facilities for tomorrow's sporting heroes. I hope that they can work with Oxford and Cambridge to ensure that those two training grounds for exceptional academic ability continue to lead the world and draw on all British talents.

Oxford and Cambridge are world-class institutions, in the top 10 on any measure of merit, and unique in Europe for being able to compete with and match the standards of the great American universities in both teaching and research across a broad subject range. Alone in Europe, Oxford and Cambridge can compete with Harvard, MIT, Columbia, Yale, Princeton, Chicago and California. Penicillin was discovered in an Oxford laboratory and DNA in a Cambridge physics department. I am pleased to see the hon. Member for Cambridge (Mrs. Campbell) is present, and look forward to her contribution to the debate.

Through their work, the universities indirectly contribute to the standing of this country in arts and science, and of course to the work of other universities in cross-fertilisation of ideas and personnel. Of the university professors listed in "Who's Who", a majority have been through Oxford or Cambridge—especially for an early part of their research career.

The extra college fee income must be seen to be used to maintain quality, not for other purposes. That extra fee income is used by Oxford and Cambridge to provide a unique teaching system and extensive research capabilities, all in the context of a collegiate structure.

Mr. Barry Sheerman (Huddersfield): Does the hon. Gentleman agree that the extra resources would be more acceptable if the price extracted for them was wider availability for ordinary bright children to go to Oxford and Cambridge?

Dr. Harris: I am grateful to the hon. Gentleman for making that point, which I shall deal with later. It is at the nub of the argument. The fee will not be perceived as value for money unless it is used to provide wider access to Oxford and Cambridge for all socio-economic groups than applies at present. The funding is used to deliver excellence and quality in the collegiate system. I do not claim that one-to-one tutorials are the norm or the only way of teaching, but the collegiate structure and the community of learning make those places different and contribute to the excellence that is provided.

Dearing specified that there should be diversity in Britain's higher education. Oxbridge offers unique features that must not be sacrificed on the altar of a fallacious definition of equality. The Dearing report says:

"We do not believe that students in the future will see themselves simply as customers of higher education but as members of a learning community."

Oxbridge has cross-subject communities. That experience should be held up as an ideal. Those who sit on the Labour Benches in another place have said that, from teaching in other universities and consulting universities abroad, they have found that Oxford and Cambridge are a model on which many institutions abroad base their teaching methods.

College-based university life provides unique opportunities to interface between disciplines, which leads to unusual and exceptional achievements. The discovery of DNA was a biology problem solved in the physics department at Cambridge. If Britain loses a precious asset such as Cambridge science—there is great fear and danger that, should the fee be reduced—Microsoft's recent valuable inward investment package may not be repeated. Indeed, the standing of British universities may never recover.

It is not strictly correct to say that the argument is about undergraduate teaching alone. Lord Plant, from the Labour Benches in another place, has said that research in Oxford and Cambridge is embedded in a collegiate structure which is bound to be more expensive and will not survive if college fees disappear. Colleges fund research fellowships, junior research fellowships, graduate studentships and graduate scholarships from their income.

The college system is not the only way to achieve that or a template that all must follow, but where it exists there are additional benefits that compensate for additional costs. The Oxford and Cambridge college system is a fact of life that cannot be uninvented, even if it is a model that other universities would prefer not to, or could not afford to, follow.

The £35 million that goes to Oxbridge in college fees gives good value for money, helping to maintain those pre-eminent institutions and their teaching and research strengths. The money does not come from the HEFCE pool, so it is not taken directly from other universities. It is a separate item in the budget of the Department for Education and Employment, used to compensate local education authorities for paying the fees that students used to pay. The HEFCE general budget gets a clawback.

There is a danger that, if the fee were reduced, the Government would not automatically allocate the money to other universities without taking a decision to do so. While I join the Government in lamenting the drop in unit resource in universities over the years and I recognise that there is chronic underfunding in the higher education system, I do not think that they would argue that such a simplistic measure would solve all the problems facing higher education.

It is sad that so much is said about funding that is deleterious, looking at what some colleges have and saying that they should not have it simply because other universities do not. Some have said in another place that it would be no bad thing if Oxford and Cambridge colleges were to close. Such comments are unwelcome in this debate.

Academic salaries in Oxford are as low as those anywhere else in the sector. Without the senior lecturer grade that exists in other universities, many age equivalents are less well remunerated. It is sad that hon. Members may have to be reminded that college members pay from their salary for any wine that is supposedly consumed in large quantities in the colleges. I hope that we shall hear no more such nonsense and stereotypes.

There is no pot of gold on which colleges can draw to keep afloat. They cannot compensate for the withdrawal of college fees by selling their assets, as recent press coverage has suggested. Some colleges have valuable assets, but every penny earned from those assets, endowments and funds is spent on teaching research and the upkeep of libraries, laboratories and college buildings, often of great heritage value.

Christ Church in Oxford is not poor, but it funds, among other things, 16 junior research fellowships and looks after the 12th-century cathedral for the city and the nation with part of its income. The Cambridge equivalent is the King's college chapel.

Those who suggest that such colleges should sell what they have fail to distinguish between capital and revenue. By the standards of American universities, which have far larger endowments, Oxbridge is positively reckless in taking earnings of 4.6 per cent. from its investments and assets to complement the funding that it receives from the public purse. What is more, the decision in the July Budget to abolish tax relief from dividends will reduce income by about 10 per cent. I make no comment about the appropriateness of that decision.

If assets are sold, there will not be the income to match—indeed, more than match—the public subsidy. The situation is a superb example of a public-private partnership. The colleges, which are private institutions, more than match, for the same purposes, the funding provided by the state in the college fee.

Dr. Brian Iddon (Bolton, South-East): In arguing for the preservation of the elitism of Oxbridge, I understood the hon. Gentleman to say that we should improve access by developing an egalitarian state school system. Is he advocating the abolition of the public school system?

Dr. Harris: I am asking that we improve standards in the state sector—a policy that I believe the Government to be committed to. We have supported moving the subsidy previously used for assisted places to the state sector. That will allow higher quality from the state sector. The current lack of applications from good state sector candidates, for reasons that I have already mentioned, is the biggest problem in our attempts to ensure a better ratio of state to private and overseas students.

Mr. Phil Willis (Harrogate and Knaresborough): Does my hon. Friend agree that that is the crux of the issue? Unless targets for admissions from the state sector are set for Oxford and Cambridge, it is unlikely that anything will change. Does he agree that part of the package to justify the extra £35 million must be positive steps on that and agreed targets to redress the balance?

Dr. Harris: I entirely agree with my hon. Friend. That is why the universities welcome the Government's initiative in seeking the review. Many proposals have been put forward to expand further the work done on access from the state sector to those two universities.

Mr. Robert Jackson: That is all well and good, but will the hon. Gentleman remind the House that a substantial proportion of A-levels go to pupils from independent schools? As long as Oxford and Cambridge are seeking to attract the brightest and ablest students,

[Mr. Robert Jackson]

which must be part of their mission, it is inevitable that they will choose from the pool of people with A-levels. Regrettably, the performance of the state sector is such that a high proportion of A-levels go to children from independent schools.

Dr. Harris: I am afraid that I must disagree. There are clever people in all sectors of education, but we do not get a sufficient number of applications from the state sector. A-level results are not necessarily the best way of judging whether people are bright.

Mrs. Anne Campbell (Cambridge): Would the hon. Gentleman agree that Oxbridge merely accepts the students who are best prepared, not necessarily the brightest students; and that that is why so many of them are from the public school sector?

Dr. Harris: Yes, but recent changes in Oxbridge admission procedures have attempted to tackle that. Certainly Oxford—and I think Cambridge too—interviews far more people for each place than does any other university, so as to ensure that what appears on paper, perhaps reflecting good preparation, does not disguise people's ability or rule out those with great potential from the state sector. Often ability will emerge better in an interview—but more remains to be done.

Removing college fees will inevitably damage access, either because colleges will have to reintroduce charges to the student that are no longer made up for by LEAs, or because colleges will have to put up room and board costs, or because they will have to admit a greater number of paying—and hence wealthier—overseas students. The universities do not want to start charging students fees which the Government currently pay, but that is the next alternative open to them as independent institutions.

If the Government want to prevent the Oxbridge colleges from taking this step under the duress of the removal of the fee money by the DFEE, that will involve complex and time-consuming hybrid legislation. As the Bishop of Oxford said in another place, it would be sad if, as a result of Government legislation, Oxford and Cambridge became a club for the relatively well-off, with all that that would imply for future jobs and careers and the accentuation of a worse kind of elitism.

Of course Oxbridge has always charged college fees. Until 1962, scholarship students there had their fees paid by the state, but all others paid the extra money. But then legislation passed on the costs to the LEAs for all UK undergraduates. The LEAs were then able to recoup the costs from the Treasury. If the Government remove funding for the college fee system, the colleges will have to find students who can afford to pay the fees themselves, and that in turn will further damage access. Indeed, the effect would be the very opposite of what the proposal is intended to achieve.

Mr. David Heath (Somerton and Frome): Does my hon. Friend share my great concern that, if the Government persist with their wrong-headed decision to introduce tuition fees, not only will such fees increase across the board in time but differentials will open up between various places of learning? In the end, Oxbridge and the medical and veterinary colleges will be completely out of reach of ordinary people and will turn into truly elite institutions—

Mr. Deputy Speaker (Mr. Michael Lord): Order. May I remind the House yet again that this is a very short debate? A number of those who have intervened are also, I believe, seeking to catch my eye later; they should bear in mind that their interventions take time away from their own speeches.

Dr. Harris: There is certainly great concern that up-front fees—or up-front debts—may deter people from higher education and from taking less well remunerated jobs in the public sector. The Government are grappling with such difficulties, but I will not dwell on the subject today. Suffice it to say that we all deprecate additional up-front fees, even with means testing administered by colleges, as the worst of all worlds.

Critics of Oxbridge call for modernisation. There is a great deal of room for improvement in the crucial area of access; but people must realise that removing the college fee would achieve the opposite of what they want. If colleges cannot charge their students for the fee, the first ones to go bankrupt or to go private will be the newer, poorer colleges, many of which are women's colleges—the only remaining state women's colleges in Britain. Surely the continuation of such arrangements would be in line with the spirit of Dearing, which requires the fostering of diversity.

The women's colleges and the more recently founded colleges do not possess land or inherited wealth, and have far smaller endowments and fewer assets. A good example would be Somerville college in Oxford, where the college fee money provides one third of the college's total income. It is spent entirely on academic stipends.

Removing some or all of the fee will have serious consequences for jobs and the local economies of both cities, with redundancies and associated costs in academic, administration and ancillary posts. Such action would contribute to the brain drain. Talented British academics would leave for postings overseas, especially in the USA. The loss of the fee would also undermine the general economic health of the two cities. Oxford University employs 10,500 people, of whom 3,000 are college non-academic staff. That is to say nothing of those employed by the companies and institutions that flock to these cities to be close to the universities.

Colleges maintain their historic buildings and collections without heritage grants. The Bodleian library has just had its application for a restoration project rejected by those who make the decisions on lottery awards. This investment by the universities in heritage feeds into the lucrative year-round tourist trade, which also generates jobs. In this sense Oxford and Cambridge are industrial cities whose main industry is education, based in and around the universities. Damaging those universities would threaten the economic well-being of a large part of the population.

The Liberal Democrats will support Government moves to provide high-quality mass education and to support our existing centres of excellence, with open admission procedures based on merit and talent. I hope that some of my arguments this morning, especially those about the need to improve broad access, have demonstrated

the place held by Oxford and Cambridge in this vision. I further hope that Members who enjoyed and benefited from an Oxbridge education after leaving state schools, as I did, will not adopt a drawbridge mentality. We must be keen to maximise opportunity for those who come after us; we must retain the college fee coupled with a requirement to improve access and to show value for money.

I close with a statement by Lord Winston, who said that he joined the Labour party because he believed in a fair society, but, he said, a fair society does not mean that people are equal in every respect. We are talking about truly outstanding institutions which are models of university education not merely in this country but throughout the world. Academic institutions throughout Britain are extremely fragile. We might damage something which in turn could damage our national economy.

These universities are brand leaders in British higher education. If they fall, the reputation of British higher education will be damaged. I hope that the Minister's response today will be as constructive as the spirit in which I have attempted to deal with these difficult issues.

11.26 am

Mrs. Anne Campbell (Cambridge): I thank the hon. Member for Oxford, West and Abingdon (Dr. Harris) for raising this issue and congratulate him on gaining the time in which to do so.

I am proud to represent a university that has contributed so much success to academic endeavour and excellence. Most of us are proud to live in a country that can still achieve world firsts—a country renowned for its contributions to science and technology as well as the arts and humanities. We should celebrate our nation's success: it increases our self-confidence and self-esteem, and it leads us to greater achievements in the future.

One thinks of some of the people who studied at Cambridge—Isaac Newton, Watson and Crick, Rutherford and J. J. Thompson. They all achieved their remarkable success at Cambridge university. Cambridge has also shaped the arts and humanities by giving us people such as F. R. Leavis, Rupert Brooke, Ted Hughes, Maynard Keynes, Wittgenstein, Joan Robinson and Ian McKellen.

The briefing prepared by Cambridge for Members of Parliament stated that Cambridge had won 68 Nobel prizes, but since that briefing was prepared Cambridge has won another one for molecular biology. That is surely a record to be proud of.

Oxbridge's contribution to our economy is difficult to assess, although needless to say it is pervasive. Among its better known graduates are the Prime Minister, Cabinet Ministers, many Members of Parliament, including me, captains of industry, senior civil servants, professional people, actors, journalists and many others—all of them sport a Cambridge or Oxford MA after their names.

The contribution to the local economy is much easier to measure. About 30,000 people are employed in 1,000 technology-based firms in and around Cambridge, in my constituency and that of the hon. Member for South Cambridgeshire (Mr. Lansley). Most of those companies say that the university is one of the main reasons for locating in the area or that it is the basis for their existence.

A wide range of expertise is represented, from telecommunications in firms such as Ionica and Cambridge Cable; biotechnology, in firms such as Amgen, Cantab Pharmaceuticals and Peptide Therapeutics; information services, in firms such as Analysis and UUnet; computer hardware and software, in firms such as Olivetti and Xemplar, and now Microsoft, and industrial consultancy, in firms such as Cambridge Consultants and Scientific Generics. Those firms are known not just nationally but internationally as excellent in their fields.

Those companies also generate huge revenues for the Exchequer. One argument that I have heard made is that the college fee should be increased because the payback on the investment is so enormous that it justifies the initial investment. I hope that my hon. Friends will agree that we should do nothing that will damage the excellence of those institutions and the national benefits which accrue from them.

That is not to argue for the status quo. It is right that Oxbridge colleges should account for the ways in which their public subsidies are spent and justify them. When every other item of expenditure is being closely examined, it would be wrong to regard Oxbridge as untouchable. Few would argue that the system could not be more efficient or effective. We have a new Government who value achievement and who set out a clear agenda for higher education in their pre-election document, "Lifelong Learning". Equal access to higher education is an important principle, on which the Labour party fought the election and which was overwhelmingly endorsed by the population.

My hon. Friend the Member for Huddersfield (Mr. Sheerman) said that at the moment the system is not egalitarian. More than half the students at Oxbridge are recruited from the independent sector, which represents only 9 per cent. of the school population. For those who wish to preserve the excellence which is Oxbridge, that makes the college fee hard to defend. It means that the subsidy goes to those who have been best prepared rather than those who are the brightest and have the most ability. Although many state schools prepare students well for higher education, after 18 years of Tory mismanagement of our education system, many do not.

Mr. John Burnett (Torridge and West Devon): Do not Oxford and Cambridge go to a great deal of trouble in their interview process to discover not just the academic qualifications of individual candidates, but their inherent intelligence? Do they not bend over backwards in that endeavour?

Mrs. Campbell: I do not know whether the hon. Gentleman is implying that, because the admission of students from the independent sector is more than 50 per cent. at Oxford and Cambridge, it means that students who go to the state sector are less intelligent than those who go to the independent sector, but that argument does not hold up. Oxbridge cannot make up for the defects of our state school system, but it can suit well those bright students who have underdeveloped potential. Some colleges in Cambridge have led the way—Churchill, Fitzwilliam and King's, which now admit 75 per cent. of their intake from the state sector. Those are examples which can be copied and from which we can learn.

[Mrs. Campbell]

I want to quote the example of one of my constituents who went to Cambridge from a less than privileged background. He described to me how he had been admitted to Fitzwilliam college with qualifications gained through part-time study at a technical college some 30 years ago. That was obviously an enlightened admissions tutor. He had qualifications well below the average standard of undergraduate entry. Through the efforts of his college supervisor, he quickly made up lost ground and went on to play a major role in the development of the scanning electron microscope.

Such instruments are now to be found in research laboratories throughout the world and have helped to create hundreds of thousands of jobs at Leo Electron Optics, formerly Leica, in the United Kingdom and elsewhere. In addition, he started a small science park company. That shows that there has been a worthwhile return on the investment in his education, which has created so many jobs and has been of so much value to the country.

It has been said that Oxford and Cambridge do try to admit students from the state sector, but they should try harder. I was pleased to see Cambridge university's recent statement on the steps that it is taking to do just that. The recently announced target of 65 per cent. of students from the state sector is not just empty rhetoric. The proposals include a high-powered task force and a public relations campaign to encourage more clever students in state schools to consider applying; the group to encourage ethnic minority applicants will also continue, and the internal admissions procedure will be simplified and sharpened.

While I am on the subject, I want to say a little more about the excellent initiative—the target schools scheme—which I think operates in Oxford and Cambridge. It is run in Cambridge by the Cambridge university students' union. The reason I am so knowledgeable about it is that one of the people who ran the scheme, Alex King, is my researcher in the House this year. He and a number of other people organised the scheme successfully in Cambridge. Each school with a sixth form and each sixth-form college receives a 16-page prospectus aimed at state schools, and the offer of a visit from a student to encourage others to apply.

I was alarmed that last year the student union had to dip into its own resources to find £350 for a computer disk with updated information on the names of schools, head teachers and so on. I should be glad if my hon. Friend the Minister would investigate whether such information could be provided free in future by the Department for Education and Employment. It is a worthwhile cause, and students should not have to dip into their own pockets to pay for it.

I understand that there are plans to strengthen the target schools scheme and I heartily applaud those efforts. We should heartily approve of students who are prepared to give up their own time and resources in order to participate.

Mr. Willis: I am interested in many of the hon. Lady's remarks, but is not one of the barriers to greater access the gold standard of A-levels? Does she agree that, until we have a different qualification structure for 14 to 19-year-olds which is more egalitarian, we will never achieve the sort of targets that she and I, and my hon. Friends, would like to see?

Mrs. Campbell: There is a case for widening the qualifications for 16 to 19-year-olds. That is something that the Labour party has been in favour of in the past. There is a misconception in many universities, and probably in Oxbridge as well, about other qualifications, such as vocational qualifications, and their intellectual value as a preparation for a degree.

In addition to all the steps that I have mentioned, Cambridge is developing further its provision for mature students. It is extending a scheme for undergraduates with low financial resources, appointing an access officer and an access task force and it is making access and admissions information available on the university website and colleges are making direct contact with teachers in more state secondary schools. A great deal is being done and I look forward to seeing the success of that in the months and years to come.

The Government are keen to promote lifelong learning, something of which I wholeheartedly approve. It is perhaps less well known that Cambridge university was a pioneer of adult and continuing education in the last century. That has continued through to this day. Currently, 15,000 students benefit from the adult programmes at Cambridge university. Professional and vocational development programmes are offered to a wide range of practitioners, including doctors, teachers and the police.

I want to touch briefly on the recently published college accounts, about which there has been a great deal in some of the Sunday papers, which show that a few colleges are particularly wealthy. Trinity is one of those that has managed its assets well, and it now has an income of around £19 million a year. It has been argued that, if redistributed, the Trinity income alone could make up the loss of the college fee. However, it is worth asking where Trinity's funds currently go and what areas would lose out if they were to be redistributed.

In addition to undergraduates, Trinity, in common with all the other colleges, has a high proportion of postgraduates and research fellows, who are funded from the college's private endowments. Trinity college also makes funds available for research—for instance, at the Newton Mathematical Institute, which scored a magnificent success when a young researcher, Andrew Wiles, discovered the proof for Fermat's last theorem. That problem had confounded mathematicians all over the world for 300 years. We should all take delight in such success, celebrate it and try to ensure that it continues.

I would guess that in the Chamber today are sceptics who believe that the £35 million could be better spent elsewhere, and I do not doubt that there is room for change. Corresponding changes in the government and structure of the university could create a better institution than the one we have at present. It does not seem sensible that the colleges and the university are funded separately from the public purse. A funding system whereby the money went directly to the university to be distributed to the colleges would lead to more efficient management of the system.

I urge the university to listen to student pleas for a more centralised welfare system. The stresses on students in a demanding hothouse atmosphere are excessive and cause

great suffering. It is time to take a more professional approach than that offered by an untrained academic acting as a tutor. I know that colleges subscribe to the university counselling service, but that is available only when students are already experiencing serious problems. Young people who are living away from home, often for the first time, require advice and guidance from professionals; they should not have to rely solely on someone who will write their references at the end of their course. Pooling resources to provide a comprehensive student welfare service, as exists in many other universities, would be beneficial.

There are those of us who regard the current review as being as much an opportunity as a threat. A review of the system will lead to improvements, regardless of the outcome of the funding review, but we should consider what would be the outcome if the college fee were to be removed completely.

Colleges would certainly react by taking in more foreign students, who would pay the sort of fees currently charged by universities in the United States. That would have knock-on effects in terms of limiting opportunities for home-grown students. Colleges might also be tempted to increase their income by charging top-up fees to home students. I am heartened by the statement by my right hon. Friend the Secretary of State that he would make great efforts to prevent universities and colleges from adopting that course. It would be difficult to prevent them from doing so, because they are private institutions, but no doubt ways will be found.

The consequence of such actions would not be that desired by many of my colleagues. The university would become more exclusive: there would be no incentive for colleges to take more students from poorer backgrounds and the recent gains in the percentage of state-school pupils admitted would be reversed. Oxbridge would, once again, become the exclusive home of privilege and wealth. I want everyone to be able to gain from the excellence available at Oxbridge. Bright students everywhere should be able compete for places without the fear that Oxbridge is not for them or that there is a bar to their entry. That is what the colleges want, too, and I hope that the Government will help them to achieve their aim.

11.43 am

Mr. Andrew Lansley (South Cambridgeshire): I am especially pleased to be called in the debate and to follow the hon. Member for Cambridge (Mrs. Campbell), who made several remarks with which I agree, so I shall not delay the House by repeating them. I am grateful, as are we all, to the hon. Member for Oxford, West and Abingdon (Dr. Harris) for having sought this timely and important debate.

As Member of Parliament for South Cambridgeshire, I represent two Cambridge colleges—the lesser part of Cambridge university, but the part containing the Institute of Molecular Biology; I am happy to say that, just a few weeks ago, my constituency acquired another Nobel prize winner.

I am not a graduate of either Oxford or Cambridge, although some say I would have benefited from being so. Nevertheless, that does not disqualify me from saying that I entirely concur with the hon. Member for Oxford, West and Abingdon that we are not talking about two centres of excellence to the exclusion of other universities. There is much excellence to be found in Britain's higher education sector, and to say that Oxford and Cambridge occupy a special position is not to denigrate the achievements of other universities.

Oxford and Cambridge occupy a special position not only in our own education system but in the world education structure. The hon. Member for Oxford, West and Abingdon was right to say that they are unique within Europe and that they have a capacity to compete directly with the major United States universities. If the higher education structure in this country did not exist, the United States universities would acquire an international monopoly as centres of excellence. That would be a monopoly to be strongly deplored.

I shall restrict myself to making one or two points. First, much of the debate has been about access and admissions to Oxford and Cambridge. The hon. Member for Cambridge amply testified to Cambridge university's intention to increase further the number of students taken from state schools.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): I declare an interest in that I was educated at Oxford. I am sorry that there is such a strong Oxbridge flavour to the debate this morning and I hope that hon. Members representing other parts of the country will be called to contribute later. Will the hon. Gentleman accept that, when I was at Oxford in the 1960s, the ratio was about 50 per cent. private school students: 50 per cent. state system students, and that that has not changed at all over the past 30 years? The promises we keep hearing from Oxbridge ring hollow.

Mr. Lansley: The speech of the hon. Member for Cambridge gave ample testimony to the great efforts made by Oxford and Cambridge in that respect. The figures tend to mislead.

Mr. Howard Flight (Arundel and South Downs): A-levels.

Mr. Lansley: My hon. Friend makes the point about A-levels: in so far as A-levels are a measure, it is clear that Oxford and Cambridge are being presented with many highly successful A-level students from the independent sector, but they are not restricting their efforts to attracting such students. Through the target schools scheme, many colleges are making every effort to interview applicants from the state sector in a way that identifies potential rather than simply assessing performance at A-level.

Mr. Flight: Is my hon. Friend aware that a significant proportion of Oxbridge students from independent schools went to those schools via the assisted places scheme, a fact which distorts the comparison? In addition, a number of schools that were in the state sector 30 years ago have since moved into the private sector.

Mr. Lansley: My hon. Friend makes an important point. I do not wish to debate the assisted places scheme again, but its existence has meant that the proportion of students coming to Oxford and Cambridge from the independent sector is by no means an expression of elitism, since such students may well have come from low-income households and used the assisted places route to secondary education.

[Mr. Lansley]

I run the risk of falling into the trap against which I wish to argue, which is construing the review as being essentially about access and admissions. It is not. The review is fundamentally about value for money and the use of the resources deployed through the collegiate system in the universities of Oxford and Cambridge to achieve excellence. If, as I hope, access is improved and admissions from state schools are increased, students will not wish to be admitted to a university whose standards have not been maintained and whose methods of teaching are no longer those that once sustained those standards on an international scale.

We have to look at the use of money and resources, and on that point the arguments are clear. We are talking about one third of 1 per cent. of total expenditure on higher education—perhaps one thousandth part of spending on education in this country, but it is a one thousandth part that has a powerful influence throughout the system. Excellence breeds excellence, not only within higher education, but within the education system as a whole. The collegiate system is not simply about tutorial groups and teaching: it is integral to the research output of Oxford and Cambridge.

The hon. Member for Oxford, West and Abingdon made it clear that 70 per cent. of United Kingdom university professors pass through Oxford or Cambridge at some time during their academic career, so there is a spread of that excellence throughout the education system. The idea that we can have some sort of Marmite strategy and take the—

Dr. Ian Gibson (Norwich, North): Can the hon. Gentleman give me an example of a piece of excellent research that developed solely because of the collegiate system, as opposed to research such as that on DNA, which was developed in a Medical Research Council laboratory that just happened to be sited in Cambridge?

Mr. Lansley: The hon. Gentleman will forgive me if I do not attempt to give examples. I am aware that, in Cambridge generally, the ability within the multi-faculty universities and the collegiate system to relate one discipline to another has led to a cross-fertilisation of great importance.

Mr. Robert Jackson: My hon. Friend might like to refer the hon. Member for Norwich, North (Dr. Gibson) to Trinity College, Cambridge. Over 100 years of the Nobel prize, that one college has won more prizes than France.

Mr. Lansley: I am grateful to my hon. Friend. There are many examples of excellence within both universities. As I have said, I am not denying the presence of excellence in other universities. There are universities where two thirds to three quarters of research departments are achieving five-star ranking. There is no lack of excellence in other universities, but we must recognise—it is a matter of perception as well as reality—that, throughout the world, there is a recognition of what Oxford and Cambridge are achieving.

We need to look at the two Dearing criteria. I am sure that hon. Members understand and accept the need for a review of the college fees system and I am sure that the two criteria of good value for money and good use of resources are perfectly acceptable. On those two criteria there will be no difficulty sustaining the college fees system, because it does represent good value for money and is a good use of resources.

It is good for the universities in terms of what they achieve with the students who attend them. It is good for the higher education system because Oxford and Cambridge are feeding excellence and success elsewhere within higher education. It is a good use of resources in terms of our economic benefit. The hon. Member for Cambridge accurately referred to the impact on local economies, but we could look at the impact on the United Kingdom economy as a whole.

I used to be a recruiter of graduates in a highly competitive environment. I was only too well aware of the aptitude and skills of those Oxford and Cambridge graduates. I am sure that that was due in no small part to the fact that they were not just graduates in a particular discipline, but had an awareness of other disciplines through the collegiate system. The combination of a residential collegiate system and a tutorial system is important, and it has had substantial benefits in our higher education system. It is important to sustain it.

11.52 am

Mr. Barry Sheerman (Huddersfield): I am not a representative of either an Oxford or a Cambridge constituency, but I have an interest in the debate because I am a governor of the London School of Economics and I have a daughter at Jesus College, Cambridge and a daughter who has attended Pembroke College.

There needs to be a breath of fresh air in a debate that recognises that there is a real crisis in higher education. That crisis has been caused by chronic underfunding over 18 years under the previous Government. Pay in the higher education sector is appalling. I do not believe the argument about the brain drain, but I do believe that some people with excellent qualifications do not want to stay on in higher education because they can slip into the City or into occupations that pay two or three times more than professorial salaries within just a short time.

There is a crisis with our elite institutions. I believe that we will always have elite institutions in higher education and that we must have world-class institutions. However, I do not think that Oxford and Cambridge are quite as good as they think they are. If they measure themselves against the best in the United States, they will see that they have been falling behind for a long time. They need to buck up their ideas about how they organise themselves and how they attract high-quality researchers and students. They need to do that using all the talents in our country.

As I said, I am a governor of the LSE. We have real problems there. As a result of the cuts over the past 18 years, more than 50 per cent. of our students now come from overseas. More people come to the LSE from the public school sector than many Oxford and Cambridge colleges. That is happening increasingly in a group of elite universities and colleges across the country. It is a real

crisis. We must decide that we need to have some world-class institutions and then provide the funds for them.

Mr. Lansley *rose—*

Mr. Sheerman: The hon. Gentleman has had his chance.

I am willing to see extra resources flowing to Oxford and Cambridge if we get something for it. I do not believe that, over the years that they have had that extra funding, we have seen enough of an effort to change the way in which they recruit talented students. I have been talking to some of the people involved in recruitment in the colleges. They were talking about the 50:50 split which, as my hon. Friend the Member for East Carmarthen and Dinefwr (Mr. Williams) said, has not changed for a long time.

The recruiters would say that we should look more closely at what parts of the state sector the students come from; it is not the average comprehensive such as those in my constituency but an exclusive group of schools in the state sector. I believe that, because of the cosy arrangements that Oxford and Cambridge colleges have with specific schools in both the state and the private sector, many talented young people are losing out. Many of them are just as able as those already at Oxford or Cambridge.

We talk about public schools having good results, but I am afraid that the hon. Member for Wantage (Mr. Jackson) has lost the argument here. I often agree with the hon. Gentleman about education, but he is losing it on this one. An examination of where the children are coming from reveals that talented children are not getting sufficient opportunities. We need to spread their abilities. Rather than stimulating talent, enterprise and so on, I believe that Oxford and Cambridge are stifling them. They stifle the talent of people coming from other institutions. We need to open up Oxford and Cambridge and the other universities to talent. That is a real challenge.

We must make sure that we fund higher education properly and that we have a proper strategy. I do not think that that is contained in Dearing. The House must debate this issue far more widely otherwise our higher education institutions—Oxford, Cambridge, the LSE and many others—will have a dismal future. I am sure that our Government and our Minister will have some of the answers today.

11.57 am

Mr. Howard Flight (Arundel and South Downs): I congratulate the hon. Member for Oxford, West and Abingdon (Dr. Harris) on calling for the debate. I remind the House that it is specifically about whether Oxbridge meets the requirements under the definition of approved difference for a relatively modest sum of £35 million of additional funding.

I have talked to many of my contacts in America, India and Europe and they ask whether this country has gone mad. They cannot understand the wish to attack our two leading academic institutions. We have heard evidence from many hon. Members of the contribution made by those universities, which includes 69 Nobel prizes. I would have thought that Microsoft arriving at Cambridge is just the latest recognition of what has been achieved. We know what the economic impact is, and the tourist impact.

We are talking about two traditional institutions of excellence. To threaten them with severe damage and the eventual prospect of going independent for the sake of £35 million would be an act of levelling madness.

In the case of Cambridge, it is argued that the colleges have their own endowment income. What would be the impact of the proposed reduction in college funding? Of a total endowment income of about £65 million, one third relates to one college, Trinity; another third relates to five colleges only; and the final third covers a spread of 23 colleges. Those 23 colleges could not exist, as they are without the college funding that they receive.

Colleges exist, first, to provide tutorial instruction. Their second great asset is that they provide homes and finance for research fellows. If the £35 million is lost, there may be some scope for sharing funding, but 23 Cambridge colleges—the overwhelming majority—will be forced to change their arrangements.

Unless this country becomes Stalinist, it will not be possible for the Government to prevent the universities from rendering additional charges. I am advised that the European courts would take the view that the Government would not be permitted to restrict them under European Union law.

By contemplating a reduction in funding, we have foolishly raised the possibility of Oxford and Cambridge considering going independent. Those universities have been Labour supporters; now they feel that they have been stabbed in the back. They have attempted to broaden admissions—

Mrs. Anne Campbell: Is the hon. Gentleman saying that there should be no review of the college fee?

Mr. Flight: The colleges' income can certainly be reviewed, but in terms of hard finance, the sum of £1,700 per pupil is required by the collegiate system to function as it does at present. At Cambridge—and the situation is not much different at Oxford—23 colleges would have to change their structure enormously if that source of income were lost.

I do not believe that the Government, who have presented themselves to the nation as sensible, moderate and reasonable, seriously wish to destroy the academic excellence of Oxford and Cambridge, which is the envy of the world, and is a great maker of our relationships and contacts and a generator of business around the world—there are, for example, 3,000 Indian members of Cambridge throughout the world.

I do not believe that the Government want to propel those two institutions down a path that may mean that they ultimately become entirely independent, like Harvard. It would be an act of madness, and undesirable. For the reasons outlined by other hon. Members, I am sure that the Government will change their mind. Under the approved difference definition, there is no reason for restricting the level of finance at those institutions.

12.3 pm

Dr. Brian Iddon (Bolton, South-East): I came to the debate merely to listen, and totally unprepared to make a contribution, but I feel that there must be a balance in the debate on behalf of the scores of other universities, one of which I worked at.

[Dr. Brian Iddon]

I must declare an interest. I was not educated at either Oxford or Cambridge. My degrees were obtained from the university of Hull, but I have worked in a collegiate university, Durham, so I know something about the collegiate system; I have examined and lectured at both Oxford and Cambridge, and visited many other universities throughout the country in my career in the university system.

When Oxbridge is under attack—boy, how it can react, and throughout the entire establishment. It plants people in the very House that makes all the important decisions. That is what the debate has been about this morning.

The hon. Member for Oxford, West and Abingdon (Dr. Harris) seems to be confused about the difference between excellence and privilege. I challenged him to tell me whether, in arguing for an egalitarian state system, he could identify with the abolition of the public school system, but all that he could talk about was assisted places. In entering this debate on the record, he has been fighting to protect the privilege of two outstanding universities.

Dr. Harris: I thank the hon. Gentleman for allowing me to answer that. Does he agree that it is not the fault of Oxford and Cambridge that we have had a Conservative Government underfunding higher education for 18 years, damaging the state secondary sector for 18 years and bringing about a situation where a greater proportion of applicants to Oxford and Cambridge come from the private sector, which has been expanded? That is not the fault of Oxford and Cambridge. I invite the hon. Gentleman to agree with me that efforts must be made to improve access, but that must be done through putting resources into the state sector, and scrapping assisted places, so that applicants come through the state sector. I agree with him on that.

Dr. Iddon: Yes, I accept what the hon. Gentleman says, but there are other ways of improving access to those two universities. Protecting the public school system is not the way to do it. As has been said, the public school system is well prepared to get its pupils into both those universities. Some schools in the state sector have learnt how to do it, but the vast majority of schools in the state sector are not prepared, as those institutions have been prepared in the past, to get their pupils into the Oxbridge system.

It is amazing to hear the Conservatives arguing for the continuation of the privileges of the Oxbridge system. I agree with the hon. Member for Oxford, West and Abingdon that the previous Government did more damage to the university system than any preceding Government could even have contemplated doing.

For 33 years I have been teaching at the university of Salford. In the early 1980s we received a letter in July of a given year announcing a 46 per cent. cut in the funding of Salford university, which was doing excellent work in science and technology. That cut was for a single year. The cuts that Oxford and Cambridge experienced in that year were trivial by comparison, and I mean trivial. The effects of cuts in the funding of Oxford and Cambridge and the other elite universities have been trivial by comparison with the effects of the cuts imposed on universities such as Aston, Bradford, Salford and scores of others.

I accept that the previous Government damaged the university system immensely. The present Government will find it extremely difficult to get back to where we were in 1979, when those cuts started.

I refer to the teaching at Oxford and Cambridge through the collegiate system and the excellent tutorial system. I know what goes on in those tutorials: small groups of students—five or six—face to face with an excellent teacher is an excellent method for the transfer of knowledge.

I remind the hon. Member for Oxford, West and Abingdon that in some universities now, tutorials have disappeared entirely from the university system. At the university of Salford, we adopted a similar system, where we had face-to-face contact with five or six students, and we transferred our knowledge in the same excellent manner. However, when I left the university of Salford to join the House of Commons on 1 May, we were trying to conduct tutorials—I did not regard them as tutorials any longer—with groups of students as large as 15.

If the hon. Member for Oxford, West and Abingdon wants to argue for the continuation of protected privilege for those two universities, I want him to tell us how the Government should be reversing the situation that has arisen in the other universities. I cannot agree that such privileges should be protected when the system has become so bad for the vast majority of other universities. I am arguing for the hundreds of thousands of students who are suffering as a result. In other words, I am trying to strike a balance.

It was a great mistake for the previous Government to convert all the polytechnics into universities in one fell swoop. I say that as someone who used to be on the staff of a college of advanced technology at Salford, which had to fight to become a university. It was necessary to prove excellence in all subjects that were taught at what was the college. I accept that some of the polytechnics were worthy of university status, but some were not.

Against the background of decisions taken by the previous Government, we are in danger of creating an ivy league of universities, of which Oxford and Cambridge would obviously be members. There must be the same provision throughout the university sector and we must seek to achieve generally what Oxford and Cambridge have tried to achieve in the absence of privilege and other knock-on effects,

Academic salaries are low compared with professional salaries elsewhere. When I became a Member of this place my salary increased by more than £10,000. Before coming here I was a reader in chemistry at Salford university. That must be wrong. In my view, the two professions are comparable. After all, I have done both jobs. Academic salaries are low, and I blame the previous Government for that.

I remind the hon. Member for Oxford, West and Abingdon that to continue the privileged teaching methods of Oxford and Cambridge, the college fellowships pay those who conduct the tutorial teaching systems extra money. That privilege—let us underline "privilege"—is not available to academic staff in most other British universities. I must accuse the hon. Member for Oxford, West and Abingdon of trying to protect privilege and not excellence.

The hon. Gentleman made the claim that penicillin was a discovery of Oxford university. I accept that Florey and Chain developed penicillin at Oxford university and that

their contribution was excellent. However, Alexander Fleming saw the effects of penicillum notatum on bacilli and made the observation in London in a dingy basement laboratory. If it had not been for that observation in London, Oxford would not have been able to develop penicillin.

12.12 pm

Mr. Andrew Robathan (Blaby): Like the hon. Member for Bolton, South-East (Dr. Iddon), I came into the Chamber to listen. The hon. Gentleman spoke, however, and he went on about privilege. I was at Oxford university, and some may say that I was very privileged. When I was there the number of students coming up year on year from state schools was rising. What has stopped that happening? The answer is the argument that is now being advanced against Oxbridge, and that is an attack on excellence. In the 1960s and 1970s there was an attack on excellent grammar schools. I accept that some comprehensive schools are first-class but it should never have been a matter of also trying to ensure that grammar schools enjoyed no privilege—the "let's get rid of them" approach.

At that time hon. Members on both sides of the Chamber, including some on the Front Benches, had been to grammar schools. They are now prepared to deny good-quality education to children for reasons of ideology.

Oxford and Cambridge are not basic bastions of privilege. Indeed, they are often bastions of left-wing thought. Many of those who taught me would disagree with me fundamentally on many issues. I say to all those who seek to bring down Oxford and Cambridge for ideological reasons that they should remember that both are excellent institutions of world renown. Other universities should be brought up to their standards. Let us do that, rather than levelling Oxford and Cambridge.

12.14 pm

Mrs. Angela Browning (Tiverton and Honiton): I shall try to address my remarks to the subject of the debate, although the debate has ranged more widely. The House may have an opportunity to discuss admission policies on another occasion.

I welcome the opportunity to discuss the funding of Oxbridge because, since the general election, the Government have unveiled policies that threaten the nature of grant-maintained schools, grammar schools and Church schools. Their policy towards Oxford and Cambridge represents yet another attack on centres of excellence.

The Government have been divided on this issue and the Prime Minister has intervened to ameliorate the more harmful aspects of the Department for Education and Employment's policy. The right hon. Gentleman has now been forced to slap down the Department's proposals for Oxbridge funding.

The Minister now has an opportunity to clarify the policy that has been batted across the net in the Chamber and by Government spokesmen outside this House, including Baroness Blackstone, the Minister with responsibility for higher education. We know that she is the driving force behind the destructive policy that we are discussing, which has created great uncertainty at Oxford and Cambridge.

The word "egalitarian" has been knocked about the Chamber a good deal today. That being so, I draw attention to an article in last night's edition of the *Evening Standard* by my former colleague George Walden. The headline reads:

"Old egalitarians never die, they simply wreck our schools."

They are now out to wreck our excellent universities as well.

In the time that is available to me, I want to outline the background, which will explain why the matter before us is of such concern and why there is such uncertainty. The Dearing report suggested that the Government should reassess the payment of college fees at Oxford and Cambridge. Recommendation 74 said:

"variations in the level of public funding for teaching"

were legitimate only if

"there is an approved difference in the provision"

of teaching and

"society, through the Secretary of State or his or her agent,"

decides, after examination of the evidence

"that in relation to other funding needs in higher education, it represents a good use of resources."

In August 1997, the Department wrote to the Higher Education Funding Council for England to examine the issue of funding at Oxford and Cambridge and especially the tutorial system. The Government especially asked the council to consider, when reaching its conclusions, the remarks made in the Dearing report and its new funding method for teaching, which is grounded on the principle of a set price for each of the four broad subject areas. Since then the HEFCE has been discussing the matter with Oxford and Cambridge and their colleges and we expect advice to come forward shortly.

The Government's initial position was, it appeared, to withdraw entirely the £35 million that supports the college-based tutorial system at Oxford and Cambridge.

The Parliamentary Under-Secretary of State for Education and Employment (Dr. Kim Howells): Who said that?

Mrs. Browning: I am going through the chronology for the Minister. I hope that he will clarify the matter.

According to newspaper reports, the Secretary of State for Education and Employment, the Minister, Baroness Blackstone and the Chancellor of the Exchequer were keen to redistribute the £35 million. It was clear from comments made by the Chancellor at the Labour party conference that he believed that Oxford and Cambridge received the money simply to pander to an elite. The indication given at the conference was that the money would be withdrawn.

A Minister was reported in the *Financial Times* on 23 October—perhaps it was the Under-Secretary; he might like to say whether it was—as saying:

"with the entire sector facing a squeeze, it is becoming increasingly difficult to defend a system which gives extra money to the rich."

That theme was taken up by Labour Members this morning. It is clear that a theme ran through the Government's initial response to the Dearing report—to remove the £35 million subsidy from Oxford and Cambridge. Since then, the Prime Minister has received representations from, among others, Lord Eatwell of

[Mrs. Browning]

Queen's college, Cambridge, Baroness Perry, head of Cambridge's Lucy Cavendish college, Lord Plant, master of St. Catherine's college, Oxford, and Eric Anderson, former headmaster of Eton and now master of Lincoln college, Oxford. Mr. Anderson taught the Prime Minister at Fettes—the fee-paying school that is known as Scotland's Eton, for those interested in elitism.

It is important that the Minister clarifies the matter, because the Government's initial reaction is a compromise. The HEFCE is planning to make changes. It will be helpful if the Minister will guarantee that whatever compromise the Government come to following the Prime Minister's lobbying, representations made by the colleges will be taken into account.

I want to emphasise the value for money and the positive outcomes of the present arrangement. I hope that the compromise will take account of them. Oxford and Cambridge are world renowned centres of academic research, graduates coming out of them secure employment within six months and undergraduates have only a 2.6 per cent. fall-out rate compared with the national average of some 8 per cent. That excellence is a tribute to Oxford and Cambridge. Moreover, it costs half as much to educate a graduate at Oxford and Cambridge as it does at some of the ivy league universities in the United States, such as Stanford and Harvard. Oxford and Cambridge are good value for money.

The future of Oxford and Cambridge universities hangs in the balance. I hope that the Minister will reassure them and us that centres of excellence, not just in this country but worldwide, such as at Oxford and Cambridge will be retained and that no dogma or elitism will see their stature diminished, as the Government have sought to do in other areas of education.

12.20 pm

The Parliamentary Under-Secretary of State for Education and Employment (Dr. Kim Howells): I thank the hon. Member for Oxford, West and Abingdon (Dr. Harris) for raising this issue at a time when there is great interest in it.

I was very sorry to hear the hon. Member for Tiverton and Honiton (Mrs. Browning) refer to an article, which appeared last night, written by a former hon. Member—George Walden. It was possibly the most spiteful, personal attack on my noble Friend the Minister of State that I have ever read. I know that, as she comes from an education background, the hon. Lady is aware, as we all are, of the need to review every part of education funding. No part of the review should be sacrosanct. We should be able to review the funding that goes to every university. I shall try to set out just how we intend to do it.

I am intrigued to hear that we have already decided that we are to manipulate the HEFCE's review, because I have not seen that report. It has not yet arrived on our desks. We asked for the report precisely because we wanted a good, objective assessment of the situation at the moment.

Many other people would like to review the situation as well. One thinks, for example, of the National Audit Office and the Comptroller and Auditor General. I wonder how the Oxford colleges would feel if they had him breathing down their necks wanting to find out just how each pound is spent. Many agencies that are hard pressed for money are examined under that microscope. As a former member of the Public Accounts Committee, I know that there are no rules of engagement. The colleges would have a very tough time justifying how the money is spent.

Mr. Robert Jackson: Will the Minister give way?

Dr. Howells: No. The hon. Gentleman—much as I appreciate his contributions—has spoken enough.

We asked for help from the HEFCE because we believe that it is vital that we get expert help and that we try to understand how Oxford and Cambridge relate to every other university and higher education institution in the country. We are aware of the standard of excellence that comes out of Oxford and Cambridge. I would be the last person in the world to be any part of a new regime or system that threatened or reduced standards of excellence. If somebody were to ask, "What about the 69 Nobel prizes?" I would say, yes, it would be very hard to reinvent the system that has won this country 69 Nobel prizes, but I would like a lot more Nobel prizes to be won by other universities as well.

Nobody should go away from the Chamber thinking that Oxford and Cambridge are the only centres of excellence. There are very many others and there are universities that are improving at a tremendous rate.

Mr. Robathan: We want to lift them all up.

Dr. Howells: Exactly.

We are talking to Oxford and Cambridge. I met the vice-chancellors last week. We are talking to everybody involved. I am fully aware of the point made by my hon. Friend the Member for Huddersfield (Mr. Sheerman). They must be made aware that, although we cannot influence any university's policy on student admissions, we are watching very carefully to ensure that the static intake of the past 30 years starts to improve. I do not believe that children who are at state schools are intrinsically any less intelligent than children who are at independent schools. On the contrary, all children have enormous potential and we need to do a great deal to start tapping it. I welcome any debate on the review for Oxford and Cambridge. That is why I am so grateful that we are having this debate.

Today, as the hon. Member for Tiverton and Honiton said, we are looking specifically at one issue—college fees. I assure the House that we will consider the matter objectively. We will do nothing to endanger the standards of excellence at Oxford or Cambridge.

Mr. Jackson: Will the Minister give me an undertaking that he will write to me setting out the legal basis of the threats to legislate against the charging of private fees by private institutions? In particular will he take into account European law and the relevant European convention?

Dr. Howells: When I understand the significance of that question, I shall certainly consider whether to respond. If it is academic-speak for whether we are in favour of top-up fees, let me tell the hon. Gentleman right now that we are not. If there are problems with a percentage of bright young people going from state

schools to Oxford and Cambridge when top-up fees are introduced, it will be a long time before the Government allow that to happen.

Mr. Jackson *rose—*

Dr. Howells: No, I shall not give way again. The hon. Gentleman has intervened many times. I shall look carefully at the legal basis and try to reassure him, if that is possible.

The hon. Member for Tiverton and Honiton challenged the Government on the basis of press reports. I hope that she will acknowledge that that is not the best source of information and accept my undertaking here and now that we are not in the business of dumbing down or egalitarian dogma. It is a long time since I have been accused of dogma—

Mr. Andrew Mackinlay (Thurrock): Nineteen sixty-eight.

Dr. Howells: Since 1968, probably.

We have no intention of indulging in dogma. Suggesting that we do is a cheap crack. The Government realise that the country's future lies in our having the best educated, best trained work force in the world. If we do not have it, we will not be able to compete in an increasingly global economy. We are determined to ensure that we have such a work force, and Oxford and Cambridge will play their part in that, as will all the other universities and an area of education about which there is often a deafening silence in this place, especially from Conservative Members—further education.

We will ensure that we see the role of Oxford and Cambridge within that wider context. If we manage to do that, we will go some way towards turning the rhetoric in which so many of us believe—lifelong learning, creating a learning society—into a reality.

We will take note of what has been said today. This has been a very useful debate. I am grateful to the hon. Gentleman for raising it. We have all benefited from it.

European Regional Aid

12.28 pm

Mr. Jeff Ennis (Barnsley, East and Mexborough): I am pleased to have the opportunity to speak about a matter that is of paramount concern not only to my constituency in South Yorkshire, but to every other area in the United Kingdom that has suffered job losses as a result of the demise of our traditional industries—industries such as coal mining, as in Barnsley's case, and steel, textiles and heavy engineering. All those industries are trying desperately to get back on their feet and reaching for new economic directions. Without new industry and new jobs they will inevitably continue on a downward spiral.

I am happy to say, however, that huge strides are being made. In Barnsley and Doncaster, a brighter future is beginning to emerge: although there is still a long way to go, a solid foundation has been laid for future growth. I would like to say that that foundation stemmed from the interest and help of the last Government over the past decade or so but, sadly, assistance from that quarter has been derisory, so I cannot say it. No Conservative Members are present to answer that point.

What I can and must say is that, without doubt, the impetus for the first steps in Barnsley's recovery has come primarily from the European Union. Given my position as a Barnsley Member, it is difficult for me to criticise Brussels. When we lost 14 pits and 20,000 mining jobs almost at a stroke, Barnsley lost its livelihood and came close to economic death. Over recent years, European help—not the last Government's help—has sustained us and put Barnsley back on the road to recovery. Barnsley is not atypical: I know for a fact that the same can be said for all coalfield areas and I suspect that the story will be similar in the many other areas that have suffered from the structural decline of their basic industries.

The figures speak for themselves. The current EU regional aid programme runs from 1994 to 1999; in that period, the United Kingdom will have received some £4.7 billion in assistance—nearly £1 billion for each and every year. We are talking big money. Over the years, the EU has been used to nurture new enterprises, to provide new industrial infrastructure, to fund training and to develop community projects.

That brings me to the crux of my reason for requesting the debate. There is a real crisis on the horizon: there is a real danger that our principal lifeline could soon disappear. The current spending round for EU aid ends in 1999. Discussions on the framework of the next round, which will run from 2000 to 2006, are already well advanced. The European Commission has already revealed its proposals in a consultation document that was published in July. Fortunately, those proposals have yet to be agreed by member Governments.

I say that with relief because it is no exaggeration to state that, if allowed to proceed, the proposals will deal a body blow to our hopes of recovery. Let me spell it out loud and clear. If the Commission is allowed to do as it intends, there is a real possibility that not one part of the United Kingdom will qualify for continuing regional aid. It is that bad—that serious. I shall explain why.

First, the Commission is determined to reduce the geographical coverage of the regional funds from about 50 per cent. of the EU population to between 35 and

[Mr. Jeff Ennis]

40 per cent. Secondly, it is proposed that there should be no change in the key eligibility criteria—gross domestic product, industrial job losses and unemployment—that are used to decide the distribution of aid. Those two factors—greater concentration of funds and unchanged eligibility criteria—are extremely bad news for Britain.

The GDP indicator for eligibility is used to decide the top tier of aid, which is known as objective 1. If an area is to qualify, its GDP must be less than 75 per cent. of the Community average. In Britain's industrial areas, although GDP is falling in relation to that of the rest of Europe, most rates are between 75 per cent. and 90 per cent. of the Community average and none are lower than 75 per cent.

In other words, those areas are in a poor state of health but are not quite badly off enough to qualify for the top tier of aid. Ironically, despite their lower GDP, they may well fail to qualify for the second tier of aid as well—objective 2 aid. The eligibility criteria are industrial job losses and unemployment. We can no longer demonstrate substantial recent job losses, most jobs having been shed in the 1980s; and our official unemployment rates are falsely low and, for the most part, will not meet the EU criteria.

On paper—this is the information that European Commission officials will use—Britain's older industrial areas seem to be in fine fettle, with few job losses and falling unemployment, but anyone who is familiar with the situation in, for example, the north-east, south Wales, Merseyside and my patch—South Yorkshire—will know that that is simply not the case. Despite progress, the problems of those areas remain numerous and acute.

Mr. David Watts (St. Helens, North): Such concerns are heightened in areas such as Merseyside, which have been experiencing the worst of the recession over the past few years. Among other things, we would like a commitment from the Government to fight for every area that currently enjoys objective 1 and objective 2 status. That is very important to us. We would also like the labour survey figures, rather than the unemployment figures, to be used; and we would like the Government to fight for a flexible approach to GDP. If my hon. Friend the Minister will give me an assurance to that effect today, much of the concern that has been expressed to me—which I know is felt throughout the country—will be alleviated.

Mr. Ennis: I agree with everything my hon. Friend has said, and I hope that my hon. Friend the Minister will reply specifically to his points.

The fact that only a few of the hundreds and thousands of jobs that were lost in the 1970s and 1980s have been replaced is hidden by the distortion of the unemployment statistics. I shall give three brief examples from my area. First, 24.4 per cent.—nearly one in four—of school children in Barnsley come from households with no experience of work Secondly, the average income in Barnsley is 55 per cent. of the national average. Thirdly, 19,000 new jobs will be needed to return employment in Barnsley to the national average. I defy anyone, here or in Brussels, to say that those figures illustrate the existence of a vibrant and healthy economy.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): My hon. Friend is making a powerful point, which can be equally well illustrated by the situation in south Wales. Economic inactivity rates—which reflect hidden mass unemployment—are also extremely important, and male economic inactivity rates in my area are of grave concern to us. I hope that my hon. Friend the Minister will press that point hard in negotiations about the criteria.

Mr. Ennis: I thank my hon. Friend for his comments. Again, I look forward to hearing the Minister's response.

I would like to say that Barnsley is unique. It would certainly be in the town's interest for me to do so, thereby indulging in a spot of special pleading. I cannot say that, however. It must be said that Barnsley's circumstances are replicated, to a greater or lesser extent, in other traditional industrial areas throughout the nation. In making our case to Brussels for continuing aid after 1999, we could all be scuppered on the same misleading grounds, unable to demonstrate the existence of large-scale job losses in recent years and unable to show the true level of joblessness. I am enraged by the position and—as has been demonstrated by the interventions that we have heard—others share my sentiments. Brussels must not be allowed to walk away from a job that in our areas is only half done.

What should we do? I am closely associated with the alliance for regional aid, which was set up specifically in response to fears about European regional aid. The alliance represents virtually every local authority in the older industrial areas of the United Kingdom that currently qualify for objective 1 and objective 2 regional aid. In total, 130 local authorities make up that alliance, so it has a powerful voice. It has been working on this issue for some months and has come up with proposals that I and many other hon. Members fully endorse.

It is essential for the Commission to adopt eligibility criteria that reflect the true situation in Britain's industrial areas. The true picture is not shown by information on recent job losses and official unemployment figures. The thrust of the Government's negotiations must be to modify those criteria.

I urge Ministers seriously to consider three proposals. First, the Commission currently uses the International Labour Organisation's measure of unemployment, which profoundly disadvantages the United Kingdom by excluding people who have given up looking for work and those who are supported by benefits, such as incapacity benefit and income support, that do not require them actively to seek jobs. A broader definition of unemployment that embraces all those out of work who want a job would be a truer reflection of joblessness. Those figures are available Europewide, so such a definition could be adopted.

Secondly, GDP figures are used as objective 1 criteria. Their adoption as objective 2 criteria would assist the United Kingdom's case enormously. Most UK industrial areas have a lower GDP than similar areas in France and Germany, so such a step would benefit us greatly.

Thirdly, the Commission must be persuaded to take a long view, possibly as far back as 1980 when the United Kingdom's industrial restructuring began. If it adopts a base date in the 1990s, most UK industrial areas will not qualify. It is of paramount importance that the Government urgently and successfully negotiate adjustments to the criteria in those three critical areas.

Furthermore, informed, reliable guidance shows that the Commission is minded to designate up to 50 per cent. of objective 2 areas across the European Union on the basis of proposals from member state Governments using national data. That would greatly assist our case. The Government must grasp this opportunity, because it would open the door for objective 2 aid to be directed at areas where it is needed by allowing European Union-wide criteria to be supported by criteria set at national level and based on national data.

Indicators that measure social exclusion and competitiveness could be brought into play. That would substantially strengthen the United Kingdom's bid for continued funding. I ask the Government to consider including in the calculations three measures of social exclusion: income support, incapacity benefit and level of earnings. I am confident that close examination of those three indicators would reveal those areas of the United Kingdom that most urgently need help, and that should be recommended to the Commission for objective 2 assistance.

I remind Ministers that time is running out. The Commission will publish firm proposals on the future of regional aid next spring and it will then be difficult to bring about a change of course. There is no doubt that European regional aid has provided a lifeline to former traditional industrial areas such as Barnsley and Doncaster. The new Labour Government must maintain that lifeline.

12.44 pm

The Minister for Competition and Consumer Affairs (Mr. Nigel Griffiths): I congratulate my hon. Friend the Member for Barnsley, East and Mexborough (Mr. Ennis) on securing the debate. As a former leader of Barnsley metropolitan borough council and as founder and chair of the Barnsley economic regeneration forum, which is a private-public partnership, he brings great local and national experience to our discussions. He has shown his expertise by setting out the case not just for the Barnsley area, but for the whole of the United Kingdom.

I am glad to see a good attendance by Labour Members at this first economic debate on regional aid—in contrast to the vacant Conservative Benches. Not one Conservative Member is present and there is no Conservative spokesman. Where is the shadow President of the Board of Trade, the right hon. Member for Wokingham (Mr. Redwood), or any of his deputies? No wonder they were recently described by a Conservative supporter as nonentities. They are not present because they do not know about the problems and do not care.

As my hon. Friend acknowledged, European structural funds make an important contribution to economic development in many regions of the United Kingdom. On 16 July, the European Commission published its suggestions for the reform of the funds in its communication "Agenda 2000". We expect detailed legislative proposals in the spring of next year, so this short debate is topical.

Current structural fund programmes run until the end of 1999: 30 programmes operate across the United Kingdom. My hon. Friend's constituency is covered by the Yorkshire and Humberside objective 2 programme. Our short-term aim is to maximise the effectiveness of those programmes. So far this year, elected members from local authorities have played a strong role in programme monitoring, new financial systems have been introduced in England to accelerate payments, and we have brought social partners, such as representatives from employers' and employees' organisations, into local partnerships to support those programmes.

I am pleased to tell my hon. Friend that we have also nominated to the Commission 10 UK pilot projects for territorial employment pacts, including one in Barnsley. In England, we have put new arrangements in place for administering structural funds. We want to give local partnerships more responsibility through an action plan approach. Action plans will provide a real opportunity to improve the administration of structural funds. They will allow partnerships to bring together individual projects so as to reflect regional priorities, to tackle issues in a co-ordinated way and to streamline bureaucracy.

Circumstances vary across the country and between regions, so we are not seeking to impose a uniform system. It will be for each programme monitoring committee to decide to what extent it wishes to adopt the new action plan approach. We will aim to do more in the next two years to improve effectiveness further.

I realise that the interests of all my hon. Friends go beyond 1999. The European Union will face significant changes over the next decade, particularly if it is to be enlarged to include new member states from central and eastern Europe. The common agricultural policy should be reformed and its structural policies should be adapted to the changed circumstances.

On the key question of reform of the structural and cohesion funds, the Government believe that the new arrangements should be fair to all member states, especially to the United Kingdom and its regions, and should be affordable, durable, simpler and more efficient.

The United Kingdom is the second largest net contributor to the European Union's finances. We are net contributors to the cost of these development funds. That is why we are paying close attention to the total cost of the funds and to our receipts.

The accession of poorer countries will have significant implications for EU finances. As the overall EU budget must be contained within its current share of GDP, enlargement will mean that the structural funds will have to stretch further. All existing member states will have to accept significantly lower receipts in the next century. The United Kingdom's net contribution, like those of many other countries, will rise on enlargement. We accept this as the necessary price for bringing these countries into the EU, but we cannot accept that the UK's net contribution should move even further out of line.

The fundamentals of reform for the structural and cohesion funds should be as follows. First, the overall cost of the structural and cohesion funds should be contained below 0.46 per cent. of European Union GDP both before and after enlargement. Secondly, existing member states should expect cuts in their receipts if costs are to be contained. Thirdly, while we recognise that there will

[Mr. Nigel Griffiths]

be a drop in receipts, the new regime should and must be fair to the UK in comparison with other member states. Fourthly, the reform of the funds should be durable and fair to acceding member states. Fifthly, the effectiveness of the funds should be improved, and substantial administrative simplification is needed.

Fairness was at the heart of the remarks by my hon. Friend the Member for Barnsley, East and Mexborough, so I will go into some detail about what we understand by fairness. According to data held by the Commission, the United Kingdom is the fourth or fifth poorest state in the European Union; the Commission's proposals will not make us the fourth or fifth largest per capita recipient. Therefore, we are not convinced that the Commission's ideas for distributing the funds are fair. I am pleased to tell the House that we are actively pursuing with the Commission and with other member states the issue of how a fairer system can be established.

I feel passionately about the key issue of unemployment. The Commission intends to use Eurostat figures as part of determining allocations and eligibility based on unemployment. Those statistics are based on the International Labour Organisation definition and are collected in the labour force survey. People are asked whether they are working or looking for work and whether they are available for work. Even on this internationally harmonised basis it is not clear whether the statistics provide a useful measure of need between countries. On that basis, UK unemployment is still three or four percentage points below the European average.

Portugal's unemployment rate is a third that of Spain despite being the poorer country. Comparisons between different countries and unemployment statistics may say more about business cycles and national labour markets than about regional need.

Mr. Harry Barnes (North-East Derbyshire): Would it help if our unemployment statistics had not been produced by the fiddled method that the previous Government introduced? They altered the collection of unemployment figures 30 times. Presumably it would be helpful to have the correct figures. The Government have a problem because, if they correct the figures in one fell swoop, it will look as if we have massively increased unemployment. At least for a period, two sets of figures could be produced, one under the current method and the other under the method that should be used with the corrected figures that we think should be taken into account.

Mr. Griffiths: I agree with my hon. Friend that the issue is not about figures: it is about millions of unemployed people. We need Europewide figures that will accurately reflect that. We agree that the present figures do not accurately reflect the criteria that are needed to assess regional aid and regional aid policy. We are considering other possibilities that more accurately reflect the realities of unemployment. I assure my hon. Friends that we are discussing those with the Commission and with other member states. One suggestion is that receipts and eligibility should be related to national GDP, with each member state or region deciding which sub-regional areas would be eligible within a centrally determined total.

Mr. Watts: Would my hon. Friend be prepared to meet an alliance delegation which might be able to help him come up with a better formula than the one that is currently used?

Mr. Griffiths: As my hon. Friend knows, I do not have direct responsibility for this matter, but I shall certainly communicate his request to my right hon. Friend the President of the Board of Trade.

Mr. David Heath (Somerton and Frome): I am grateful to the Minister for giving way, if only to prove that although the Conservative Benches are empty there are at least some opposition Members in the House. Will he assure the House that he will argue for fairness in a European context and in the national context so that all regions have an equal ability to access funds? In previous years, the DTI has been a barrier rather than a help to some regions' attempts to access funds. There should be subsidiarity in this matter as in others.

Mr. Griffiths: That point was well made by my hon. Friend the Member for Barnsley, East and Mexborough. The Conservative Benches are still empty, as they have been throughout the debate.

The Commission has proposed reducing the number of objectives from seven to three so that each area of the European Union is covered by one of them. In terms of eligibility for the three objectives, the Commission has proposed that objective 1—the most generous—should be based on regional per capita GDP.

For the new objective 2, the Commission is slightly less clear about eligibility criteria. That objective will cover industrial, urban, rural and fishing areas, and it is a matter of deciding which areas would benefit most from such support. Relatively few local area statistics are available at the European level; many more are available nationally. In our informal discussions with the Commission, we are suggesting that determining eligibility at national or regional level would improve the effective targeting of the funds.

The Commission also proposes that the population coverage of the two geographically targeted objectives should represent only 35 to 40 per cent. of the EU population. This compares with 51 per cent. currently covered by geographical targeting. The consequence will be that many European areas currently benefiting from objective 2 or objective 5b will lose such eligibility. Some of them will be in the United Kingdom.

Mr. Rowlands: My hon. Friend has spoken many times about informal discussions. Do the Government intend to table a proper paper on these issues? If they do, will he make it available to the House?

Mr. Griffiths: I think that I have referred only once to informal discussions. There have been other discussions. My hon. Friend has fought tirelessly to bring employment to his constituency and to south Wales. I know that he will support our aim of ensuring that the UK as a whole is treated fairly.

We hope to obtain a reasonable transition period for areas that eventually lose eligibility. In negotiations on the future of the funds, the Government aim to protect everybody in the United Kingdom and will seek to ensure that the needs of individual regions are taken into account.

For the first six months of next year, the UK will hold the presidency of the European Union Council of Ministers. We expect the Commission to present detailed legislative proposals on the funds during the spring. We will then push forward the detailed negotiations, although we would expect them not to be completed until the Austrian presidency. They will also need to be approved by the European Parliament. At some stage, possibly in early 1999, we will know how eligibility under the three objectives will be determined and individual areas' eligibility can be confirmed and financial allocations made. After that, regional plans can be drawn up, negotiated and adopted. The European Commission must aim to complete that in time for the new programmes to start in the year 2000 and the funds must be able to continue their work. However, that is a matter for negotiation.

I repeat: we will seek to ensure that the needs of individual regions are taken into account. We have already started lobbying. We need the UK to speak with one voice, whether it is the national Government, local authorities or campaigning groups of the type that have been mentioned. We need to draw on one another's knowledge, skills and argument.

The House has listened to the points of my hon. Friend the Member for Barnsley, East and Mexborough with interest. I am sorry that no Conservative Member has listened. It would help us to argue our case in Europe for each UK region if we spoke as a whole House and if Conservative Members took an interest in the matter. I welcome the opportunity that my hon. Friend has given us to consider some of the crucial economic issues involved.

Storage Tanks (Petrol Leakage)

1 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I am pleased to have secured time for this important matter. Although it might at first appear to be a typical Back-Bench debate, dealing with a specified area and of limited interest outside that area, it has universal application.

Within the past 12 months, my constituency has witnessed two serious pollution incidents as a result of petrol tank leakage. One incident occurred at Bontddu near Dolgellau, the other at Llanrwst. Broadly speaking, there are some stark lessons to be learned and conclusions to be drawn.

The person on the street might be forgiven for believing that the sale of petroleum is highly regulated. A considerable body of law applies to the sector. We have, for example, the Petroleum Spirit (Motor Vehicles etc.) Regulations 1929, the Petroleum (Mixtures) Order 1929, the Petroleum (Compressed Gases) Order 1930, the Petroleum (Liquid Methane) Order 1957, the Highly Flammable Liquids and Liquified Petroleum Gases Regulations 1972, the Petroleum (Regulation) Acts 1928, the Petroleum (Consolidation) Act 1928, the Petroleum Spirit (Plastic Containers) Regulations 1982 and many others. Despite that, after 13 months, the incident at Bontddu is still unresolved.

Details of a pollution incident were received by the Environment Agency locally on 19 September 1996. Some of the villagers at Bontddu had complained of petroleum odours to Gwynedd council's trading standards officers in the previous week. It is therefore reasonable to conclude that both are linked and that the discharge had begun several days before 19 September.

It was found that there had been leakage from underground tanks at Bontddu service station into a stream that flows into the Mawddach river, one of the most environmentally sensitive areas in the whole of Wales. The quality of the stream was severely impaired, and there were high fish mortalities. Some estuary invertebrates were also affected.

During the initial investigation, the Environment Agency ascertained that a volume in excess of 30,000 litres of petrol had leaked from the underground tanks and drained from the immediate vicinity of the site. A meeting was convened on 27 September 1996 between Environment Agency staff, the garage proprietor, Liquid Cargo Management—an oil recovery specialist—and officers of Gwynedd trading standards and environmental health departments. Certain remedial works were agreed—for example, booming off the river, excavation of the tank in question and flushing the contamination from the ground. By now, the leaked volume was estimated to be in excess of 60,000 litres—twice the original estimate.

Families were meantime evacuated because the concentrated petroleum smell was at times almost unbearable and routinely gave villagers severe headaches. There was also the obvious possibility of an explosive mixture being created at some point.

Things appeared to be proceeding slowly. The county council and the Environment Agency were involved, but there was no official involvement by the Health and

[Mr. Elfyn Llwyd]

Safety Executive. A public meeting that I chaired was arranged in November, calling together representatives of all agencies and the specialist firm that had been retained to rectify the pollution. At that meeting, an HSE representative said that that body would not become involved unless there was a risk to public safety.

With a spillage of 60,000 litres—13,000 gallons—of the most flammable products known to man, one would conclude that a danger would at some point arise. Not so, the experts told us—despite the pollution and the obvious health problems being caused, including headaches and worse. The public were safe, they said. Those who attended the public meeting were incredulous, but the experts said that there was no danger. Our arguments did not change their minds. The HSE said that it was perfectly okay and that there were no problems.

A few weeks later, not surprisingly, there was an explosion in one of the houses near the polluted site—a build-up of gases, and bang. It was safe to assume now that there was a danger to the public. Even the HSE took that view at that late stage.

The village school was evacuated. The children were bussed each day to Dolgellau to receive their education in a sports and leisure complex. That unhappy situation lasted until September. Homes continue to be evacuated. Several families have been moved from one address to another, in some cases from mobile home to mobile home. One family even camped out for a while. Incredibly, the remedial work has not been completed.

The explosion occurred in the early part of this year. Naturally, the villagers became increasingly concerned at the lack of progress and were alarmed at the fact that, despite asking several months previously for air and monitoring systems, these were not installed in the affected areas until spring 1997. Similarly, monitoring equipment was promised for the school building, so that an informed judgment could be made as to when it would be safe for pupils to return to it. That was supplied late as well.

To bring some pressure to bear, a further public meeting, which I chaired, took place in April. By now, it was a question of trying to ascertain who was responsible for clearing up the pollution and bringing Bontddu back to normality. Incidentally, the village has many times won the title of the prettiest village in Meirionnydd. That is some honour when one looks at the constituency that I am privileged to represent.

It was hoped that this would not become a buck-passing exercise. In the event, assurances were given at the meeting about monitoring equipment and so on. One of the villagers' greatest concerns was the closure of the village school. Naturally, as parents, they wanted the school to thrive and to continue providing first-class education. Their fear was that children might be placed in other schools and their previous one closed permanently. In the event, I am pleased to say that the children returned to school in September.

Somewhat incredibly, the pollution incident has yet to be dealt with. Homes remain evacuated. Naturally, there is considerable anger and resentment about the way in which this intolerable situation has been allowed to drift on and on, almost aimlessly.

Let us consider the main players. We have the loss adjusters, who act for the garage proprietor. They engaged two specialist clearing-up firms, one of which caused an explosion, although the other fortunately did not. The Environment Agency, which was in at the beginning, has done nothing about the fish kill. The HSE, in its infinite wisdom, declined to act because there was no perceived risk to public safety. Needless to say, the explosion changed that. Those incidents should be the subject of a full public inquiry. I am adamant that lessons can be learned from our experiences.

Many serious questions need to be answered. Why was it that the spillage was assessed at 30,000 litres for some time, but then that assessment was varied to 60,000 litres? How long will it take to clear the petrol from the ground and the atmosphere? Why were read-out machines placed so far away as to be of no evidential use? Why was the school closed but the garage allowed to continue trading? Why did it take so long to install benzene tubes in the houses most affected? What about the dozens of other houses in the area that were not supplied with them?

Why, when it was patently obvious that there was a safety risk, did the HSE, although knowing all the facts in October 1996, decline to become involved until March 1997, after the explosion—some might say, the expected explosion. Why are four families still evacuated from their homes almost 14 months after the incident? Why did it take six months to issue an improvement notice on the garage proprietor? Who is in overall charge of the operation, and therefore, who should be charged with answering those important questions and more?

This morning, I spoke to a responsible officer of Conwy borough council, who took charge of another incident at Llanrwst. He was this morning taking part in a debriefing exercise with representatives of all north Wales unitary authorities to compare the Bontddu incident with the one at Llanrwst and to see what lessons might be learnt. I welcome that. Unfortunately, I believe that such incidents will occur with increasing frequency over the next months and years.

In Bontddu, the situation was muddled when one authority passed the ball to another and no one wished to run with the ball or to accept ultimate responsibility. It is an absolute and unmitigated nightmare for many of my constituents. Surely a public inquiry is necessary. We cannot allow matters to be left without proper expert examination and analysis.

I have asked 10 basic questions which remain unanswered. I am sure that there are another 10 or 20 that should be asked. A public inquiry is the only vehicle for doing that. It is the only way that we can ensure that such incidents do not happen again.

In a written answer that I received yesterday from the Under-Secretary of State for the Environment, Transport and the Regions, I was told:

> "In the period since January 1995 the Environment Agency recorded 55 incidents of water pollution from underground petrol storage at filling stations in England and six such incidents in Wales."—[*Official Report*, 18 November 1997; Vol. 301, c. *125*.]

By contrast, in a recent article in *The Guardian*, the London Fire Brigade said that it registers 70 to 80 seepages a year. Three years ago, Shell UK suggested that up to one third of all underground tanks—as many as 10,000—may be faulty. Perhaps we are seeing the tip of a very nasty iceberg.

There are 900 service stations in Wales, about half of which are independently operated. I do not want to place additional burdens on retailers because we have already lost dozens of them over the years. Rural areas, such as the area in which I live, depend on them, so it is not a part of my brief to place financial commitments on retailers. However, an answer must somehow be found. Compulsory insurance for retailers is probably the most obvious and will have to come in.

I am aware of the new draft regulations that have been formulated by the HSE, but I do not think that they will greatly assist matters. They will codify the myriad pieces of legislation—a move that I welcome. They will place on local authorities virtually all the responsibility for licensing—as is the case now—but also risk assessment and enforcement. That is fine if local authorities are given the resources to train staff and to obtain expensive equipment. They need those resources if they are effectively to undertake risk assessments. If they do not get them, the regulations will contain only empty words. They will do nothing to address the problem.

I urge the Minister to undertake a Welsh Office inquiry into the prevalence of older tanks, which we are virtually waiting to see burst. Secondly, will he ensure that there is a full public inquiry into the continuing nightmare at Bontddu near Dolgellau? Thirdly, will he ensure that there is effective co-ordination between the Environment Agency, the Health and Safety Executive and the public protection units of unitary authorities? Fourthly, I urge upon him the need for the automatic adoption by the HSE of a lead role in dealing with those crises.

I hope that the Minister will respond in detail to my points. My constituents at Bontddu and Llanwrst—but especially those at Bontddu, who remain homeless—deserve nothing less.

1.15 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Win Griffiths): I am grateful to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) for bringing this important issue of public safety before the House. I sympathise with the plight of his constituents, who have had to cope with the disruption and anxiety caused by the events at Bontddu during the past year.

In the time available, I shall try to deal with the areas of concern identified by the hon. Gentleman. If I do not deal with all of them, I will be happy to meet him and to correspond with him on the subject—although I am sure that he will understand that a number of the issues are outside my Department's direct responsibility.

There are about 15,000 retail petrol stations in Great Britain. In general, their safety record is very good. Every day, millions of people visit petrol stations to refuel their vehicles, usually in complete safety. We all tend to take that convenience for granted. However, as the hon. Gentleman pointed out, petrol is a potentially dangerous material, so it is essential that all the necessary safety controls are put in place and properly maintained.

Fortunately, injuries to members of the public following the leakage of petrol from underground tanks and pipes is rare. Nevertheless, although the recent series of incidents in Wales has resulted in only one slight injury, that is still one too many.

The hon. Gentleman has reminded us of the history of the Bontddu incident. In September last year, it was discovered that a substantial quantity of petrol had leaked into the ground and into a nearby river from an underground storage tank. Various agencies have been involved in the response to that. Following an explosion last April, a number of homes were evacuated, as was the school—although, thankfully, the school has since reopened. From last November, the Health and Safety Executive has assisted the local authority in investigating the incident.

I am aware that the local HSE office at Wrexham has recently written to the hon. Gentleman informing him of the continuing progress of the clean-up operation. I am pleased to be able to report that a clean-up plan has been prepared by the contractors. The HSE received a copy on 12 November and has now commented on it. I expect that the contractors will start work shortly, in close consultation with local residents.

Mr. Llwyd: I am extremely grateful to the Minister for giving way. Does he agree that 12 months is a long time in which to prepare a clean-up plan? It is a fact that the HSE did not officially become involved until March of this year, after the explosion.

Mr. Griffiths: It is unfortunate that the matter has taken a year to come to a conclusion. Perhaps that is a lesson that we need to learn from the way that the incident has been handled. We may need to reflect on whether the HSE should become involved at an earlier stage in such incidents. We need to look at those matters.

Gwynedd county council has issued formal cautions for breaches of the petroleum licence, and other aspects of the case may result in legal proceedings. I share the concern expressed by the hon. Member for Meirionnydd Nant Conwy about the length of time that the incident has been allowed to continue, especially because of the impact on the local community. In recent months, there have been several similar incidents in Wales, and that highlights the importance of the issue raised today by the hon. Gentleman.

The hon. Gentleman may be aware that we are approaching a transition in safety law for petrol stations. Current legislation dates back to 1928 and requires anyone storing petrol to hold a licence from the local petrol licensing authority. In Wales, the authority was either the trading standards or the environmental health department of the local authority. The authority uses licence conditions to achieve the safety measures that it feels are necessary at particular sites. Local authority inspectors are able to visit sites to ensure that the licensee is complying with the licence conditions. They have the power also to take enforcement action when non-compliance is discovered.

The Government accept that current legislation is not completely satisfactory—which may be a bit of an understatement. The hon. Member for Meirionnydd Nant Conwy has certainly briefly highlighted the complexity of current legislation. As licensing authorities have a free hand in determining which conditions should apply, there are variations in controls imposed by authorities for similar petrol stations across Wales, Scotland and England. Those and other points emerged in the Health and Safety Commission's "Review of Regulation" report. As he will be aware, the commission advised the Government on safety matters and the need for changes to safety legislation.

[Mr. Griffiths]

In 1996, the Health and Safety Commission asked the Health and Safety Executive to develop modern legislation that addressed today's safety concerns at petrol stations. On 1 September 1997, the commission published a consultative document on its proposals. The closing date for comments is 1 December 1997.

The commission's principal considerations are to ensure that there is confidence that the law will apply equally to all petrol stations across the land, that the law reflects risks from petrol—especially leaks from sites—and that enforcers have effective and flexible enforcement tools when those are necessary.

I shall explain the key proposals affecting petrol storage. For the first time, the local enforcement authority's consent would be needed before the building or major alteration of a petrol situation could begin. A site developer would have to provide technical information, including details of proposed underground tanks and pipework. Consent would be based upon risk assessment of the site, which would have to take particular account of risks to the public who live in the vicinity. If the local enforcing authority is not satisfied on safety grounds, it will be able to require changes to the plans.

A new duty will be placed on site operators to ensure that petrol is stored safely. Such a duty is of particular relevance to the incident that occurred in the constituency of the hon. Member for Meirionnydd Nant Conwy, because it will require that a system is in place to detect rapidly leaks from underground tanks and pipes. There will be a requirement also to ensure that equipment is maintained in a safe condition. Those requirements will apply not only to new sites but to all sites. There will be a requirement also to make safe tanks and pipes that are no longer used. The Government plan to lay the new regulations—supported by new guidance—before the House towards the middle of 1998.

The Government realise the environmental damage caused by petrol leakage from underground tanks and are working on tackling the problem. As the hon. Member for Meirionnydd Nant Conwy said so forcefully in his speech, water pollution is the main environmental threat posed by such leaks. Under the Water Resources Act 1991, the Environment Agency is responsible for protecting controlled waters—which include inland, coastal and ground waters. As my hon. Friend the Under-Secretary of State for Environment, Transport and the Regions told the hon. Gentleman yesterday, in response to his parliamentary question, in the past two years, the Environment Agency recorded six water pollution incidents in Wales from underground storage tanks.

I should stress that, under the Water Resources Act 1991, it is a criminal offence to cause the pollution of controlled waters, whether the pollution is caused deliberately or accidentally. The Environment Agency has made it clear that, when serious pollution is caused and the agency has adequate evidence to support a case, it will prosecute polluters.

The Government intend to strengthen further powers available to the agency. We plan soon, for example, to bring into force provisions under the 1991 Act enabling the agency to require anti-pollution works to be done. The powers should allow the agency to be more proactive in preventing water pollution from petrol filling stations.

It is vital that all Government agencies involved with petrol should work together effectively. I know that the Government and our relevant agencies—such as the Health and Safety Agency and the Environment Agency—are already considering the necessary arrangements.

As I said, the Government's plans to strengthen petrol safety controls and environmental protection are already well advanced. I hope that my hon. Friend the Member for Meirionnydd Nant Conwy—or the hon. Gentleman, as he is not quite yet an hon. Friend in the technical, House sense; outside the House, of course he is a friend—will be reassured by that.

Mr. Llwyd: I am very grateful to the Minister for giving way a second time. I know that it will be difficult for him to say anything today about my call for a public inquiry, but will he consider that request further? I am not trying to put him on the spot, and I realise that he cannot comment on it today. Nevertheless, now that he has heard more about the incident—I also propose to write further to him on it—will he please keep the possibility open?

Mr. Griffiths: I had planned to deal with that point, although I can well understand why the hon. Gentleman should be concerned about it, as we have reached the end of the debate and it has not yet been mentioned. I shall convey to my right hon. Friend the Deputy Prime Minister—to whom the Health and Safety Commission is responsible—the concerns expressed today by him, especially his wish that lessons should be learned from the recent events and that new controls should be introduced as speedily as possible.

I have asked that a full report be prepared of the way in which the incident has been handled, and I will arrange for it to be placed in the Library. As the hon. Gentleman rightly said, it is a very serious matter and—based on the evidence provided and the story recounted by him—I am not in a position to decide whether there should be a public inquiry. I hope that my assurance that a full history of the incident will be put on paper and placed in the Library is adequate. I will ensure also that he personally receives a copy of the report.

If the hon. Gentleman feels that the report does not cover everything, we shall look again at anything that may concern him. Once again I thank him for introducing a debate on a very important issue. It has given the Government the opportunity to put clearly in the public domain our concern and the measures that we intend to take to ensure that such incidents do not recur.

Kenya (Human Rights)

1.29 pm

Mr. John McDonnell (Hayes and Harlington): I am extremely heartened by the acceptance of the subject of human rights abuses in Kenya for today's debate. It is a reflection of the warmth and affection that many right hon. and hon. Members feel for Kenya and its people.

No one who has visited Kenya and met its people can fail to be entranced by a country so beautiful and so abundant in natural resources. From the fertile shores of Lake Naivasha to the game-filled plains of the Masai Mara, across the green foothills of Mount Kenya to the beaches of Mombasa, Kenya is a stunning garden of Eden.

No one can fail to be impressed by the fortitude, vigour and enterprise of the Kenyan people. Kenya is a vibrant melee of Africans, Asians and Mzungus—the settlers who stayed on after decolonialisation—most of whom share a common bond of loyalty and commitment to their country—a commitment bred from a courageous struggle to free themselves from colonial oppression and establish a modern nation.

I introduce the debate with considerable humility. I do not wish to be depicted as some interfering neo-colonialist lecturing an ex-colony on how to manage its affairs. Nor do I want to be portrayed as some ex-pat arrogantly expostulating over a tusker beer on the verandah of the Norfolk hotel in Nairobi.

Instead, I speak firstly as a friend to friends—a friend of the Kenyan people to the Kenyan people. I speak as someone who represents many constituents who originate from Kenya and who share my love of that country. Above all, I speak as a socialist, and thus someone who believes that international solidarity places a duty on us all to associate ourselves with and support all those whose human rights are being abused and who struggle against oppression.

The Government, with wide acclaim and my total support, have placed human rights at the centre of their international relations policy. The recent White Paper on international development defined the human rights that have been recognised by the global community and protected by international legal instruments.

We said that human rights include all those rights essential for human survival, physical security, liberty, and development in dignity of the human being. They include the right to life and liberty; the right to a standard of living adequate for health and well-being, including food, water and housing; the right to social protection in times of need; the right to education; freedoms of religion, opinion, speech and expression; freedom of association; the right to participate in the political process; the right to be free from arbitrary arrest or imprisonment and to a fair trial; and, above all, freedom from torture and from cruel, inhuman or degrading treatment or punishment.

It is with immense sadness that I report that, on virtually every count, the present Kenyan Government stand accused. On those basic physical freedoms—freedom from torture, imprisonment and loss of life—the most recent Amnesty International report published two months ago indicts the Kenyan regime.

Physical force has increasingly become a basic ingredient of Kenyan life. In its recent investigations in Kenya, Amnesty International identified numerous reports of human rights defenders being threatened, harassed, beaten or arbitrarily arrested. Their meetings have been disrupted, and their premises raided. Journalists trying to report on events have been assaulted by the police and by members of the ruling party's youth wing.

The Kenyan police have used their wide-ranging powers of arrest without warrant extensively in round-ups of the poor, the street children and those suspected of sedition. There are continued reports of ill-treatment, torture and deaths in custody as a result of torture.

Kenya retains the death penalty, and there are currently more than 700 prisoners under sentence of death. There have been no executions in the past nine years, but many prisoners on death row have died as a result of the appalling prison conditions. A Kenyan high court judge recently described the prisons as "death chambers" and noted:

"going to prison these days has become a sure way to a death certificate."

Amnesty International reports hundreds of political prisoners dying each year, the majority from infectious diseases resulting from severe overcrowding and shortages of food, clean water and adequate medical care. Exact figures are hard to come by, but the most recent official figures suggest that more than 800 prisoners died in the first nine months of 1995.

The Kenyan police have become notorious for their use of excessive lethal force. Less than a year ago, the shooting of three students by the police provoked widespread revulsion in the community, only to be followed in March this year by a further student being killed by the police, who followed up his murder by arresting and beating up his two companions.

As for the Kenyan Government's record on political freedoms, hon. Members will be aware that the last year has been dominated by preparations for the Kenyan general election, which, thankfully, has now been called for 29 December. Recently, Kenya has witnessed the use of force and intimidation by the existing regime in order to undermine the Opposition and thus the potential for free and fair elections.

Earlier this year, a loose alliance of Church groups, lawyers and reformers came together and launched under the banner of the National Convention Executive Council a new campaign with the aim of securing basic electoral reforms in advance of the general election. All but one of the demonstrations for reform organised by the NCEC have been broken up by the police and by supporters of KANU, the governing party.

On 10 October, when President Daniel Arap Moi was celebrating Moi day—his 19th year in power—his police were violently breaking up the most recent NCEC demonstration. People were beaten and tear-gassed by the police. Prominent NCEC supporters including Paul Muite, Ngengi Mugai—Jomo Kenyatta's nephew—and Richard Leakey were beaten so brutally that they left in ambulances. The police commander in charge personally physically thrashed an elderly and ailing Member of Parliament.

In a previous demonstration in July, 14 people were shot dead. Mothers carrying babies were beaten, students sitting exams at Nairobi university's school of architecture were beaten up and tear-gassed, and a lecturer had his arms broken. At the capital's All Saints cathedral,

[Mr. John McDonnell]

the presidential security guard itself beat up the pro-Opposition clergy at prayer, spattering blood over the pews, and leaving one Church leader unconscious and soaked in blood.

The Kenyan Public Order Act requires meetings and demonstrations to be licensed in advance, and has been used to restrict meetings and rallies of Opposition groups. Sections of Kenya's penal code dealing with sedition and treason have formed the basis of the Government's ability to threaten their critics with detention.

In effect, some Opposition parties have been banned from the forthcoming election by the Government's refusal to allow them to register as political parties. The Safina party, led by lawyers Paul Muite and Mutari Kigano and the archaeologist and conservationist Richard Leakey, has not been allowed to register, and therefore cannot put forward candidates in the election. The Islamic party of Kenya has been banned outright.

The Kenyan constitution requires a successful presidential candidate to obtain at least 25 per cent. of the vote in five out of the country's eight regions. In key marginal areas such as Mombasa, there have been concerted attacks on northern settlers aimed at driving out potential Opposition voters—an activity that occurred in the earlier elections in 1992.

In the raids on Mombasa by ruling KANU supporters, 31 people have been reported as killed and hundreds forced to leave their homes and shelter for safety in the grounds of local churches. *The Economist* reported that it was revealed that the gang of 150 youths responsible for the attacks had been recruited, armed and trained in the coastal hinterland some months ago with orders to

"keep the coast safe for KANU".

The tragic irony is that the present level of violence and loss of life is almost certainly unnecessary to sustain President Moi and his regime in power. A divided Opposition is President Moi's best guarantee of remaining in the State House, and his recent simple manoeuvre of offering some token reforms has yet again split his opponents asunder. That, plus the inevitable sprinkling of bribes, should ensure his re-election.

The real question is whether President Moi will use his last term of office to leave behind the inheritance of a prosperous, cohesive democracy, or the same monument to human greed as Mobutu did—a billion-dollar Swiss bank account. The abuse of human rights in Kenya stems from a regime that will do almost anything to sustain itself in power in order to be able to continue to plunder the country's resources.

Corruption is the motivating force for denial of and attacks on human rights in Kenya's beautiful but unhappy country. The corruption of the regimes of Mobutu and Moi, denounced by their own people as Moi-butu, is on such a scale and so all-pervasive in the system of government that we have been prompted to coin a new political term for such rule. Instead of democracy or aristocracy, the states have developed a kleptocracy: a system of government whose main purpose appears to be the plundering of the nation's resources by a kleptomaniac ruler—a kleptocrat.

The massive scale of corruption in Kenya has almost been counter-productive, as in recent months international donors have increasingly frozen or withdrawn support, and the Kenyan currency has spiralled downwards. On 31 July, the International Monetary Fund suspended its $220 million loan programme to Kenya in the face of not only the refusal of Moi's Government to act against corruption but the direct involvement of members of the Government in corrupt practices.

The corrupt scams become increasingly bizarre. In one recent notorious scam called the Goldenberg scandal, implicating Saitoti, Moi's Vice-President, huge subsidies were gained from the Government to support the export of gold and diamonds by individuals associated with the Government. The only problem with that worthy policy is that there are no gold or diamond mines in Kenya from which to export. An honest customs commissioner tried to close a similar con on sugar importation, and was sacked by the President himself.

The latest Nairobi fashion in corruption is land-grabbing, which involves the simple appropriation of publicly owned land by corrupt politicians and civil servants. In Nairobi and other towns, public parks and gardens, school playgrounds and even graveyards have been allocated to individuals well connected to the ruling elite. While that theft is going on, the country's infrastructure is deteriorating rapidly. Many people go hungry and are uneducated, ill-clothed and unhealthy, while the tragedy of street children multiplies.

What can we do to help? Our new Government can serve in the coming period as a true friend of the Kenyan people. First, in the run-up to the elections in December, we should continue—as I know my right hon. and hon. Friends have done—to impress on the Kenyan Government in the strongest possible terms the need for abuses of human rights to stop, and the importance of fair elections in a climate free from violence and intimidation.

Secondly, we should review the adequacy of the scale of assistance that we are providing through non-governmental organisations which perform the task of monitoring elections. Thirdly, we should join other international donors, including the United States and the IMF, in an approach to the Kenyan Government to agree new ground rules on human rights, corruption and poverty elimination before loan facilities are renewed.

Finally, we should commence the process of redirecting all bilateral aid to Kenya through NGOs rather than the Kenyan Government, and review procedures for ensuring financial probity in all the assistance that we provide to Kenyan organisations.

Many of us were inspired by the original Mau Mau struggle and the ideals that they developed. I dream of a return to the ideals of Jomo Kenyatta and Tom Mboya, which were hammered out in the freedom struggle and became expressed in the concept of Ujamaa, when Kenyatta said:

"I stand for the purposes of human dignity and freedom and for the values of tolerance and peace."

I believe that our Government should assist the Kenyan people in standing once again for those virtues.

1.42 pm

Mr. Paul Stinchcombe (Wellingborough): I congratulate my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) on securing this debate, and thank him and the Minister for allowing me to make a modest contribution in the short time available. I also thank

my hon. Friend for referring in the House to Jomo Kenyatta and Tom Mboya, two heroes of African post-colonial politics.

I, too, am a long-standing friend, both of the people of Kenya and of their country. That friendship goes back 18 years, to when, as a teenager, I was a volunteer teacher in two Harambee schools. My hon. Friend mentioned the Mzungu community. I was a white teacher in that community—"Mimi mwalimu mzungu".

Since then, I have visited the country several times. I went back with my wife on our honeymoon, and returned shortly afterwards to take her to one of the schools at which I taught. Over the intervening decade, the school had changed from a single block in a mud-hut village with just a salt-water well to a multiple block in a village that had tap water—supplied through the international community.

From my very first time in Kenya, I was concerned about the lack of democracy. The first time that I was there, Oginga Odinga, the former Vice-President, was effectively in domestic exile. Shortly afterwards, leading literary figures, such as Ngugi Wa Thiong'o, were forced into real exile. On our honeymoon, we flew into a curfew in Nairobi, such was the political pressure for democracy and the resistance to it. More recently, I too have seen on television from these shores the savagery with which the pro-democracy demonstrators have been treated.

Those experiences lie behind a number of written questions that I have tabled in order to test exactly the Government's attitude in foreign policy to what we see in Kenya. Are we providing military or other assistance to the existing regime? What measures are we taking in our ethical foreign policy to ensure that pressure is brought to bear to bring democracy to true fruition?

I must say that I am slightly concerned by some of the answers that I have received, which do not reveal exactly what military assistance we have been giving, but do reveal that, notwithstanding what appear to be human rights abuses, we are still treating the country as eligible to receive military training at the very least.

I press the Minister to confirm that our ethical human rights policy is what it proclaims to be: that we will be led by the guiding light of human rights; that we will look cautiously at applications for military assistance; that we will do what we can to support the pro-democracy movement; and that, in particular, we will be vigilant in monitoring the progress in the lead-up to the elections on 29 December to ensure that there is no intimidation and the democratic process works properly and fulsomely, so that we can restore Kenya to the kind of country that Tom Mboya and Jomo Kenyatta wished it to be.

1.45 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): I congratulate my hon. Friends the Members for Hayes and Harlington (Mr. McDonnell) and for Wellingborough (Mr. Stinchcombe) on introducing this very important debate. It could not be more timely, given the impending presidential and parliamentary elections in Kenya.

I congratulate my hon. Friends on expressing the great affection—it is important that the House expresses such affection—in which Kenya and the Kenyan people are held by hon. Members and British people generally. It is important that that message is given, because it is important that we do not send a mixed signal about our ambitions and intent.

Our relations with Kenya are obviously long-standing. It is a measure of the importance that we as a country—and certainly the Government—attach to Kenya that, on my first official visit to Africa in June, not long after our general election, I decided to visit Kenya.

My hon. Friend the Member for Hayes and Harlington gave a graphic account of the criticisms made of the Kenyan Government's human rights abuses. Indeed, earlier in the year and again in September, Amnesty International launched a document in which it went into considerable detail about its concerns. My hon. Friend has already cited some examples, such as the questions of arbitrary detention, killings by the police, detention without trial and numerous other grave and serious charges to which the Kenyan Government have to respond.

I raised such issues when I visited Kenya. I specifically raised Amnesty International's manifesto with the Attorney-General, Mr. Wako, and President Moi himself. The key points in the manifesto were the need for legal reform, the end to indefinite detention without trial, the need for reform of the press and media and the judicial system, an end to torture and ill-treatment of prisoners—an argument that my hon. Friend the Member for Hayes and Harlington made forcefully—and action on police killings. There is a legitimate demand that lethal force be countenanced only when unavoidable in order to protect lives.

At that time, and since that time, the Government have pressed all concerned on those issues and, more generally, on the need to avoid confrontation and to resolve differences—there are real differences in Kenyan society—through dialogue and not by resorting to violence.

We have called consistently for free and fair elections. We knew that the electoral cycle in Kenya meant that elections would have to take place this year, or possibly early next year. We have said specifically that free and fair elections are ones in which all those who want to vote can exercise that choice freely, all those who want to stand have the opportunity to do so, the electorate have access to the candidates through the media to help them to make their choice, and people can come together freely in support of the candidates of their choice.

The donor community—the Europeans, the United States and the Japanese—have made it clear that such conditions are necessary for proper elections. We have been consistent in our demand that that process take place.

The elections that have been announced are a great opportunity for the Kenyan people to take control of the destiny of their country. The election takes place against a backdrop of laws that have made the electoral process a subject of concern. The elections held in 1992 were widely seen not to have come up to the standards that we demand. The saving grace is that they were the first multi-party elections after a long period of one-party rule. We must insist that the elections this time are fought and won on a more acceptable basis than those of five years ago.

During the summer, there was considerable violence, much of it no doubt related to the anticipation of elections. My hon. Friend the Member for Hayes and Harlington

[Mr. Tony Lloyd]

referred to several specific incidents, including that in the Anglican cathedral and another in which Paul Muite and Nengi Muigai, both of whom I know personally, were subjected to violent attack. We have made it clear to the Kenyan Government that we abhor violence from Opposition figures, state institutions or the Government's supporters. It has no place in Kenyan society.

I spoke at length with Church leaders when I was in Kenya, urging them to continue to play a constructive role, as they seek to do. Their initiative brought the different sides together to form the inter-parties parliamentary group. That has had positive results.

On 7 November, Parliament and the President approved three important reform Bills. One removed the principal legal instrument that has been used to harass Opposition politicians—the Public Order Act. When I was Opposition spokesman, I had direct experience of the operation of that Act, when a meeting that I was supposed to address was cancelled arbitrarily and at short notice. That did not ultimately prevent the meeting, but the intention was certainly to disrupt and reduce the audience.

I welcome the abandonment of that Act, which means that political meetings no longer require a licence. That takes them outside the immediate control of those with a political incentive. There is now simply a requirement to notify the police of public rallies.

The Preservation of Public Security Act has also been amended, removing the provisions for detention without trial, as has the penal code, with the replacement of the sedition laws, which had been used to prevent freedom of expression and to intimidate Opposition politicians. Importantly for the coming election, the constitutional provision preventing coalition government has now been changed.

We note the commitment of the Kenyan Government to allowing equitable access to publicly funded media. All parties must have access to the radio, in particular, to ensure free and fair elections. When the election was announced, we issued a statement calling for a peaceful election and insisting that all parties and candidates of national status should have access to the media on a fair basis, particularly to the radio.

We also note that a law has been passed to establish a constitutional review commission, which will draw from diverse sections of Kenyan society, with a two-year timetable to draw up fundamental reforms to present to Parliament.

We are not sanguine about the process. We do not think that it goes far enough. My hon. Friend the Member for Hayes and Harlington referred to the unacceptable continued refusal to register Safina as a political party. There can be no place in a democratic system for parties being arbitrarily forbidden to contest elections.

My right hon. Friend the Foreign Secretary raised that with the Kenyan Foreign Minister as recently as the Edinburgh Commonwealth Heads of Government conference in October. I am writing once again to the Kenyan Government, asking them to allow an urgent appeal against that refusal. I do not know whether that will be possible in time for the forthcoming election, but, if not, that will be a severe blot on the credibility of the election.

We shall follow the election campaign closely. The Department for International Development, together with the Swedes, the Danes and the Dutch, is jointly financing a $1.5 million project to help independent Kenyan non-governmental organisations to observe the elections. Those bodies include the National Council for Churches, the Catholic Justice and Peace Commission and the Institute for Education in Democracy. We have also seconded staff to the international secretariat in Nairobi, which will co-ordinate the monitoring of the electoral process from start to finish. The election is important. The world has an interest in ensuring that it is fought on a free and fair basis.

We shall continue to be critical of all human rights abuses. We know about the problem of persistent police brutality. We recognise the evidence of tortures and deaths of prisoners and detainees and of excessive violence in crowd control, arbitrary arrests and extra-judicial killings. I have raised those issues with the Kenyan Attorney-General on at least two occasions. We shall continue to criticise excessive police violence, particularly incidents such as those of 7 July and 15 October. I wrote to the President about our concerns at that time, and the Foreign Secretary has raised the issues with the Kenyan Foreign Ministry.

Against that background, the Department for International Development is considering funding training courses for the Kenyan police. I want to disabuse my hon. Friend the Member for Wellingborough of his concerns. There are 4,000 British troops in Kenya on their own training exercises. We are simply using the training facilities offered by the Kenyans.

The only training that we offer the Kenyans is not on civilian control, but on peacekeeping duties on a wider basis throughout Africa. There is no large-scale military training programme that might give him concerns—which we would share. We are not training an armed force that is out of control.

I should add that the Kenyan army has a remarkably high standard of discipline, and there is little evidence of it being involved in the abuses that have been referred to.

Mr. McDonnell: The concerns are specifically related to the Kenyan police and its training.

Mr. Lloyd: The police training that we have provided has been limited to a training scheme for senior management, which includes a human rights component. We believe that that helps to improve the quality of the Kenyan police. The Department for International Development is considering a human rights training scheme, which we hope will focus on improving the human rights attitudes of the Kenyan police. We shall monitor how that works out. Those are important initiatives.

We look forward to the election. It is a new chapter in Kenya's history. We hope that it will be a multi-party election fought on a proper democratic basis. It is not for the British Government to choose the winners. It is up to us to work with whoever wins the election and to ensure that action is taken on corruption, an end to which is vital for the long-term economic future of Kenya, and human

rights abuses, on which the Kenyan Government are bound under international obligations to make progress. More generally, there is a need for constitutional reform to give sovereignty to the Kenyan people.

My hon. Friends are right to urge the Government to play their part in pressing those issues on the Kenyan Government—the current Government and whatever Government emerges after the election. We intend to ensure that pressure is maintained on the Kenyan Government. We shall continue constructive private dialogue and, when circumstances warrant it, make public our concerns. My hon. Friends have taken part in that process.

It being before Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

DUCHY OF LANCASTER

The Chancellor was asked—

Freedom of Information

1. **Ms Julie Morgan:** When he will publish the White Paper on freedom of information. [15090]

The Chancellor of the Duchy of Lancaster (Dr. David Clark): A White Paper on our proposals for a freedom of information Bill will be published shortly.

Ms Morgan: I thank the Minister for his reply. How does he propose to make the information that will become available under the legislation accessible to the ordinary citizen, not just to lobbyists?

Dr. Clark: It will be important to give a great deal of publicity to the freedom of information Act. The code has been partly ineffective because of inadequate publicity. I also believe that the amount of press publicity surrounding freedom of information will ensure that virtually everyone is aware of the legislation.

Mr. Lansley: When the Chancellor of the Duchy publishes the White Paper, will he at the same time publish the advice that has been rendered to Ministers by officials about the scope of freedom of information and its method of application?

Dr. Clark: When we publish the White Paper, it will contain the Government's proposals for consultation. Part of the process of that debate will concern how we deal with information to Ministers. On the one hand we need to be as open as possible; on the other, we must retain the central confidences that will allow the business of good government to continue.

Mr. Bennett: Will the freedom of information legislation apply to devolved government in Scotland and Wales? If so, will it be introduced via the devolution legislation or by a subsequent Act of this House?

Dr. Clark: The parts of public information that relate to the Scottish Parliament and the Welsh assembly will be matters for those authorities. How we bring that about will be a matter of detail that we will examine as we work through the consultation period.

Mr. Maclennan: As much public business today is carried out on behalf of the Government by contractors in the private sector, will the Chancellor of the Duchy ensure that the White Paper does not exempt such contractors from the requirements of disclosure that would be in place if the business were carried out in-house by the Government?

Dr. Clark: The right hon. Gentleman has a fair point. The nature of government has changed a great deal in recent years. With so much privatisation and contracting out, public business that would in the past have been carried out by Government Departments is now being done by private organisations. It would be wrong of me to pre-empt the Act, but this is the sort of issue that we are examining in the committee that is considering the White Paper.

Mr. Caplin: Will the Animal Procedures Committee under the Animals (Scientific Procedures) Act 1986 be part of the freedom of information Act, thus ending the shabby secrecy that vivisectionists have been able to hide behind under the Tories?

Dr. Clark: I believe that that particular legislation is one of the 200 Acts which contain clauses relating to the release or disclosure of information. If my memory is right in that respect, we shall deal with it in the White Paper. If not, I shall write to my hon. Friend.

Mrs. Shephard: In the interests of freedom of information, will the right hon. Gentleman explain to the House why he found it necessary to make trips to Australasia, the United States and Canada in order to study open government? In connection with those trips, as reported in *The Times* on 20 October, we on the Conservative Benches at least hope that it is not the case that a smear campaign is being conducted against the right hon. Gentleman by a senior colleague—not, surely, something that we would want to expect from an open Government.

Dr. Clark: We on the Government Benches take the view that, if we are to modernise our constitution, the freedom of information legislation is very important. We also take the view that we will probably have only one opportunity to put such legislation on the statute book, so we must get it right on the first occasion. Therefore, I felt that it was right and proper not to reinvent the wheel but to learn from experiences elsewhere. It just so happens that, whereas the Conservative Government did not have the guts to face up to that difficult issue, we are prepared to grasp the nettle.

I felt it right and proper to go to the United States of America, which has a long history of freedom of information, and also to go to those three Commonwealth countries, Australia, Canada and New Zealand, which have introduced freedom of information Acts in the past 15 years, so that when we compiled our legislation, we could ensure that, we were using the best practices from the experiences in those Westminster models.

Departmental Appointments

2. **Miss Widdecombe:** If he will make a statement on the Government's policy in respect of appointments to the press and information departments of Government Departments. [15091]

The Parliamentary Secretary, Office of Public Service (Mr. Peter Kilfoyle): All appointments to the permanent civil service—including those in press and information divisions—are made on the basis of merit through fair and open competition.

Miss Widdecombe: If that blameless description is true, and if there really is no politicisation of press and information appointments, as is widely reported, will the

hon. Gentleman explain why no fewer than eight senior civil servants in press and information departments have suddenly found an overwhelming desire to spend more time with their families?

Mr. Kilfoyle: First, the figure is seven, not eight. There are a variety of reasons for such changes. Bernard Ingham, in his memoirs, points out that, when Viscount Whitelaw returned from Northern Ireland, he was out of a job because Viscount Whitelaw brought his own press officer with him. It is a matter of public record that the chief press officer and the Minister without Portfolio have endorsed the impartiality of the press officer service within the civil service. That has been the case in the past, is the case at present and will remain the case in future.

Mr. Gordon Marsden: Is not it rather rich of the right hon. Member for Maidstone and The Weald (Miss Widdecombe) to complain about the Government in this respect when the Conservative party was responsible for pumping tens of millions of pounds into Government propaganda campaigns which masqueraded as Government information?

Mr. Kilfoyle: However much the Conservative party pumped into propaganda when they were in government, they signally failed on 1 May. The Labour party made it abundantly clear before the election that it would be an integral part of a Labour Government's modus operandi to present their case effectively and impartially. Not only is it necessary for the Government to do that: it is their responsibility.

Mr. Hogg: Does the hon. Gentleman accept that the fact that seven press officers—that is, about one third of the leading press officers in Government Departments—have found it impossible to work with the directives being issued to them by their Ministers makes it absolutely plain that what we are seeing is the politicisation by the Labour party of the civil service?

Mr. Kilfoyle: Needless to say, I completely reject that allegation; more important, so did Sir Robin Butler when he appeared before the Select Committee. It is perfectly in order that there should be staffing changes in press offices as elsewhere with the advent of a new Government. Indeed, without divulging the particulars of individual cases, there was a variety of reasons why people chose at that time to vacate their job in a Department.

Better Government Programme

3. **Mr. Edwards:** If he will make a statement on the progress of his better government programme. [15092]

Dr. David Clark: We are making good progress in developing the better government White Paper, which will set out a vision for public service into the new millennium. Our aim is to make government simpler and more responsive to citizens. That will partly be achieved by using the latest developments in information technology to improve the services we offer. My right hon. Friend the Prime Minister has set the target that one quarter of Government services should be deliverable electronically within the next five years.

Mr. Edwards: I thank my right hon. Friend for that reply. Does he agree that the better government initiative should involve the talents and experience of those in local government, where a number of improvements in service delivery have already been introduced?

Dr. Clark: Yes. I think it essential that we involve ordinary citizens at every level of government. Ordinary citizens do not distinguish between tiers of government, whether central or local; all they are interested in is the quality of the service that they receive. The better government initiative aims to end the perception that government is only about queues and forms. I am determined that local government will be involved in the initiative because local government is involved in many exciting initiatives in service provision. In order to co-ordinate and learn from those experiences, I recently set up a working group as part of the central-local partnership initiative, so that we can look at the various pilots and try to spread best practice.

Mr. Jenkin: May I remind the right hon. Gentleman that he has told me in a written answer that it is not Government policy for Ministers to be accessible by e-mail? With all the talk about better government and information technology, would it not be a good idea either for Ministers to have e-mail addresses instead of handing out a sheaf of replies consisting of "I will reply to the hon. Gentleman as quickly as possible", or for him to tell me that Ministers have no intention of having e-mail addresses?

Dr. Clark: The hon. Gentleman does not understand my answer correctly if he thinks that I am saying that it is not my policy to encourage Ministers to have e-mail addresses or to use them. In fact, I do have an e-mail address and it is public. My reply to the hon. Gentleman was that the information is not held centrally and therefore I cannot provide him with the answer for which he asks.

Mr. Coaker: Does my right hon. Friend agree that the better government programme is absolutely essential if we are to bring government closer to the people, overcome some of the cynicism people feel towards government and take better decisions in the future?

Dr. Clark: My hon. Friend is absolutely right. We fought the last election on the issue of the regeneration of our country, economic, social and democratic. Part of that appeal was the democratic appeal and, through our better government initiative, it is our hope and intention to involve many more of our citizens in the running of their country.

Non-departmental Public Bodies (Women)

4. **Mrs. Ballard:** What measures he will be taking to increase the number of women on the boards of executive NDPBs. [15093]

Mr. Kilfoyle: All Departments encourage women to apply for public appointments and are committed to fair selection procedures. As part of that process, Departments are currently drawing up individual plans for the increased representation of women on public bodies. Those plans will include specific targets for each Department and will cover the period 1998 to 2001.

Mrs. Ballard: The Minister will be aware that, of those women who currently hold public appointments, the vast

majority are in unpaid, not paid, appointments. When drawing up his targets, will the Minister ensure that there is a target for equal representation of women in paid as well as unpaid appointments?

Mr. Kilfoyle: It is certainly the Government's policy to encourage women to participate at every level within what is commonly known as the quangocracy. The commissioner for appointments has set out a code of practice in which equal opportunity is a central element. In addition, the public appointments unit is actively seeking more women nominations to its list—it currently stands at 31 per cent. of its total—so that Departments have a ready reservoir of willing and—[HON. MEMBERS: Able."] That is not my word. I am talking about willing and well qualified women who are available for appointment to both paid and unpaid non-departmental public body jobs.

Mrs. Gorman: Will the hon. Gentleman consider looking at the staffing of foster homes, which are often privately run, many of which have been in the news lately for severe abuses of children? Does he agree that, if more older women were used to head those institutions, there would be less of the abuse that we keep reading about in our newspapers and which is such a disgrace? Older women would not have the wool pulled over their eyes in these matters.

Mr. Kilfoyle: I do not know if the hon. Lady is suggesting that the Government should nationalise private foster homes—I doubt whether she is. What the hon. Lady is suggesting is not within our remit, but I will pass on her comments to the appropriate Ministers.

Charter Objectives

5. **Mr. Simon Hughes:** If Her Majesty's Government plan to provide for penalties or sanctions for non-compliance with charter objectives; and if he will make a statement. [15094]

Mr. Kilfoyle: We are committed to relaunching the charter programme so that it meets the needs and wishes of people who use public services on a daily basis. That is why we are currently consulting on how best to do this, including looking at issues of compliance. Details of the new programme will be published as part of the better government initiative.

Mr. Hughes: Are Ministers aware that the patients charter, to which the Government are committed, says:

"From April 1995 the NHS is broadening the 18-month guarantee"—

that last word is in bold print—

"of admission into hospital to cover all admissions into hospital."

When the Government took office, there were 155 people for whom there was no treatment in 18 months and, yesterday, we learned that there were 818 people for whom there was no treatment in 18 months. As a result of the guarantee being broken, will there be compensation for the individuals affected, will they be admitted to hospital, or is the guarantee—it is much more important than a pledge—worthless in terms of guarantees about NHS treatment under this Government?

Mr. Kilfoyle: The hon. Gentleman will be aware of the statement made by my right hon. Friend the Secretary of State for Health in which he likened turning round the situation on waiting lists to turning round a super-tanker. The previous Government left a dreadful legacy, and that is why my right hon. Friend and the Government have taken immediate action, including the provision of £269 million this year. They have appointed a waiting list action team, led by Stephen Day, with task groups in each of the eight regions to ensure that by next March we have looked at that 18-month limit and are turning round the huge lists that were bequeathed to us by the last Government.

Quangos

6. **Kali Mountford:** What representations he has received about changes in the working practices of quangos. [15095]

Dr. David Clark: Over the past few years quangos have been roundly criticised for being too secretive, unaccountable and unrepresentative. Last week I published the "Opening Up Quangos" Green Paper, which addresses those criticisms and sets out our plans to make quangos more open, accountable and effective.

This is open to widespread consultation and I look forward to receiving the views of people from throughout the country.

Kali Mountford: I thank my right hon. Friend for his reply. I welcome the Green Paper, which I am sure will shine light on the secretiveness and unaccountability of the quangos set up by the Conservative Government. Given my right hon. Friend's commitment to freedom of information, may I ask him whether quangos will be covered by a freedom of information Act?

Dr. Clark: We shall introduce a number of measures to open up quangos, including open annual meetings, publishing the minutes and annual reports. We are also, keen to encourage a wide cross-section of the community to become involved. The freedom of information legislation, as I said, will have wide coverage, right across Government. I cannot anticipate what the White Paper will contain, but I am pretty sure that my hon. Friend will not be disappointed.

Mr. Clifton-Brown: Does the right hon. Gentleman agree that the effectiveness of quangos essentially depends on who is selected to serve on them? When they consider that matter, will quangos refrain from selecting people purely on the basis of political correctness?

Dr. Clark: I am delighted that at long last the hon. Gentleman, and I hope his colleagues, have seen the light. We live in a pluralistic society, and it is important that quangos and other bodies that help to advise the Government represent a cross-section of our society. I believe that one of the reasons why quangos got such a bad name over the past 18 years was the manner in which the previous Government stuffed them with their own appointees.

Mr. William Ross: Does the Minister recognise that most citizens are not interested in changing the working practices of quangos, but rather in bringing them under direct democratic control, especially at local level?

Nowhere do people feel more strongly about that than in Northern Ireland. What steps do the Government intend to take to restore democracy to the Province?

Dr. Clark: The hon. Gentleman makes a fair point. The document that I produced last week referred to the 1,000 or so quangos that are national, but in addition to those, there are thousands that have regional, provincial or local application. I hope that out of the consultation and the on-going debate on democracy and about our devolution proposals, we will find it possible for some of the local and regional quangos to be subsumed by local government.

Open Government

7. **Mr. Mullin:** What action he plans to take to increase openness in government; and if he will make a statement. [15097]

Dr. David Clark: The White Papers on freedom of information and better government which I am preparing will both increase openness in government.

I believe that in a modern society, open government is good government. Our proposals will change radically the culture of government in Britain and the way in which public information is handled.

Mr. Mullin: I am grateful for that reply, but who will decide what is to remain secret and what will not remain secret? Will it be the same civil servants who, as we saw during the Scott inquiry, are rather unenthusiastic about the concept of open government, or will there be an independent element in the appeals process?

Dr. Clark: It is important that any legislation on freedom of information includes a strong, fair and easy-to-use appeals system, and does not leave the individual helpless in his or her attempt to get information. There are various ways in which that can be achieved, but the Government are studying the model of an independent information commissioner.

Mr. Gill: The Government make much play about open government. Will the right hon. Gentleman tell the House whether he considers that holding a referendum before publishing the Bill to which the referendum refers is no more than a crude opinion poll, not a referendum?

Dr. Clark: We had referendums in Scotland and Wales before powers were devolved, and we have made it clear that we will use the same instrument before we introduce regional government into England.

Non-departmental Public Bodies

8. **Mr. Gerrard:** How he intends to ensure the accountability of non–departmental public bodies. [15099]

Dr. David Clark: The Government are determined to make quangos more open and more accountable.

In our "Opening up Quangos" Green Paper we set out ways to improve the accountability of quangos. I am inviting Select Committees to have greater oversight of quangos, by looking at annual reports and by being involved in the new five-yearly reviews. I also plan to introduce codes of practice and registers of interest to quango boards wherever possible.

I believe that these and many other proposals that we put forward will ensure that quangos become much more accountable to the people they serve.

Mr. Gerrard: I know that my right hon. Friend appreciates that the quango state that was created by the previous Government removed huge areas of public expenditure from democratic scrutiny, with boards meeting in private with members who were unknown to the general public. Will my right hon. Friend confirm that, as part of his proposals for openness, the name of every member of every quango will be made publicly available, as will their register of interests, in a form that will be easily accessible to the average member of the public?

Dr. Clark: My answer is yes. At the same time that we published the Green Paper last week, we ensured that it was available on the internet. I intend to ensure that the internet includes the names of all quangos, their aims and objectives, and overall financial information. In addition, it is my intention to ensure that the names of all individuals on quangos appear on the internet, with the odd exception where one or two specialist committees deal with security or with the security of the individual, which might be at risk from publication.

Mr. Baker: Is the Minister able to give an assurance that it is his policy that henceforth all quangos will be subject to scrutiny by the National Audit Office and the Public Accounts Committee? Will he concur that the best way to deal with quangos is to abolish many of them and return their powers to democratically elected local councils? Will the right hon. Gentleman give an assurance that, when he is replacing clapped-out Tory placemen, he will not simply introduce Labour placemen?

Dr. Clark: The hon. Gentleman raises some serious points. First, we are trying to examine the raison d'etre of every quango to ensure that there is a reason for that body continuing to exist. Secondly, I have already said that we see a future, when considering regional and local quangos, for discussion to ascertain whether these bodies could be incorporated into the local government structure. That is the sort of issue that will be raised when we introduce our central-local government initiative. We have already discussed that.

I assure the hon. Gentleman that we recognise that we live in a pluralistic society. It is right and proper that people from all sections and strands of the community are represented on quangos.

Freedom of Information

9. **Mr. Barnes:** If he will make a statement on progress towards legislation on freedom of information. [15100]

Dr. David Clark: I intend to publish a White Paper on freedom of information shortly, and after a period of consultation this will be followed by a draft Bill.

Mr. Barnes: Will it be seen that no excessive charges are made for accessing freedom of information, so that

the information will begin to be readily available? As the process will take a while, with the publication of a White Paper and ensuing legislation, can things be done in the meantime to open up the secrecy of the state?

Dr. Clark: It is essential that costs should not be a deterrent when use is sought of the eventual Act. As my hon. Friend says, some time will pass before that Act is on the statute book. It is important that we continue our efforts as a Government to be more open. We shall be encouraging the flexible use of the code. I am encouraging my colleagues to be more proactive about the release of information. Right hon. and hon. Members may have noticed that yesterday we took an opportunity to show our commitment to openness by releasing MI5 documents from the Public Record Office.

Mr. Soames: Does the Minister accept that freedom of information itself is necessarily no panacea for better government? What arrangements does he intend to make for the advice that is given by officials to Ministers? Will that advice be subject to the same rules, or is he intending to alter them and thus make it likely that officials will restrain themselves in giving full and frank advice?

Dr. Clark: It is quite clear to us that open government is part of modern government and good government. I have already made the point that, at some time, one has to make a balanced judgment between openness, which informs our citizens, and confidentiality, which is essential to the workings of government. We feel that our responsibility is to provide good government, and we certainly intend to ensure that we get that balance right.

Special Advisers

10. **Mr. Nicholas Winterton:** What are the principal provisions of the contracts of special advisers; and what steps he is taking to ensure that they do not undermine the integrity and impartiality of the civil service. [15101]

Dr. David Clark: The model contract for special advisers sets out the terms and conditions under which they are employed. For the first time under this Government a copy was placed in the Library of the House in June. It distinguishes clearly the role and responsibilities of special advisers and reinforces the integrity and impartiality of the permanent civil service.

Mr. Winterton: I thank the right hon. Gentleman for that reply. What action is he taking to ensure that, where statements by special advisers are dishonest, misleading and inaccurate, disciplinary action is taken? I refer in particular to matters relating to the Chancellor of the Exchequer. Is it not important that the traditional professionalism of the civil service is in no way undermined by the activities of special advisers?

Dr. Clark: It is absolutely essential that the political neutrality and integrity of the civil service is maintained. The draft contracts make that quite clear. They also lay out quite specifically the terms and conditions under which the special advisers operate, and make it quite clear that they can be more free in speaking to the press on political matters.

PRIME MINISTER

Engagements

The Prime Minister was asked—

Q1. **Miss Widdecombe:** If he will list his official engagements for Wednesday 19 November. [15120]

The Prime Minister (Mr. Tony Blair): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Miss Widdecombe: Will the Prime Minister spare the time to enlighten the House about the statement that he made last week, with what he described as enthusiasm and relish, on payments to the Labour party, when his enthusiasm and relish miraculously dried up so that he did not reveal the issue of the second payment? When he answers that question, could he do so with uncharacteristic frankness and humility, and without giving his usual impression of a Cheshire cat?

The Prime Minister: There was no further payment—

Mr. Nicholas Winterton: On a point of order, Madam Speaker.

Madam Speaker: Order. The hon. Gentleman knows that I take points of order after statements.

The Prime Minister: There was no further payment, as I have said. I would just point out to the hon. Lady that we returned the donation. We refused more donations. We consulted Sir Patrick Neill. We followed his advice. We published that advice. I do not believe that the Conservative party would ever have done the same in our position.

Q2. [15121] **Mr. Winnick:** In view of the £10 million to £14 million that Ecclestone gave to the Tories previously, as well as the £1 million given to us before the election, is there not a case for changing the law to limit the amount of money that any private individual can give to political parties? Does my right hon. Friend agree that all political parties represented in the House should be forced to declare to the last penny where their money comes from and to return all stolen money? Does he recognise that, if we are to reform party financing, we should do so soon and do so thoroughly? That is what the public want, and it is what Labour Members of Parliament want.

The Prime Minister: I agree entirely with my hon. Friend. That is precisely why the terms of reference for Sir Patrick Neill should be as broad as possible. I also believe, to take up the point that my hon. Friend made, that it is important—and I have proposed this—that Sir Patrick Neill is able to look at all the donations that have been made, the names of the donors and the amounts, going back to 1992—*[Interruption.]* I am perfectly prepared, for myself, to have it go back 10 years.

I am delighted to say that, since I wrote to the leaders of the two other main parties, the leader of the Liberal Democrats has agreed to that proposition. I hope that the leader of the Conservative party will now agree to that proposition as well.

Mr. Hague: When was the £1 million given back to Mr. Ecclestone?

The Prime Minister: We have said that we will give the money back. *[Interruption.]* We have already made arrangements to do so. [HON. MEMBERS: "When?"] We have already made arrangements to do so, and it will be done in the next few days.

Mr. Hague: The Prime Minister just told my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) that the money had been returned. Are we to understand, five minutes into Question Time, that his first answer was not correct?

The Prime Minister: As we have made clear, we sought the advice of Sir Patrick Neill. We have followed that advice: we have followed it to the letter. I now think that the right hon. Gentleman should say whether he is prepared to accede to what both the leader of the Liberal Democrats and I have already agreed to.

Mr. Hague: I would have thought that, in this week of all weeks, even this Prime Minister would not be on his high horse—*[Interruption.]*

Madam Speaker: Order. Just a moment, Mr. Hague. I will have silence in this House when Members are asking questions. They must be heard.

Mr. Hague: I would have thought that, in this week of all weeks, even this Prime Minister would not be on his high horse in the Chamber. I will make my recommendations and proposals to the Neill committee; I will not prejudge its conclusions as the Prime Minister seems to.

Now we know that, when the Prime Minister told the House last week that he had already followed Sir Patrick Neill's advice to the letter, he had not actually done so, and he has still not actually done so. But, given that the Prime Minister has said that he ruled out further donations from Mr. Ecclestone on 5 November, why has the Minister without Portfolio said that he knew about such donations and ruled them out in October? Who is telling the truth, the Prime Minister or his sidekick?

The Prime Minister: I have made it clear, as I did in my television interview, that the decision was taken on 5 November—before, I may say, any press inquiry was made at all.

Mr. Hague: Well, we can take it from that that the Minister without Portfolio was not telling the truth in his statement.

Let us explore this a little further. [HON. MEMBERS: "Come on!"] I can understand why Labour Members do not want it to be explored a little further. Given that the Prime Minister has said that he ruled out further donations on 5 November, why did he ask Sir Patrick Neill two days later whether further donations could be accepted?

The Prime Minister: Because we had already made it clear in the letter to Sir Patrick Neill—which the right hon. Gentleman keeps quoting one part of, but not the other—that we had thus far refused the further donation. We therefore asked his advice about whether it was right to do so. We were advised that it was right to do so. We followed that advice.

Mr. Hague: Well, I have a letter here. It does say, as the Prime Minister says,

"The position which we have adopted thus far has been to refuse this . . . donation".

Then it says:

"but we wish to be advised whether this is a position which we need to maintain."

It also says:

"we should consult you on whether it may properly be accepted."

Are we to understand that, the next time the Prime Minister tells us that he has ruled something out—of course—he will take advice two days later on whether to do it after all? Does this explain why the Minister without Portfolio said on Saturday that the Government had behaved with complete propriety, but has gone on today to say that they have been behaving out of character?

The Prime Minister: What the right hon. Gentleman has just read out to me is precisely the answer that I gave him a moment ago. While we are on this topic, in June he promised that he would publish a full list of donors to the Conservative party. As far as I am aware, he has not published a single name. In August, the Conservative party said that it would publish its accounts, but it has not so far done so. It said that it would give back the money that it received from Asil Nadir, but it has so far not given it back.

The leader of the Liberal Democrats has agreed with me—*[Interruption.]*

Madam Speaker: Order.

The Prime Minister: The leader of the Liberal Democrats has agreed with me that we should disclose the names of donors and the amounts going back to 1992. *[Interruption.]* It is not a question of waiting for Sir Patrick Neill's conclusions; it is about the terms of reference. Does the Leader of the Opposition agree to those terms of reference or not?

Mr. Hague: The Prime Minister has already had to admit that he has not handled this matter well. He should not make it worse by failing to answer questions that are put to him in the House. Is it not extraordinary that the Government denied that the Labour party received money from Mr. Ecclestone and then admitted it; denied that the donation was £1 million and then admitted it; denied that the crucial meeting had been minuted and then published the minutes; denied the House a full account of the matter, which instead had to be dragged out piece by piece; and denied that the Labour party would accept further donations and then took advice on accepting them?

Has not the Prime Minister's conduct been a shabby tale of evasion, which voters, when asked to trust him in future, will not lightly forget?

The Prime Minister: People who are watching this exchange will not forget that the right hon. Gentleman has failed to say why—he will have to answer the question at some point—he refuses to agree terms of reference that would allow Sir Patrick Neill to go back over the period from the 1992 general election onwards. The only reason why the newspapers or the Conservative party can go through Labour's donors is that we publish their names. The right hon. Gentleman has not published anything: no one knows where a penny of Tory money comes from. Before he criticises the Labour party, he should tell us where that money comes from and who gave it to the Conservative party. He should go back five years, as we are prepared to do. Until he does that, no one will pay the slightest attention to his criticisms.

Q3. [15122] **Mr. Barry Jones:** Will my right hon. Friend inform the House of the status and progress of his social exclusion unit? *[Interruption.]* Are not the objectives of his Administration the modernisation of Britain and the attainment of social justice? In Wales, many of our fellow citizens have no meaningful work, and have no hope for the future. How does he intend to tackle the problems that he has inherited from the Conservatives?

The Prime Minister: My hon. Friend is right. I am surprised that Conservative Members jeer about the problems that many people face. It is precisely because we believe in a proper approach to tackling not just unemployment but levels of truancy, exclusions from school, poor housing and poor educational opportunity that we have established the social exclusion unit, which will examine these problems in a proper and co-ordinated way. It is important that people realise that at long last they have a Government who take seriously the unity and cohesion of this nation.

Mr. Ashdown: Will the Prime Minister tell us which, in his view, should come first, an early pledge or a long-term objective?

The Prime Minister: It is important, of course, that we fulfil all the pledges that we gave to the electorate at the last general election, and we will fulfil them all. At the next general election we will be held to account for the performance that we have given.

Mr. Ashdown: I take it from that that an early pledge comes first, in which case will the Prime Minister explain why today the Chancellor is going around telling us that the Government's revenues are so buoyant that he can fulfil his long-term objective of a 10p tax rate next year whereas the Secretary of State for Health is saying that he cannot—in five years—guarantee that the Government will deliver on their early pledge of lower waiting lists than we had under the Tories? Does the Prime Minister realise that people simply will not understand a Labour Government who say that they have enough money to spend on lower tax rates but not enough to deliver their own early pledges on lower waiting lists?

The Prime Minister: I certainly hope that my right hon. Friend did not say that, because of course we will fulfil the pledge that we have made to cut waiting lists by 100,000 or more from what we inherited from the previous Conservative Government.

I say to the leader of the Liberal Democrats, since I anticipated that he might raise this, that I went back and looked at the Liberal Democrat pledges before the last election. Before the election the Liberal Democrats asked that over the first two years of the Labour Government we put an extra £1.1 billion into the national health service. We are actually going to put £1.5 billion into the national health service, but now they say that that is not enough. Secondly, they asked for some £500 million to go into a school repairs programme. We are actually providing £1.3 billion and now they say that that is not enough. With the greatest respect to the right hon. Gentleman, I think he should learn the difference between opposition and opportunism.

Q4. [15123] **Mr. Illsley:** Does my right hon. Friend agree that despite 19 years of fiddled figures—[HON. MEMBERS: "Nineteen years?"]—a legacy of the last Conservative Government is a level of unemployment that is still unacceptably high, especially in my constituency where unemployment above the national average. I echo my right hon. Friend's welcome for the employment chapter in the treaty of European Union, and I urge him to use our presidency of the EU next year to take advantage of whatever initiatives there are to alleviate unemployment throughout the European Union, including in Great Britain and in my constituency.

The Prime Minister: I thank my hon. Friend. I think that it was 18 years of Conservative Government, but it seemed like 19 at the time. What is happening at the jobs summit this week in Luxembourg is tremendously important for the future of methods to tackle in particular long-term unemployment in the European Union. The Government have proposed a range of measures which focus particularly on education, on skills and on tackling youth and long-term unemployment.

I very much hope that the summit indicates a new approach by the whole of Europe in which we focus particularly on how we encourage the employability and adaptability of the work force. If we can achieve that at this summit, it will show the advantage of having a sensible, constructive approach to Europe that allows us to achieve the objectives that we all want.

Q5. [15124] **Mr. Hammond:** Will the Prime Minister explain what he sought to achieve in asking Sir Patrick Neill's advice on 7 November about the propriety of accepting a further donation from Mr. Ecclestone when he has already told the House that he decided on 5 November not to accept such a donation?

The Prime Minister: For the very reason that I have just given, which is that, having taken the decision to refuse further donations, it was important that we got his advice as to whether we had taken the right decision. We got his advice and we followed that advice. *[Interruption.]* That is precisely what we have said and, as I say, I do not know whether the hon. Gentleman believes that, in the 20 years of Conservative Government, there was never any potential conflict of interest. But for the first time a Government actually took

the watchdog's advice. We followed that advice, whereas the party of which the hon. Gentleman is a member would never have done the same thing.

Mr. Dalyell: What conclusions are we to draw from Madeleine Albright's discovery that not a single Arab country would support military action against Iraq?

The Prime Minister: All countries are concerned to ensure that Saddam Hussein obeys the United Nations security resolutions that were passed at the conclusion of the Gulf war. The reason why it is important that he does abide by those resolutions is that they concern the making of chemical and biological weapons of mass destruction. If he is allowed to carry on developing those weapons, the dangers, not just for the middle east, but for the whole world, are obvious and clear. He has deceived people, used chemical weapons on his own people, and invaded other countries without any possible justification. It is absolutely essential that he backs down on this—that he be made to back down. We will, of course, seek a diplomatic solution, but he has to back down because, if he does not, we will simply face this problem, perhaps in a different and far worse form, in a few years' time.

Q6. [15125] **Mr. Bercow:** If the Prime Minister had decided on 5 November—[HON. MEMBERS: "Oh, come on!"] I understand that Labour Members do not want to hear the question, but they will have to suffer in silence. If the Prime Minister had decided on 5 November that he definitely did not want to take further donations, why ask Sir Patrick Neill's permission to do so? Is not the truth of the matter that the Prime Minister was begging Sir Patrick to give him the green light to take more money?

The Prime Minister: I am intrigued that the hon. Gentleman should ask such a question as I understand that his last employment was as special adviser to Jonathan Aitken.

Mr. Bercow *rose—*

The Prime Minister: The hon. Gentleman seems able to shake his head. Perhaps he will indicate whether he will support me in saying that donations over £5,000 for the past five years should be disclosed to Sir Patrick Neill. Does he agree with that or not? Conservative Members cannot answer it because they do not dare.

Q7. [15126] **Mr. Caton:** Does my right hon. Friend agree that evidence of already deprived and disadvantaged children being accommodated in children's homes and then physically and sexually abused shames our whole society? Will he assure the House and the country that the Government will respond to the Utting report with urgent and tough action?

The Prime Minister: My hon. Friend will know that there is to be a statement on this shortly by my right hon. Friend the Secretary of State for Health. The Utting report does detail an exceptionally bad record of neglect, mismanagement and abuse. Obviously, we will study the conclusions carefully, but it is essential, after long years of neglect, that we clean the situation up, and we will do it.

Official Visit

Q8. **Mr. Steen:** If he will make an official visit to White Rock above the River Dart, near Totnes. [15127]

The Prime Minister: I think this is the second time that I have been asked to visit the hon. Gentleman's constituency. I hope that he does not mind if I say that I do not have any plans to do so, although I visit all regions.

Mr. Steen: That answer will be a great relief to my constituents.

Is the right hon. Gentleman aware that White Rock is just a few miles from the home of the D'Oyly Carte at Coleton Fishacre, and that the D'Oyly Carte opera company may close next month, despite its popularity, simply because the Arts Council operates a cartel which prevents new entrants, however meritorious, from getting on its little list? Surely he does not wish to preside over a Government who will allow one of our great and precious British institutions to collapse when more than £200 million is unspent in the Arts Council's lottery fund.

The Prime Minister: We are continuing the policy of the previous Government. I do not know about the issue that the hon. Gentleman raises, but I shall be happy to write to him about it. I will make a deal with him—if I do not go to his constituency, he will not come to mine.

Mr. Gill: I want to return to the question of tobacco sponsorship. Will the exemption of formula one from the ban on tobacco sponsorship affect the financial success of Mr. Ecclestone's long-postponed flotation of Formula One Holdings?

The Prime Minister: I have absolutely no idea about that, but in any event the exemption is right. As I pointed out last week, every other country that runs grand prix either has no sponsorship restrictions or makes special arrangements or grants exemptions for formula one. Australia, Canada, France, Germany and other countries all do that. It is important that we do it as well, because we do not want to lose the industry and the jobs associated with it.

I must point out to the hon. Gentleman that it was his party, when last in government, which blocked the European Union directive. We are trying to ensure that we get the maximum action on advertising in sponsorship to try to reduce the level of smoking—but in a way that does not damage sport or the industry.

Mr. Clapham: Is my right hon. Friend aware that research has shown clearly that white asbestos is a carcinogen? Some countries in Europe have already banned white asbestos and any manufactures that include white asbestos. Is he further aware that the Health and Safety Commission supports a Europewide ban and that there are substitutes for asbestos? Will he seriously examine the case for a United Kingdom ban so that we can protect future generations of workers?

The Prime Minister: I thank my hon. Friend, who is right to draw attention to the issue. My understanding is that the Health and Safety Commission has advised Ministers on a mechanism and timetable for introducing

a domestic ban on the import, supply and use of white asbestos. An announcement will be made shortly on how the Government intend to proceed. I know from the work that my hon. Friend has done on this matter over a number of years that he has had a long-standing commitment to a ban. I hope that shortly we will be able to give him the answer that he wants.

Q10. [15130] **Mr. Sanders:** I refer the right hon. Gentleman to European Union directive 91/439. Is he aware that the directive will affect 350,000 insulin-dependent diabetics by making it illegal for them to drive vehicles in groups C and D? Is he further aware that the decision has not been based on any actuarial evidence? Will he look at the matter urgently before diabetics start to lose their jobs in January because of restrictions on their licences?

The Prime Minister: The problem is that the current legislative position, which was introduced in 1991, reflects the advice of the expert advisory panel on diabetes and driving. To make a change, we would have to be sure that new scientific evidence and advice would justify a change to the original conclusion reached by the previous Government. If such evidence emerges, we would be happy to review the position, but until it does it would be difficult for us to argue the case for changing the directive. If the hon. Gentleman has any further information or if he wishes to draw our attention to different scientific advice from that which we have received, I suggest he submit it to my right hon. and hon. Friends for their consideration.

Solar Energy

Q11. **Mrs. Brinton:** If he will make a statement on the Government's policy on solar energy. [15131]

The Prime Minister: The Government propose a new and strong drive to develop renewable energy sources in line with our manifesto commitment. The policy review announced by my hon. Friend the Minister for Science, Energy and Industry will consider what will be necessary and practicable in order to achieve 10 per cent. of the United Kingdom's electricity needs from renewables by the year 2010. That is an ambitious target, but we believe that, if we put the right commitment into it, it will be possible. That will obviously make a substantial contribution to the measures that we need for the Kyoto summit.

Mrs. Brinton: I thank my right hon. Friend for his reply. Does he agree that the solar energy economy requires dispersed forms of energy conversion and supply, rather than the massive centralised power stations of today's electricity industry? Does he agree also that if we develop and maintain solar energy, we will return power and real autonomy to the regions—not only in the United Kingdom but in the rest of the world?

The Prime Minister: My hon. Friend is right, of course—[HON. MEMBERS: "Oh!"] Opposition Members may cavil, but it is a serious problem that the country has to deal with. We believe in increasing the amount of our energy resources that come from renewable energy, and we are encouraged by the growing use of solar energy. The trouble is that solar energy is still very expensive. We are putting more money into research, and we will make progress on it as soon as we possibly can.

Waiting Lists

Q12. **Dr. Harris:** When he expects the Government's commitment to reduce waiting lists to the levels of 1 May to be achieved. [15132]

The Prime Minister: The appalling situation that we inherited from the previous Government, who consistently undermined the national health service, means that we will have to make progress as quickly as we possibly can. The extra £300 million that will be provided over and above what was allocated by the previous Government will be of enormous assistance in doing so.

Dr. Harris: Although I agree that the health service inherited problems, is the Prime Minister aware what a disappointment his answer will be to sick and elderly people in Oxford, West and Abingdon and elsewhere? Whereas it will take five years to implement an early pledge to cut waiting lists, as a first step, funds seem to be available to achieve the long-term aim of cutting taxes for the well-off. Is it not time that the Government governed, rather than merely acting opportunistically on their pre-election pledges?

The Prime Minister: We will fulfil our pre-election pledge. [HON. MEMBERS: "When?"] Opposition Members shout out, "When?", but they are the people who put up the waiting lists. [HON. MEMBERS: "Oh!"] They deny responsibility. It was nothing to do with them, was it? As I told the right hon. Member for Yeovil (Mr. Ashdown), in the next two years, we will put more money into the national health service than the Liberal Democrats wanted us to before the general election.

Waiting lists have increased because of the situation that we inherited. Our pledge is that, at the next general election—when we again stand before the British people—we will have reduced waiting lists by 100,000 or more. We will deliver on that pledge. [HON. MEMBERS: "Go on!"] As for Opposition Members, they are the people who undermined the health service. [HON. MEMBERS: "No."] Yes, they are. This week marks the 100th anniversary of Nye Bevan's birthday. We established the national health service, in the teeth of Tory opposition, and we will rebuild the national health service, after 18 years of Tory disgrace.

Utting Report

3.32 pm

The Secretary of State for Health (Mr. Frank Dobson): The House will know that, last year, after the conviction of people in north Wales for sexual and other crimes against children in their care, the previous Government commissioned Sir William Utting to conduct a review of the adequacy of safeguards against the abuse of children living away from home. They also established a judicial tribunal of inquiry, under the Tribunal of Inquiry (Evidence) Act 1921, into the events that led to those convictions. The north Wales judicial inquiry, chaired by Sir Ronald Waterhouse, continues and is expected to report next summer.

Sir William Utting has now reported to my right hon. Friend the Secretary of State for Scotland and to me. Today, we are publishing his report. A comparable review for Scotland is being published today by my right hon. Friend the Secretary of State for Scotland.

Sir William's review was necessary because of continuing revelations of widespread sexual, physical and emotional abuse of children living away from home—in particular, in children's homes—over the preceding 20 years. In addition to the convictions in north Wales, there are investigations or prosecutions in progress in the north-west, the north-east, south Wales and some home counties.

The report presents a woeful tale of failure at all levels to provide a secure and decent childhood for some of the most vulnerable children. It covers the lives of children whose home circumstances were so bad that those in authority, to use the jargon, took them into care. The report reveals that, in far too many cases, not enough care was then taken. Elementary safeguards were not in place or not enforced. Many children were harmed rather than helped. The review reveals that those failings were not just the fault of individuals—although individuals were at fault. It reveals the failures of a whole system.

The review team found evidence of good work done by many children's homes despite adverse circumstances. It considers that residential care remains an important option for looking after children in trouble, but that staffing is a chronic problem.

The report reveals a list of major faults. Many children are placed in homes unsuited to their particular needs because there is too little choice, too little planning and too little forethought. Some children go through a damaging succession of placements. Children are at risk in small unregistered homes. More than a third of children in residential care are not receiving an education. Children in foster care can be at risk of abuse, and safeguards intended in the Children Act 1989 are not being uniformly implemented.

There is no requirement for residential maintained special schools to be inspected for welfare purposes. Some children abscond from residential care and become homeless, and some remain untraced. In the past, children who ran away and were traced were often returned to the care of the people who were abusing them.

Disabled children, children with emotional and behavioural difficulties and young children are at higher risk of abuse or harm when living away from home. Bullying and sexual abuse by other foster children is encountered. Bullying appeared to be ignored in some children's homes. The mix of fearsome children and vulnerable children amounts to abuse by the system that is supposed to provide protection.

Vetting child care staff and foster parents must be improved. Unacceptable delays arise in checking criminal records. Staff who suspect child abuse can be deterred from coming forward for fear of victimisation by other staff or managers. Some directors of social services say that they are reluctant to dismiss staff, as their decisions can be overturned on appeal.

The criminal justice system is ineffective in deterring offences against children and in securing convictions. Its failures are most marked where the victims are most vulnerable—the very young and the disabled.

Prison Service policy to keep children in separate accommodation is not being achieved. As a result, there is suicide, self-harm and endemic bullying. Boys aged 15 to 16 are still being remanded to prison because there is not enough secure accommodation.

The report concludes that, although there are no grounds for complacency—and, by God, there should not be—the repetition of abuse in children's homes on the scale that has occurred in the past is now unlikely.

The report makes 20 principal recommendations designed to improve safeguards in foster and residential care, in schools and in the penal system to provide more effective safeguards and checks to deter abusers from working with children, more effective avenues of complaint and independent advocates to whom children should have access, more vigilant management, effective disciplinary and criminal procedures and effective systems of communication between agencies about known abusers. The report also calls for changes to ensure that the criminal justice system provides children with better protection from abusers.

I thank those who produced the report. The situation that it describes cannot be allowed to recur or—where it continues—continue any further. It must provide a spur to all concerned to ensure that, in future, children living away from home for long periods get a safe, decent and positive upbringing.

This is a most serious report, and the Government are taking it most seriously. We have set in train the following action. Her Majesty's chief inspector of prisons has today published a report on young prisoners which reaches many of the same conclusions as Sir William Utting. The Home Office is ensuring that standards to safeguard young people in prison, which are being developed by the Prison Service, incorporate the welfare aims recommended in the report.

My right hon. Friends the Secretaries of State for Education and Employment and for Wales will be making improvements to the welfare safeguards for children in maintained boarding schools and will be working with the education service to achieve that. The chief inspector of social services in England is assessing local authorities' compliance with essential management and staffing safeguards which are supposed to be in place already. The Welsh Office is implementing with determination the Adrienne Jones report on child care and protection.

The Department of Health and the Welsh Office are already committed to two important changes recommended by the report: the creation of a statutory

[Mr. Frank Dobson]

general social care council to regulate standards of conduct and practice by social services personnel, and the statutory regulation and inspection of small children's homes.

We are actively reviewing the way in which the courts treat children and other vulnerable witnesses. We are preparing a White Paper on social services that will set out detailed proposals for improvements in the regulation of social services. With the encouragement of the Prime Minister, we are setting up a ministerial task force—to be led by me—involving Ministers from all relevant Departments and a small number of expert advisers from outside the Government. Its first job will be to prepare the full, comprehensive Government response to the report.

We will be consulting widely and carefully with all the public and voluntary agencies concerned before giving that detailed and comprehensive response. The report acknowledges that the review panel was not able to assess the costs of implementing its recommendations or what the spending levels on children's services should be. It also emphasises that any extra resources must be matched by managerial and professional effort to improve performance.

The recommendations made in the report will be considered as part of the comprehensive spending review, covering the whole range of services for children, including social services, juvenile and criminal justice and education. After careful consideration and consultation, we will put forward a full programme of policy and management changes to deliver the safer environment to which children living away from home are entitled. The programme will be clear, affordable and enforceable. It will ensure that high standards are set and that whatever standards are set will be met.

Finally, I should make it clear that many dedicated people are doing a good job looking after vulnerable children living away from home. It is never an easy task, and they deserve our thanks. We owe it to them and to the children they look after to root out and punish the wrongdoers and to put into place a system that helps rather than hinders their efforts. Vulnerable children living away from home are the responsibility of us all. Many of them have been badly let down. This Government will ensure that in future they are looked after better.

Mr. John Maples (Stratford-on-Avon): I thank the right hon. Gentleman for his statement and for the very prompt publication of Sir William Utting's work. I thank Sir William and his team for the enormous amount of work and effort that must have gone into the report.

The level and extent of child abuse have horrified many us. When stories first started to emerge some years ago, I frankly found it difficult to believe that they were true. There have now been so many such stories that there can be absolutely no doubt about their nature and extent. Sir William Utting's report lists a catalogue of failure in that respect. The problem has to be addressed. The previous Government began that process and set up the inquiry. We shall support the present Government in carrying forward the process.

We are talking about the most vulnerable people in society. They have often already been abused. Their natural family arrangements have broken down, and foster arrangements have often broken down, too. There may be only a few thousand such children, but they are children for whom the state has assumed the role of parent. We owe it to them to do better, protecting them from abuse at the least.

None of that should detract from the fact that many, many dedicated people work with and care for such children. The appalling cases of abuse that too frequently arise should not stop us acknowledging the excellent work that is done. I think that I am right in believing that most abuse takes place in residential care and less in foster care, because it is easier to detect in foster care.

As fostering has, rightly, become more widespread, residential care has declined. There are relatively few people with experience of managing residential care. That presents problems for commissioning and inspection. Perhaps we need to consider commissioning and the provision of care on a regional, or even national, basis. Perhaps inspection should follow a similar pattern. Many county councils do not provide care directly, and children are often placed away from their local authority area, leading to less frequent visits and inspections. In addition to the welcome action that the Secretary of State has announced, will he consider implementing regional arrangements, in an attempt to overcome the problems that some county councils have?

Many children are in care because fostering arrangements have broken down. Will the Secretary of State consider giving even more encouragement to greater training and support for fostering in difficult cases, when that might help to keep the fostering arrangement alive? That would keep more children out of residential care.

Strong measures have already been implemented to keep paedophiles out of child care. I am told that they are working, but different blacklists cause a great deal of complexity. Will the Secretary of State see whether there is a way of combining into one list all the different registers that it is incumbent on social services departments to inspect?

Often those under suspicion resign before they are sacked, and criminal charges are not brought. They can often escape being placed on the registers. Can the Secretary of State find a way of ensuring that they go on the registers? Should the registers contain more soft intelligence about suspicions, even when there has been no dismissal or criminal charge?

We all realise that a balance has to be struck between individual rights and the interests of children, but does the Secretary of State think that we should move further in the direction of the protection of the child, even if that means some erosion of people's rights? Perhaps working with children in residential care should be seen as a privilege to be earned rather than a right.

We are at one with the Government in wishing to do everything possible to ensure that those vulnerable children for whom the state has taken on the role of parent are protected from abuse. I assure the Secretary of State that we shall give positive and constructive consideration to any proposals to achieve that which he may bring before the House.

Mr. Dobson: I thank the hon. Gentleman for his welcome for the report and our initial response. I share his concern about children being placed in homes of any sort far from their local authority area. The more indirect and

distant the location of the children, the more difficult supervision becomes. We are stepping up work on recruiting foster parents and giving them additional training and encouragement. Most foster parents do a good job, but we have to remain eternally vigilant about the possibility of abuse by the vile minority of foster parents.

We are working with the Home Office on an effort to establish a common list of people who should not be employed in any way in the care of children or be involved with them. We intend to include what is euphemistically described as soft information on those lists. However, there is a balance to be struck. It will always be difficult to decide what should be done in such cases, but if a person has been accused of offences against children in a succession of previous locations, but never tried or found guilty, given the weight of evidence, the balance should be in favour of protecting children from them.

Mr. Joe Ashton (Bassetlaw): My right hon. Friend is to be congratulated on the report. Is he aware that, because of the incidents that he has mentioned, some of us have severe doubts about reducing the age of homosexual consent from 18 to 16? I refer to the dangers of boys being abused by persons in positions of trust, care or authority.

Is my right hon. Friend aware that the European Court would rule that we must come into line with the general age of consent at 16 in Europe, but that many European countries have exemptions for young people in positions of trust, care and authority? Is it not time the age of consent was 18 for boys and girls in these circumstances? That might make it more difficult for a carer or a person in authority to make an approach.

Will my right hon. Friend convey what I am saying to the Home Secretary, in addition to what we have told him in private meetings? I am not alleging that homosexuals are paedophiles; far from it. Many of us are not against 16 as the age of homosexual consent, but we are extremely concerned about vulnerable boys and girls.

Mr. Dobson: I thank my hon. Friend for that point. Other Ministers and I are indeed considering linking a change in the homosexual age of consent to 16—I would support that—to the introduction of a law that would make sexual activity with young persons by people in authority, heterosexual or homosexual, unlawful and punishable.

There is a great deal of heterosexual abuse in children's homes, and we must use every measure available to us to stop it. We may come up with proposals to bring the age of consent for any sexual activity down to 16, but to raise it for cases involving the exploitation of a position of authority. That goes not just for children's homes but for teachers, football coaches and anyone else.

Mr. Paul Burstow (Sutton and Cheam): In adding my party's welcome for the report and the Minister's statement, I also have a number of questions to ask him. I hope that the message that will go out is that the rehabilitation of residential care is an important element in the whole provision of child care.

In respect of the task force, will the Minister be able to tackle the Berlin walls between education, health and social security—walls that often get in the way—

Mr. David Hinchliffe (Wakefield): And social services.

Mr. Burstow: Indeed. Those walls get in the way of dealing with child care services in the right manner.

Does the Minister agree that, if Government Departments in Whitehall cannot co-ordinate their activities, we cannot expect town halls to do so?

Will the task force also become a standing committee that can deal with the development, implementation and oversight of a child care strategy? There clearly needs to be monitoring of the implementation of the recommendations.

Will the Minister publish any reasons why the task group might decide not to implement any of the 20 key recommendations?

Can the Minister offer us any reassurance in relation to finding ways of instilling confidence in staff who may suspect a colleague of abusing someone in care? Such people need fast-track access to confidential briefings of managers in which they can raise such matters.

Will the Secretary of State take up the point in Sir William's report that, with only 8,000 places now available in residential care, there is a need for greater choice and a need to address that expansion in a controlled way with quality at its heart? Therefore, will the right hon. Gentleman look urgently at the fact that the Government's funding review will not report until next summer? Urgent action is needed. Next summer is too far away. Will the right hon. Gentleman return to the House with a statement on the release of resources into this area sooner rather than later?

Liberal Democrat Members will do all we can to support the Government in taking forward the recommendations, because we believe that we in the House, those in the town halls, and everyone involved in the care of children, must do better and must do more in future.

Mr. Dobson: I thank the hon. Gentleman for his welcome for the report and the Government's initial response. My personal view is that, to some extent, because of the emphasis on the superiority of care in the community, people working in residential care for all sorts of people, not just young people, have felt themselves to be regarded as second best, second rate, and not receiving the attention that they deserve. Some of the things that have happened may well have been a product of that feeling. We must restore morale among the staff.

With regard to Berlin walls, the task force, which I shall lead, will include senior representatives from the various Departments. As the hon. Gentleman says, if we in Whitehall cannot work together, it is difficult to expect people in town halls and county halls to do so in the way that we expect.

We shall report to the House in due course on our full response to the report. We have already taken some action, by way of advice, on helping staff who feel that things are going wrong to report that things are going wrong. I confirm that one of the limitations on local authorities has been the absence of a choice of places, which has, in some cases, led them to send children to places that were quite unsuitable for them.

Mrs. Llin Golding (Newcastle-under-Lyme): I welcome the report, and I am pleased that the Government are committed to doing so much to improve the lives of children who have often been neglected by previous Governments.

[Mrs. Llin Golding]

Will the Government consider implementing the Pigot report which will do so much to remove the stress that children feel when giving evidence in court, enabling them to give evidence outside court rather than face the terrible trauma of having to appear in person?

Mr. Dobson: First, I congratulate my hon. Friend on her work over the years on this issue. We are considering the Pigot report carefully, but, in view of the evidence, we may find ourselves in a dilemma. It is possible that the legitimate effort to try to protect child witnesses is reducing their credibility as witnesses or, if carried too far, could reduce their credibility as witnesses. That may be one of the explanations for the decline in the prosecution success rate in recent years.

Mr. Nicholas Winterton (Macclesfield): I congratulate the Secretary of State on his excellent statement, just as I congratulate Sir William Utting, whom I know well, who has tremendous ability and professionalism, on the report that he has produced. General Sir David Ramsbotham, who was mentioned by the Secretary of State, also has tremendous ability and is doing a wonderful job.

When I was involved in a Select Committee that had responsibility in this area, we met many young people who were members of NAYPIC—the National Association of Young People in Care. They made it very clear to the Committee that places in residential homes were vital, yet the number of those places is now down to about 8,000. Will the Secretary of State give an assurance that will be action, not only to sustain the current level of places, but to open a number of new residential homes? Such homes are ideal for many young people who have difficulty and who have been abused in their own homes.

Mr. Dobson: I will say that we will do whatever is necessary to ensure that local authorities that have to take children into care and place them have places that are suitable for those children; and I certainly recognise that, for some children, that involves places in residential homes. The residential homes must be suitable, because—to return to my earlier point—some of the children are quite fearsome and difficult to deal with. Such children can be very threatening to children at the other end of the spectrum of vulnerability and to put the two groups together is an abuse by the system rather than of the system.

Mr. Hilton Dawson (Lancaster and Wyre): I speak as someone who, before coming to the House, spent 15 years as a child care social worker and the past eight years as a manager of residential and foster care. During that work, I managed and worked with many excellent residential social workers, who gave selflessly of their time and ability and all their experience to aid and assist children and young people in care. The same can be said of foster carers.

Some of the best times of my recent experience came from working in care groups with young people who—despite, in many cases, having the most atrocious background—can be articulate and strong and show a real commitment towards improving good practice in residential care and in ensuring the welfare of other young people in care.

I hope that the task force to consider the report, which needs to work across all departmental boundaries, will set children's rights at the heart of its work. I hope that it will give a statutory basis to the need to provide local in-care groups to involve young people in policy formulation at local level. I hope that it will set up a new national organisation for young people in care, because NAYPIC is sadly defunct. I hope that it will give real and fresh consideration to the idea of a children's rights commissioner to implement the United Nations convention on children's rights across the country

We need to change the culture of this country. We need to make this country child-centred. We cannot discuss the most vulnerable children in our society only when reports such as this come out. Children need to be at the forefront of our concern constantly. I hope that every hon. Member will contribute to that debate and I hope that many hon. Members will join the all-party group for children and young people in care, which I am aiming to set up—

Madam Speaker: Order. I have to call the hon. Gentleman to order. Before the Secretary of State responds, I remind hon. Members—especially new ones—that when a Secretary of State makes a statement, it is for Back Benchers to question that statement, not to make a speech or a statement on the statement. I know that the hon. Member for Lancaster and Wyre (Mr. Dawson) gained a great deal of experience relating to this issue before coming to the House and it is a pleasure to hear him. I simply remind the House of these conventions. There is a great deal of unanimity, so I ask for brisk questions and I am sure that the Secretary of State will oblige in his responses.

Mr. Dawson: Madam Speaker, may I just ask two quick questions?

Madam Speaker: I have just looked up the hon. Gentleman's background and, because I am so soft and sentimental, I shall allow him a couple of quick questions, so that he can show the rest of us how it should be done.

Mr. Dawson: Will my right hon. Friend address the issue of pay in residential care and qualifications in residential care? That is the only way that the esteem, standing and competence of residential care will be increased, to the benefit of all children.

Mr. Dobson: I shall answer my hon. Friend's two final questions together. We will do whatever is necessary to ensure that the staff of residential homes are good-quality staff who really care for the children. I congratulate my hon. Friend on the help that he has been giving to the Department. He went so far as to bring some of the children into the Department; some of those who are having to respond to the report have met some of them. That is a good step forward. My hon. Friend has been giving a great deal of help to the Under-Secretary of State for Health, my hon. Friend the Member for Brent, South (Mr. Boateng). We are involving some of those children in our response to the convention.

Mrs. Virginia Bottomley (South-West Surrey): Does the right hon. Gentleman agree that there has been tremendous success in the substantial fall in the number of children in care over the past couple of decades or

more? Sir William Utting, Sir Herbert Laming and many others have been committed to improving children's services. However, the children left in residential care are often the most troubled and troublesome, and the most complex and costly.

Will the right hon. Gentleman look carefully at the point that has been alluded to about the way in which children are shunted between special education, mental health services, social services for children and prison institutions? There is a danger that those difficult children will be passed from one agency to the next. The right hon. Gentleman may feel that progress has been made by the appointment of Norman Warner, who did so much to improve children's social services, as the special adviser to the Home Secretary. I believe that it is an encouraging step.

Will the right hon. Gentleman go into more detail about how he plans to see training improved? Too often, people have had work experience in residential settings in order to pursue their career in the community and elsewhere. Until we reverse the hierarchy of status and rewards, these children will not receive the continuity, care and supervision that they deserve.

Mr. Dobson: On the last point, we are looking at improving the general training of people involved in social services departments. We are concentrating attention on those involved in residential care, because, as I have said, that has not been the first priority for anyone in the system for quite a long time. I share the hon. Lady's view about the problem of young people, who may have been troublesome at some time, being passed from agency to agency. As a standing condemnation of all of us, not just those working in the child care system, it is a salutary thought that 22 per cent. of people in prison were formerly in care.

Ann Clwyd (Cynon Valley): I welcome my right hon. Friend's statement and the quick action that he has taken in response to the recommendations; if only that had been the case 20 years ago when the north Wales tribunal evidence first came to light. It was known to the authorities, but no action was taken. I remind my right hon. Friend that some of my constituents who were abused in those north Wales homes have given evidence to the tribunal. It has been a considerable ordeal for them, particularly as the perpetrators of some of the abuse against them are still at large.

Some names have been mentioned during the tribunal. They have not been made public, but they will be published at the end of the tribunal. May we have an assurance that, in all future investigations of this kind, when names are named, they will be investigated by the police and that prosecutions will be taken out against them if the evidence is there?

Mr. Dobson: I sympathise with my hon. Friend's concern, but I do not think that I can give a blanket guarantee that every inquiry will automatically release names. There may be circumstances in which it would be wrong to do so; it would depend on the circumstances. My general view is that there needs to be a cogent reason for not disclosing names, but there may occasionally be such a reason.

Rev. Martin Smyth (Belfast, South): I welcome the statement. I am puzzled by the fact that there is to be one for Scotland as well, but that there is no mention of Northern Ireland. We live in a kingdom where people move back and forward, and there are problems at each stage.

I support the general thrust of the report. Sir William Utting previously gave us a fine report recommending the setting up of a general social services council. No mention has been made of that. How far down the road are we towards that, or must we wait several more years before it comes into being?

On the subject of abuse, is it not important that, when people have been found guilty in a court of law of paedophilia, they should not be appointed to posts where they can continue to abuse children? When questions are asked, is it a sufficient answer that the person who made the reappointment took advice on it? Surely there should be greater protection for children who have been abused when in care.

Mr. Dobson: I thank the hon. Gentleman. We expect to publish the details of our proposals for a general social care council fairly early next year, and to proceed as quickly as possible to get that through.

On the appointment of people to posts when they have been found guilty of abuse, we have made changes in the law already. Clearly, some change in practice is also required.

Mr. David Hinchliffe (Wakefield): As I also worked in the child protection system for many years, may I welcome the report and my right hon. Friend's response to it?

With reference to the general social services council, is it not a fact that the social work profession pressed the previous Government over many years to bring in a proper regulatory framework? It is disgraceful that the previous Government did not act on that issue, when there was a consensus in the social work profession that it was a key element in protecting children and young people in care.

May I raise with my right hon. Friend a point that has not been mentioned so far? The league tables for school performance were published yesterday. Will he, together with my right hon. Friend the Secretary of State for Education and Employment, examine the impact of the emphasis on school performance on youngsters who are in care? It is a simple fact of life that many head teachers are glad to see the back of youngsters in care because they affect the school's performance and position in league tables.

Bearing in mind the fact that, when children end up in care, it is a sign of some failure in the care system itself, will my right hon. Friend look at the preventive elements of the Children Act 1989 and consider how we can ensure that those elements work more effectively, to prevent youngsters from ending up in care?

Mr. Dobson: On my hon. Friend's last point, we are looking at what can be done. On school performance, again we are looking with the Department for Education and Employment at the impact of exclusions from school of children who may be extremely troublesome and disruptive, or may simply disrupt the exam tables. We need to examine that carefully.

[Mr. Dobson]

There is clear evidence, particularly among younger children, that if they move from school to school, their education suffers desperately. Some of the children who are not getting a fair deal in a residential home are not getting anything like a fair deal at the various schools to which they are sent. We want to do something about that.

I do not want to go roaming over what has gone wrong in the past 20 years, but it is clear that, if we demand higher standards of performance from staff in social services departments, we should make it clear what we expect of them, and put in place a regulatory framework that enables them to do their jobs properly.

Mr. Andrew Lansley (South Cambridgeshire): I welcome the Secretary of State's statement. He will be aware that the circumstances described in the Utting report will continue to be of great concern to people in Cambridgeshire, in the light of the Laverack case and similar circumstances associated with that.

Does the right hon. Gentleman agree that the sense of impermanence in management in residential homes is a feature of the problem? Management is often short-lived, and staff move between residential homes, as do many of the residents on short-term placements.

Does the Secretary of State agree that part of the process of dealing with such movement and of raising the morale and status of residential social workers is to give support to managers and staff to take longer-term placements as part of a structure for their career? Does the right hon. Gentleman also agree with me that, while there must be no compromise in the scrutiny of staff in residential homes for their appropriateness for the task, that should be positively presented as a process of giving the assurance that residential social workers are not the object of suspicion but are treated as professional staff in whom we can have greater confidence in future?

Mr. Dobson: As for the hon. Gentleman's last point, we live in a world that is full of dilemmas; one example is that we want to give encouragement to people who are doing a good job and extra encouragement to those who are doing an average job, but want to come down like a ton of bricks on those who are doing a bad job. There are always dilemmas.

The hon. Gentleman talked about the impermanence of staff and management. We want to ensure that staff stay far longer in the homes where they are working. Those of us who were fortunate to grow up in a home with our own parents had the exclusive commitment, love and support of just two people. That is what happens if we are really lucky. We are faced with children who have the exclusive love and support of no one. There is a turnover of people for whom they may have developed some affection and trust. We shall never be able to substitute for an ordinary, well-working family, but we should try much harder.

Mr. Jonathan Shaw (Chatham and Aylesford): As the third former social worker on the Government Benches to ask a question of my right hon. Friend, I shall be brief.

I welcome the report, but does my right hon. Friend agree with the section that highlights the need for better regulations for private fostering agencies? Is my right hon. Friend aware of the increasing number of private fostering agencies in north Kent that are primarily serving London boroughs that find it difficult to recruit fostering? Will he ensure that greater regulation is brought to bear on those agencies?

Mr. Dobson: I certainly agree with the point that my hon. Friend is making. As I have said, it is clear that problems arise when children are away from the area in which they have grown up and from the local authority that is responsible for them. The further they are away from the direct responsibility of the local authority, the more that applies. That is not an attack on any agencies. However, the minute that there are boundaries between the local authority and the group of people who are responsible, more difficulties will inevitably arise.

Dr. Jenny Tonge (Richmond Park): As a former chair of social services in a London borough, I welcome the Secretary of State's statement and all its good intentions to protect children in care. I welcome especially the commitment to keep residential care going, and to provide adequate training and pay for the staff. Will the right hon. Gentleman, together with his Cabinet colleagues, ensure that this year's local government settlement will reflect his good intentions? Will he also ensure that local authority social services departments have enough money to carry them all out?

Mr. Dobson: We will do our best, but it is not all a matter of resources. It must be recognised that some well-run homes are cheaper to maintain than some homes that are badly run. Child abusers used to get paid; they were not doing it for free. We will provide whatever resources we believe to be necessary to provide a stable home life for these vulnerable children, in the way of buildings and properly qualified staff. It will, of course, take time to recruit the necessary staff and give them the training that is required.

Mrs. Joan Humble (Blackpool, North and Fleetwood): As another former chair of social services I, too, welcome the report and the Government's response to it.

My right hon. Friend will be aware that one of the common threads through many child abuse cases in recent years is that the young people did not know to whom they could complain, or were not believed when they complained. What action will he take to ensure that young people in care, especially now that so many of them are in foster homes and are isolated, know to whom they can turn if they have a concern, and ensure that their concerns will be taken seriously?

Mr. Dobson: I can give my hon. Friend the assurance that she requires. We want a system in which children can complain and, if they are telling, be believed.

Several hon. Members *rose—*

Madam Speaker: Order. I am bringing this to a close. No doubt we shall come back to this issue in a number of ways.

Points of Order

4.21 pm

Mr. Paul Tyler (North Cornwall): On a point of order, Madam Speaker. You will have heard, as will the House, the Chancellor of the Duchy of Lancaster say about an hour and a half ago that it is essential that the political neutrality and integrity of the civil service is maintained. I understand that your attention was drawn to an incident during the debate—the Liberal Democrat debate—on public services on Monday, when a note was passed from the box occupied by civil servants to a Government Back Bencher, who then used that material in the debate. The hon. Member for Worthing, West (Mr. Bottomley) drew attention to that at the time, and the occupant of the Chair took note of it, so I am sure that it has come to your attention.

Can you give us an assurance that that practice will be discontinued immediately, and that the person responsible will be identified? Can we be given some indication as to whether it was a civil servant or a political adviser?

Madam Speaker: I am grateful to the hon. Gentleman for raising his point of order, because it gives me yet another opportunity to remind the House of the conventions that relate to the officials box. I made a full statement about this matter a year ago, as I am sure the hon. Gentleman is aware, but it is apparent that some Members and officials need to be reminded of the salient points. I am happy to take this opportunity to do so.

The officials box is intended for civil servants and political advisers with civil service status whose attendance is deemed essential by the Minister concerned. Their admittance into the box is by my permission, and their function is to provide information and briefing to Ministers as required.

The only Members who should be in communication with officials in the box are the Minister concerned, the Parliamentary Private Secretary or, in the latter's absence, another Member operating with the Minister's authority. Officials in the box should not provide information to any other Member, nor should Members engage in social discussion with officials in the box.

Those in the box are required to conduct themselves discreetly at all times, and should on no account show any partiality while they are present.

I regret to say that, in recent weeks, there have been instances of every one of these requirements being breached. I trust that there will be no recurrence.

As regards the particular incident to which the hon. Gentleman refers, my investigations have revealed that there was indeed a breach of the conventions. The Minister concerned has expressed his regret to me, and I accept it.

I am drawing this statement to the attention of all parliamentary clerks and to the Cabinet Secretary. I do not want to see any recurrence at any time.

The Secretary of State for Health (Mr. Frank Dobson): On a point of order, Madam Speaker. I always take responsibility for matters for which I am responsible. I was one of those Members who, when in opposition, used to draw attention to this rule frequently. The person who breached the rule on Monday was one of the my political advisers. It was not his fault. I had failed to draw this rule to his attention. I apologise to the House. It will never happen again.

Mr. John Bercow (Buckingham): On a point of order, Madam Speaker. I seek your guidance—not for the first time—on two points.

First, is it in order for the Prime Minister to refuse to retract an incorrect statement about another hon. Member, even when his error has been drawn to his attention? Secondly, although I recognise—as, I think, does the House in general—that, since 1 May, the format of Prime Minister's Questions has been changed, I was not aware that it was in order for the Prime Minister to ask an hon. Member to answer a question during Prime Minister's Question Time. If it is in order, is it in order for me to answer that question now—or has the Prime Minister forgotten that he is Prime Minister, and does he mistakenly think that I am?

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Speaker. Perhaps I can bring the hon. Member for Buckingham (Mr. Bercow) up to date. I sat on those Opposition Benches for 18 years and asked all sorts of questions, some of which were difficult to answer. Sometimes, when a Minister was asked a difficult question, he would ask me one. I understand that, and the hon. Gentleman must understand it. In the real world, he must get used to the idea of being on the losing side. I have been inured to defeat for many, many years. I say to the hon. Gentleman: stop whingeing, stop whining and get on with the job.

Madam Speaker: Perhaps I might respond to the hon. Member for Buckingham (Mr. Bercow), as he asked me a question. I shall deal first with the second part of his point of order. Of course, all Ministers are responsible for the decisions they make. They are the ones who should be responding to questions; they should not be asking them. The Executive are responsible to the House, and should be answering questions.

Mr. Dobson: On a point of order, Madam Speaker.

Madam Speaker: May I finish my answer first?

In answer to the first point made by the hon. Member for Buckingham, let me say that all Ministers—indeed, all Members of Parliament—are responsible for the comments they make. That has nothing whatever to do with me.

Mr. Dobson: On a point of order, Madam Speaker.

Madam Speaker: Does it deal with this matter?

Mr. Dobson: Yes.

Madam Speaker: Well, I am not going to allow a debate on the matter, but, if the right hon. Gentleman is raising another point of order, I must accept a point of order from the Secretary of State.

Mr. Dobson: As I understand it, the hon. Member for Buckingham (Mr. Bercow) objected to my right hon. Friend the Prime Minister's saying that he had been

[Mr. Dobson]

a special adviser to Mr. Jonathan Aitken. My right hon. Friend was relying on the current copy of Dod's guide to the new House of Commons, published in 1997, which states that clearly. If the hon. Gentleman objects, he should take the matter up with Dod's.

Madam Speaker: I shall draw a line under that. I call Mr. Dalyell.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. I have a dreadful suspicion that I may be on the losing side, but let me try in any case. It is a matter of whether the House of Commons should have a say before important events take place, rather than being presented with a fait accompli.

You may recall, Madam Speaker, that you were kind enough to call me at Prime Minister's Question Time. I asked about Madeleine Albright and her visit to the Arab states. On 20 November, a vital meeting will take place between our Foreign Secretary and those of China, Russia, the United States and France. The issue may be military action or not military action.

Would it not be a matter for the House of Commons if the Foreign Secretary at least asked if he could make some kind of statement before attending the critical meeting in Geneva, which may affect what happens throughout the middle east? Should not the House have an opportunity to have a say before a decision is made?

Madam Speaker: The hon. Gentleman is never on the losing side—as far as I am concerned, he is usually on the winning side. I remember granting his Standing Order No. 24 application for three minutes only a few days ago, when he was able to raise this issue—an issue about which I know he feels passionately. He has also made other submissions to me about it.

I was delighted to be able to call the hon. Gentleman today. He was one of the few hon. Members whom I had discretion to call at Prime Minister's Question Time, when he was also able to raise the issue. If the Minister wishes to come to the Dispatch Box and make a statement about a meeting that he may attend tomorrow or on Friday, I will, of course, be in the Chair to hear it; but it is for the Minister to determine whether he wishes to make a statement.

Mr. Andrew George (St. Ives): I am sorry, Madam Speaker, to have to interrupt the proceedings of the House to raise a matter that is of great concern in my constituency—

Mr. Eric Forth (Bromley and Chislehurst): Is this a point of order?

Mr. George: Yes.

Madam Speaker: I must make it clear, because I want to be helpful to hon. Members, that a point of order does not have to be on a serious matter, but it must be a matter to which I, as Speaker of the House, can respond. I must have some responsibility.

Mr. George: My point relates to a missing fishing boat with four fishermen. I know that the House will be as concerned as I am about this matter. I seek a ministerial statement on this incident and on the searches that are being carried out to ensure that the boat is found.

Madam Speaker: I quite understand the hon. Gentleman's concern. He is asking me whether a Minister has given me notice that he wants to make a statement on that matter. The answer is that I have not been given notice of a ministerial statement, but those on the Government Front Bench will have noted the hon. Gentleman's concern, and I hope that they will pass on his comments.

Lead in Paint (Health and Safety)

4.30 pm

Miss Melanie Johnson (Welwyn Hatfield): I beg to move,

That leave be given to bring in a Bill to require the manufacturers and retailers of paint stripping equipment and fluids to provide consumers with information about lead in paint manufactured before 1960; to require the Secretary of State to provide information to the general public about the dangers of lead in older paint; and to provide for the testing of children under the age of three years living in older housing to determine whether they are at risk from lead in older paintwork.

With all this talk of being on the winning or losing side, I trust that on this subject there will only be winners, and that hon. Members will all be on the same side. Many hon. Members are parents, and I am sure that many of us have done do-it-yourself: I do so reluctantly, and seldom have time for it. Very few members of the public are aware of the dangers of stripping older paintwork. I was not aware of them until I heard the BBC's "Face the Facts" programme.

Older paint is that used in houses in the pre-1950s, and certainly pre-1960s. High levels of lead were used in paint manufacture at that time, but have since been phased out. Such paintwork constitutes a serious hazard. We have known for some time the general hazards, which resulted in a reduction of lead in petrol some years ago.

The paintwork in up to 8 million homes that were painted in the first half of this century still contains significant amounts of lead. About 50 per cent. of the population live in older homes. The young are at particular risk, because they are more susceptible than adults to the effects of lead in their bloodstream. Pregnant women are also at risk, as are adults if they suffer lead poisoning.

A testing centre carried out random tests on 10 children and five adults over a month. Three of those children had lead poisoning, and were severely affected. Some of those tested were poisoned through exposure to paint. The adults had stripped paint using hot air strippers—I gather that blow torches are the worst possible thing to use—and the children had eaten small amounts of paint.

Low levels of lead in the population as a whole, and particularly in children, tend to skew abilities downwards, and have other side effects. People are exposed to risk in two ways: I was not aware of either of them until recently, and I am sure that many members of public have no idea about the risks either. Adults are exposed when they strip paint, and children are exposed when they eat very small flecks or specks of paint that are lying on the floor. Children may be playing on the floor with toys that pick up specks of paint. If they put those objects in their mouths, it may result in lead poisoning. A child of two or three years of age needs to put only a tiny speck in its mouth each day for about two months. Such a speck would fit on the head of a matchstick, but over time that is enough to cause serious lead poisoning.

There are also problems with milder forms of lead poisoning. Many people are not aware that the symptoms produced are exactly the same as those for all sorts of other problems that are caused by, for example, a virus. People could experience repeated and unexplained stomach ache, diarrhoea or sickness, which may show that there are rising levels of lead in the blood. The average parent, and, I fear, the average doctor, would not necessarily worry, even if such symptoms were repeated, that a child was suffering from lead poisoning.

Children who have ingested 600 or 700 microgrammes of lead per litre of blood will develop encephalopathy, which is a serious medical condition. Before the poison accumulates to that level, there is damage to the bones, nerves, bladder, kidneys, heart and brain. Lead is a serious poison.

It is possible to treat the condition by removing the causes, but that can be done only if it is known that the person is acquiring the poison. The process by which that is done is called chelation, which is the medial extraction, the clawing back, of lead in the bloodstream. I am not a medical person, but I am assured that that process is time-consuming and difficult, not least because lead remains in the bone, and as the lead is removed from the blood of people with serious blood poisoning, the lead in the bones enters the bloodstream.

That means that permanent correction of the condition is difficult and expensive. It is only by repeated and expensive medical treatment, and if the condition is caught in time, that serious damage can be prevented.

A consultant at a London hospital estimates that about one child a week is being admitted to hospital with dangerously high levels of lead in the blood. There is a terrible human cost, because the health of those children will never be the same again. Some children have died from the condition. There are also serious health risks for adults. The condition relates to health and quality of life, but as matters are currently arranged, there is also a financial cost.

Some areas of the country are more affected than others. I do not want to over-dramatise the problem, because the paintwork in older homes is safe if it is left alone, if it is not chipped and if there are no children. However, if the paint is removed by the wrong technique, it is damaging to adults and children in the vicinity. Interestingly, professional decorators are advised to take elaborate precautions when removing older paint, but at the moment there is no mandatory requirement on do-it-yourself equipment manufacturers to print on hot-air and other paint-stripping equipment advice about how it should be used. Perhaps, under such circumstances, such tools ought not to be used at all.

It is ironical that leaflets currently supplied with DIY equipment in the United States are not available with the same equipment in this country, although the leaflets are printed here and placed in the packets that are to be sold in the United States.

In 1992, the United States passed the Lead Based Paint Hazard Reduction Act, which provides a national framework for dealing with the problem. Many states have their own programmes now—for example, for testing children's blood lead levels and for ensuring that people who sell homes are advised of any known high-lead paint work. Canada, Australia, France and other countries are also taking action.

As I have said, children are especially at risk—and children of all classes and backgrounds face the risk. One small speck a day can lead to serious poisoning. Parents need to know to be watchful. They need information. They and doctors need to think about the possibility of lead poisoning at low levels if there are persistent symptoms of a type consistent with lead poisoning.

[Miss Melanie Johnson]

No general leaflets are available. I hope that we can have a public information campaign that will help to raise general awareness, as well as specific information aimed at DIY enthusiasts, parents and general practitioners.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Lady is running out of time. Could she please bring her remarks to a conclusion?

Miss Johnson: Thank you, Mr. Deputy Speaker.

Young children should be tested, initially through targeting and sampling. Most of all, I want to ensure that people are aware of the risks. Lead in paint need not be a major health hazard, if we act sensibly and make information available.

Question put and agreed to.

Bill ordered to be brought in by Miss Melanie Johnson, Mr. Charles Clarke, Dr. Lynda Clark, Mr. John Gunnell, Mr. John Healey, Ms Oona King, Mr. Tom Levitt, Mr. Chris Pond, Dr. Phyllis Starkey, Ms Dari Taylor and Mr. Michael Wills.

LEAD IN PAINT (HEALTH AND SAFETY)

Miss Melanie Johnson accordingly presented a Bill to require the manufacturers and retailers of paint stripping equipment and fluids to provide consumers with information about lead in paint manufactured before 1960; to require the Secretary of State to provide information to the general public about the dangers of lead in older paint; and to provide for the testing of children under the age of three years living in older housing to determine whether they are at risk from lead in older paintwork: And the same was read the First time; and ordered to be read a Second time on Friday 6 February, and to be printed [Bill 85].

Orders of the Day

Greater London Authority (Referendum) Bill

Considered in Committee.

[SIR ALAN HASELHURST *in the Chair*]

Ordered,

That the Bill be considered in the following order, Clause 1, Schedule, Clauses 2 to 13, new Clauses, new Schedules.—*[Mr. Raynsford.]*

Clause 1

REFERENDUM

4.43 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): I beg to move amendment No. 2, in page 1, line 7, at beginning insert

'Subject to subsection (1A) below,'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 13, in page 1, line 7, leave out

'7th May 1998 or such later'

and insert 'such'.

No. 14, in page 1, line 8, after 'prescribe', insert

'(being a date not earlier than one month after the publication of the Government's bill for the establishment of that Authority)'.

No. 4, in page 1, line 10, at end insert—

'(1A) The referendum shall not be held until a period of two months has elapsed after the publication of the Government's proposals, save that the details of the electoral arrangements may be published at a later date.'.

Mr. Hughes: I shall also speak to amendment No. 4. The other two amendments have been tabled by those on the Conservative Front Bench.

Two issues to do with the Bill's preparation and the timetable are matters of procedure. There is nothing novel about them—Ministers have heard me make the point before—but we Liberal Democrats think that they are of constitutional and practical importance.

It is important that the House gets its procedures in the right order. I understand that the Government, having only recently come to office, are trying to get this part of the constitution agenda through as quickly as possible—which I welcome—but they are not proceeding in a logical order. They put out a Green Paper, set a target date for the conclusion of the consultation period—the end of October—and collected in the conclusions. I had hoped that the Minister would beaver a little harder. I asked him to supply me with a list of all the responses and publications by today so that we would know what was involved. The answer was that they would be ready by 1 December. That is not the most useful date, as it does not enable us to have the material for today's debate. I regret that.

Not long ago, the Minister said that there were more than 1,000 responses. As I have told him, that is not very many. During the general election campaign I surveyed my constituents and received 6,000 responses. I do not think that people in Southwark, North and Bermondsey, although very good at communicating, are unrepresentative.

Following the conclusion of the consultation period, we should have had the Government's response so that we would have knowledge of the White Paper and the proposals—not a Green Paper, in draft. If we are legislating to put on to the statute book a provision for a referendum—either on a specific date, 7 May, or another date—we need to know on what the people will be asked to vote. Ministers may say, "They will vote on this question or that question," but we know that people will vote on what is behind the questions—for example, what does an assembly mean, what does an authority mean, what does a mayor mean and what will they do?

Ministers should not take the House for granted—it is not a matter in which the public are generally interested—and say, "We want a blank cheque. We want the power to hold a referendum before we know what we are asking people to vote on." The same point was made about the Welsh and Scottish legislation. I made an offer to the Government, and I do not understand why they did not accept it. I said that, if they published the responses to the consultation in November and then produced, even at the beginning of February, a White Paper, we would co-operate in getting a short Bill through this House and the other place in a matter of weeks. After all, as Ministers have said, the Bill deals with a limited number of points. It should have been done in that order and I regret the fact that we are now being asked to give the Government a blank cheque on the referendum.

Mr. Eric Forth (Bromley and Chislehurst): I am grateful to the hon. Gentleman for giving way so early in his speech. Is he not being a little tender with the Minister, for reasons that I cannot begin to imagine? Only today during Question Time we had lectures from the Government about open government, transparency and sharing with the people. During the modernisation debates we have heard about pre-legislative openness and the Government's desire to consult openly before legislation is introduced. Is not the Minister's behaviour quite extraordinary in the light of what his colleagues have been telling us just this afternoon about open government and the cracklings that we have heard about modernisation?

Mr. Hughes: I welcome the right hon. Gentleman to the band of London Members, following his move from somewhere further north and west. One can exaggerate matters, and I think that he has exaggerated a little. I should be happy to be firmer, harsher or angrier with Ministers—

Mr. Forth: Less tender.

Mr. Hughes: Indeed, I am happy to be less tender with Ministers when the need arises, but I also believe that debates in Committee, albeit a Committee of the whole House, should be about trying to win the argument. I am hopeful, although with little reason to be so, that the Minister may respond positively and accept some amendments. That is the test.

This is the Bill's Committee stage. In good Committees, the Government will say, "Yes, that's a good idea; we agree with you." Next week, at the end of the Bill's consideration in Committee, if Ministers say, "No, we can't possibly do that or that, and that's a bad idea," they will be showing not only a lack of generosity of mind and spirit but a lack of willingness to reach the most agreeable solution. I shall be extremely disappointed, as will voters, if the Government produce a consultative Green Paper and then a White Paper and a Bill that they will not consider amending.

If Ministers hear good arguments, I hope that they will put away the briefs from civil servants in the Box—who, it has been confirmed, can communicate only with Ministers and their parliamentary private secretaries—and accept them.

The Bill deals with a matter that is both constitutional and practical. Amendment No. 4 suggests that the referendum should not be held until two months after the Government have published their proposals. Our stance is different from that of the Conservatives, who propose that, if necessary, the date could be moved from 7 May 1998. We do not argue about the date; we are quite happy that the referendum should be held on 7 May 1998, which is the logical time to hold it, because we do not want to delay London's annual voting cycle.

Even if Ministers do not accept our first argument—that, constitutionally, the order of events is the wrong way round—I hope that they will say that at least two months will elapse before firm proposals are made. As Ministers will see in our amendments, the only matter that Liberal Democrats believe should be reserved and not placed on the table is the nature of the electoral system. If we are to have an electoral system that commands widespread support, we may have to put our heads together on that matter—as was done in Scotland, where agreement was reached.

The objective is to establish a Londonwide government that will have permanent security and not be a Greater London council mark II, established by a Labour Government and thrown out by a different Government. On the previous occasion, paradoxically, the GLC was abolished by a later version of the same party. The Inner London education authority also was abolished by the Tories.

Mr. Forth: We were flexible and modernising.

Mr. Hughes: They were flexible in some things, but inflexible when someone with a view they did not like took power, especially if they were across the river from here.

If there is to be a proper and informed vote in the referendum, people will have to read, consider and debate the proposals. That process cannot occur overnight or in a week. We think that, at the absolute minimum, two months will be required between publication of a White Paper and the vote. If we are not to move the date from 7 May, we must have the White Paper by the beginning of March. I cannot imagine why it should not be possible to have the White Paper by then. The experience of the Welsh referendum shows that, if time is not provided, we could be asking for trouble.

Mr. Eric Pickles (Brentwood and Ongar): I am grateful to the hon. Gentleman for giving way. I would not want to

[Mr. Eric Pickles]

get in the way of his making a cosy deal on proportional representation with his friends in the Labour party. He suggests that we are dealing with practical rather than constitutional matters. The use of referendums is quite unusual under our constitutional system. If we are about to set a pattern, we should not use a referendum as a blank cheque. If we are to consult the people, the people have a right to know what they are being consulted on before they vote.

Mr. Hughes: By definition, I do not share the hon. Gentleman's politics, but I agree with the point he has made, which is important. This is a constitutional innovation for the mainland of the United Kingdom. We have had only one United Kingdomwide referendum—that on Europe. Paradoxically and a bit nonsensically, it was held after we had gone in. It should have been held before we went in. There have been referendums in Northern Ireland and, of course, the two recent referendums in Scotland and in Wales.

Regional government in England, which my colleagues and I strongly support, appears to be extremely popular in London and less popular elsewhere, although there is a strong view about it in the part of the world from which the hon. Member for Brentwood and Ongar (Mr. Pickles) originally comes. We ought to ask people for their opinions. Even if opinion polls in London say that 80 per cent. of people want a democratically elected Londonwide authority, we should test that finding. As regular referendums on constitutional issues are a constitutional novelty, we must be absolutely sure that people know what they are being asked to decide.

Mr. Ken Livingstone (Brent, East): Is the hon. Gentleman aware that the Conservative party's establishing the Greater London council and then seeking to abolish it is nothing new? The London county council was created by Lord Salisbury, who then tried to abolish it 10 years later, making a speech in another place in which he claimed, although it was run by the dear old Liberals at the time, that there was no experiment so revolutionary or socialistic that it was not being practised at county hall. It seems to me that nothing changes.

Mr. Hughes: To be completely honest, I did not know that Lord Salisbury tried to abolish the LCC 10 years after it was established, and I am grateful to the hon. Gentleman for that information. It strikes me that many of the best ideas are painted as socialistic and revolutionary. I am proud to represent Bermondsey.

In the 1920s, when Bermondsey was run by a Labour council—the old Bermondsey borough—it had revolutionary and socialistic ideas such as public baths and slipper baths which were free to the public. The *Daily Mail* and other newspapers of the day said that it was a disgrace and a waste of taxpayers' money. There was a solarium to try to deal with tuberculosis, which was regarded as a scandalous abuse of public finances. I share the hon. Gentleman's view that perfectly reasonable and sensible ideas are often presented as loony by certain organs of the press, although later they become the majority view and are hugely appreciated.

I campaigned in the Welsh referendum. As my name suggests, I have more than a little Welsh blood and I am very proud of that. Those of us who supported the yes campaign nearly lost the referendum, partly because there had been no agreement on the core elements of the proposals. There was no agreement, for example, that Cardiff was the only and obvious place for the Assembly always to meet.

I was campaigning in the constituency of my hon. Friend the Member for Montgomeryshire (Mr. Öpik). People said that the Assembly would always be in south Wales. My family comes from Snowdonia, in north-west Wales. A local farmer there told me, "It would do no good for us." There was no agreement about it. There was no agreement about the cost and whether it was money well spent. Nor was there agreement on whether the quango issue would be addressed properly.

Above all, people felt that they had been given the proposal so recently that they had not had a chance to test it. That is no good; when it happens, many people do not vote. If the proposals are produced late, people either do not vote or get the sense that the Government are pushing things through.

One of our concerns about the new Administration, whose constitutional agenda we generally welcome, is the danger of their being too authoritarian. I do not say that because I do not accept what the Minister says about the consultation paper being honest. As I have said to him publicly and privately, I accept his and his colleagues' good faith. I want to ensure that we get the best form of Londonwide government. It is in all our interests—the Minister's electors, my electors and the electors of Members representing London constituencies and beyond.

I hope that we will not try to bounce the electorate into anything. In later debates, we shall discuss the question and the form of the assembly. Amendment No. 2 is about not bouncing people by giving them information too late. My hon. Friends and I hope that the Government will accept that, at least as a minimum, there is a clear two-month space between publication of the proposals and the referendum, which we on these Benches hope will be on 7 May.

5 pm

Mr. Richard Ottaway (Croydon, South): I shall speak to amendments Nos. 13 and 14. As they take a very different form from amendment No. 2, we request that you, Sir Alan, exercise your discretion at the end of the debate to allow a separate Division on amendment No. 14.

For once, the Conservative party agrees with the Labour party—not on the many things on which the Labour party has changed its mind in recent weeks, but on the need for reform of London government. It is one of the Conservative party's proudest achievements in 18 successful years of power that we put in place the right conditions to enable all 7 million Londoners to turn their city into the greatest capital city on earth.

The Committee will know that London is one of the world's leading financial centres. We have an economy the size of Russia or Saudi Arabia. London is home to more of Europe's largest companies than any other European Union city. It is the leading site for foreign exchange dealing, international bank lending and equity trading. It has more foreign banks than any other city and more United States banks than New York city. Many right hon. and hon. Members present will be aware of the expertise, skill and mastery the City displays on a daily basis. From the stock exchange to the London

international financial futures exchange to Lloyd's, we have a watertight case to call London the world centre of financial excellence.

London is also the world's centre of artistic excellence. As the Secretary of State for Culture, Media and Sport said yesterday:

"London's leisure industries are at the heart of what makes it a world-class city. They make a major contribution to the economy of London and to the quality of life of Londoners as well as the millions of visitors."

Our universities are world class, from King's college and the London School of Economics to University college and Imperial college. All have global reputations as centres of academic excellence.

The Conservatives believe that the time is right to modernise and reform our capital city's system of government. The time is right to ensure that London's government is reshaped and ready for the challenges of the 21st century. We want to build on the tremendous success and prosperity in our city which flourished during our time in government, and make the best even better.

The Bill will give each and every one of London's 5 million voters the chance to vote in six months' time in a referendum on the Government's plans for their Greater London authority. I welcome the Government's generosity in sharing their less than detailed deliberations on the proposals—the 65 questions—with us, the House and the people of London in the Green Paper "New Leadership for London". I welcome the fact that the Government have given us all a taste of what may be to come.

Despite the intimation that a White Paper will be published in the spring, we on the Conservative Benches would rather have welcomed the publication of a Bill setting out solid, detailed proposals well before the referendum in May, before London goes to the polls, before its voters are asked to give their opinion on what may or may not happen to their city's government in the next millennium. So, too, would the people of London—my constituents in particular.

The Greater London authority proposal comes in two parts. It is a siamese twin of a proposal with a directly elected mayor moulded to a directly elected assembly. The package is to be offered hand in hand to Londoners, linked as inextricably as cheese and wine or, if the subject is not too sensitive for the Labour party, as Benson and Hedges.

We shall explain later our widely supported objection to grouping those two substantial and significant proposals in a single, 24-word question, putting them to the electorate on a take-it-or-leave-it basis. That is unsatisfactory. Asking Londoners to make their decision about reform before the Government have put the meat on the bones of their policy is equally unsatisfactory. They will be asked before there are any serious, detailed proposals on the table and before they know what the planned changes will mean for them.

Sir Paul Beresford (Mole Valley): Does my hon. Friend agree that more concerns emerged on Second Reading? The Government say that they want a mayor for London with power and strength, but during the debate the Minister said that they also want a London authority that will shackle him and tie him down. That tiny glimpse is one reason Londoners need to understand the details.

Mr. Ottaway: My hon. Friend is right. One of the interesting features of the Second Reading debate is that more speeches were made against the detail of the proposals than for them. That is why we should have the last word in detail before Londoners go to the referendum.

The Minister for London and Construction (Mr. Nick Raynsford): What was the Second Reading majority?

Mr. Ottaway: Why are the Government asking Londoners to decide on something that the Government have not been able to decide on? Why are they asking the views of Londoners when they have only a hazy view themselves? Why are they putting the option of reform to Londoners when they do not know the details themselves? So far, the details are wrapped up in a 61-question consultation document.

The Government are saying, "We want you to say yes, but we do not quite know what the question is. We want you to say yes, but we do not yet know what we want you to say yes to." It sounds like the new Labour version of "Blind Date": "My girl friend has agreed to marry me, but I do not know who she is yet. All the Government say I should do is cross my fingers and hope for the best." Londoners are being asked to express their views before the Bill setting up the Greater London authority has been published. They will have to make up their minds before the Bill has been debated and examined in this place or anywhere else around the capital.

Once upon a time, the Labour party contended that pre-legislative referendums, such as that proposed for London, were the wrong way to proceed. My right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) reminded the House last week that the Secretary of State for Wales once said that the trouble with pre-legislative referendums was that there were so many questions that could not be answered. He was right, and boyo he should know.

Without the legislation having passed through its parliamentary stages, no one can know exactly what the Government have in store for London. No one can know what plans they have for the capital's future. No one can know what the Government are up to. How can the public know what they are supposed to be deciding on? How can people be sure that the details of the Government's proposals are right for them and for London? How can they be sure that they are not being deceived? The position is very unsatisfactory. It reflects poorly on a Government that came to office on a platform of openness and freedom of information and on their confidence in Londoners to take decisions for themselves. Above all, it reflects poorly on the Government's idea of what they think democracy for London is all about.

Within 200 days, the public will be asked what they think of the idea of a directly elected mayor and assembly.

Mr. John Wilkinson (Ruislip-Northwood): Things are not even as clear as that—the schedule refers only to an elected mayor, which is why we have tabled an amendment. This is the most fraudulent blank cheque proposed in recent times by any legislature for municipal politics.

Mr. Ottaway: My hon. Friend is right. The Bill refers to a

"Greater London authority, made up of an elected mayor",

who could be elected by the assembly. It is all very vague, and we hope to put it right later on.

How can the public know what they are supposed to be deciding? How can they be sure that the details of the Government's proposals will be right for them and for London? It is all a poor reflection on a Government who came to office on a platform of openness and freedom of information.

Within 200 days, the public are going to be asked what they think of the idea of a directly elected mayor and assembly, yet they will have little idea of what powers either will have, once those powers are laid down by Parliament—the only body that can decide on them. With the referendum only a few months away, we have still not even seen the White Paper.

On Second Reading, the Minister gave a commitment to publish one in the spring. The Oxford Dictionary says that spring is from 20 March to 21 June: I hope that today the Minister will be a little more precise. At the moment we have only a Green Paper containing a few principles and a series of questions, each one of which is linked to others. How can anyone be expected to form a view on a set of principles? However undemocratic and extraordinary that may seem to us and to voters across the city, that is exactly what the Government are asking Londoners to do.

On Second Reading, the Minister said that he had received some 1,200 responses in the Department during the consultation period that ended last month—hardly a ringing endorsement of the proposals, hardly a mandate from the people of London with which to launch such a major reform. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said that his constituency alone had produced 6,000 responses. My party has received many more—

Mr. Raynsford: Tremendous.

Mr. Ottaway: Well, if we can get more than 6,000, I should have thought the Minister can, too.

What details does the Green Paper give away? The Greater London authority will be inclusive, small, effective, influential, audible, strategic, democratic, efficient and consensual. That sounds to me suspiciously like the noble aims that led to the old GLC. What Londoners want to know and have the right to know is the devil in the detail. The Government are asking them to say yes in a referendum based on principle alone.

A range of issues need to be faced up to in clear and precise terms, but the legislation will not be available by the date of the referendum to tell us what those details are. The Committee deserves better; so do the people of London; so does everyone with an interest in London's future, from the City to the boroughs to the man on the Clapham omnibus.

The Government have given away no details of the timetable for the advice that they want on the electoral arrangements for Greater London—matters covered by clause 8. It is all very well saying that the Secretary of State has powers to set a timetable to require the Local Government Commission for England to provide its report on the arrangements, but there is no mention of the precise timetable that the Secretary of State intends to follow. Why not? When does the Secretary of State intend to act? When does the Minister expect the final report to be issued? What about the interim report? The Bill does not say, the Minister does not say, and nobody knows the answer.

Does not the Minister think that Londoners should know about something so important now? Who has a vote—and where—is fundamental to the shape, the impact and the consequences that the Government's reforms will have. Nor will the Government let on anything about the method of election that will be used to elect the assembly. Will the details be in the White Paper? If we do not have the electoral report there could be some difficulty here. The Government have not said whether there will be multi-seat constituencies, single-seat constituencies or even a single Londonwide constituency. The only way to resolve these matters is to publish the Bill before the referendum.

Why is the Minister asking Londoners to express a view before he does?

5.15 pm

Then there is the cost of the proposals. The Government will not say how the GLA will be paid for. Will the detail be in the White Paper? Will there be a levy on the borough councils, or directly on council tax payers; or will fares rise for those who use London's transport system; or will the money come from the uniform business rate? The Minister has not told us because he does not yet know himself.

Then there is the question of elected representatives and the bodies that will report to the GLA. Elected members will be in the majority in the myriad new organisations that will come from it. Will the details of this be in the White Paper or the Bill? What local knowledge and expertise will these representatives be expected to have? Will they simply be the choice of their respective parties? Will they be accountable directly to Londoners or just to the assembly? The Minister has not told us because he does not know yet.

Conservative Members believe that referendums should be held once the electorate have been given the full facts about a proposal, putting them in the best possible position to judge its merits or lack of them—

Mr. Raynsford: Exactly what we are proposing.

Mr. Ottaway: I therefore look forward to publication of the Bill and the Minister's acceptance of our amendment. He seems to think that a White Paper can be as detailed as a Bill: it cannot be. That is why we want a separate vote on our amendments. The electorate must be aware of the pros and cons and aware that Parliament has done its job of scrutinising the legislation. Good intentions are not enough: good intentions can change. Good intentions do not necessarily make good law. As the hon. Member for Southwark, North and Bermondsey said, look at what happened in the Welsh referendum. The relevant legislation might be amended by Parliament when the House eventually has the chance to consider it.

Some minutes ago the Minister, from a sedentary position, urged me to remember the size of the Government's majority on Second Reading, thereby

displaying a degree of arrogance that shows he is not listening to the voters. May I take it that he is not prepared to accept a perfectly good amendment? Is he saying that the White Paper will be the last word? Of course he cannot say that, because the House may quite possibly amend a proposal that appears in the White Paper as the legislation goes through.

Holding a referendum on a loose set of flimsy principles is like asking the people of London to sign a blank cheque. Not even the Minister, I dare say, would consider that sensible—yet it is what he is doing. The Government's approach is profoundly undemocratic. While it is right to consult the electorate on changes of such importance, the fact remains that that should be done when, and only when, all the questions have been answered inside and outside the House; when all the details are known; when the House has discussed the proposals and decided their final form; when the final blueprint is before the people of London.

The Government are saying, "Give me a yes and trust me to sort out the details later." That is precisely what the recently elected Member for Croydon, Central (Mr. Davies) did when he was leader of Croydon council. I wrote to him asking what the proposed GLA would take away from Croydon council. He wrote back to me in September last year, as the then leader of the council, about his party's plans for a strategic authority:

"Local councils will not be losing powers to this new body".

He trusted his own party when it was in opposition—and now look what has happened: a year later, the Labour party's Green Paper on London government describes 14 diminutions of the boroughs' powers.

It sounds rather like a U-turn to me. That does not give me much faith in the Government's ability to stick to a policy and it cannot give the hon. Gentleman much faith in his party's ability to stick to a policy, but then he does not need me to tell him that.

Trust the Government. The electorate will wonder whether to trust them as they did on tuition fees. They will wonder whether they should trust them as they did on tobacco advertising. That is not much of a record to endear the Government's decision-making abilities and political judgments to London's 5 million voters.

I want to know as much as possible about the reforms. I have set out a series of unanswered questions that are likely to remain unanswered before polling day. When will the Government realise that it is not just my hon. Friends and I who want to know, but London's 5 million voters, 32 boroughs, many councillors and the Corporation of London? Other London Members of Parliament and those whose constituencies fall outside the London boundary but whose areas will be covered by bodies under GLA control, such as the proposed police authority, want to know, as do the 10 Members of the European Parliament and the Government office for London. Each and every one deserves to know precisely how the Government's reforms will affect them and how the creation of a London development agency will affect them, politically, financially and strategically.

When will the Government wake up to the fact that their failure to disclose detailed information on reforms before polling day is not something they can so readily ignore in the democratic society I thought we lived in. How can the Government so easily refuse to make available such vital and necessary information when what they are proposing has such fundamental repercussions for all concerned about London? Why do they have so little regard for democracy in our capital city?

Throughout debates on the Bill, I have been astonished by the Government's lack of confidence in their proposals. Not only do they want to push through the plan for a directly elected assembly, lumped in with a directly elected mayor, but they will not surrender the detail of their reforms. The Bill should be about choice. With the Government's proposals as they stand today, the Bill denies choice. It denies us all, inside and outside the House, the detail that we should have before voting on the Government's reforms for London. Londoners are to be asked to give unconditional support for the Government's reforms. They ask all of us who live in London to sign that blank cheque and forget about what could happen as a result.

Londoners must decide whether they want regional government or a strengthened borough council system which, without a shadow of a doubt, remains wedded to the capital's electorate. Where the Government simply want to change, to create more politicians and more bureaucrats, the Conservative party believes in power at the lowest level. I much regret that the Government will not give more information, as they should. As matters stand, the people of London will not have until after the referendum the details of those far-reaching proposals which, if implemented, will mean considerable changes in the government of their city.

London's 5 million voters deserve better. This is too important a matter for Conservative Members to fight for anything less. Those who live in the world's greatest capital city have the right to know about the devil in the detail before the referendum on 7 May. I urge the Committee to accept amendments Nos. 13 and 14.

The Chairman: In the spirit of answering questions, I hope that it will assist the Committee's consideration of this group of amendments if I say that I am ready to accept a separate Division on amendment No. 14.

Mr. Forth: I must confess at the outset that I have not yet quite reached the state of persuasion of my hon. Friend the Member for Croydon, South (Mr. Ottaway) that reform of the way in which London is governed is necessary. The clue to my reservations came in my hon. Friend's remarks, in which he rightly praised the extent of London's success, expressed in so many different ways. Whether we consider its success in commercial or cultural terms, the happy thought that we can all share is that London has been a phenomenal success, not least in the past 10 years. That must surely lead one to consider how that has come about without this much-vaunted additional level of bureaucracy that we are now discussing.

I say that simply to put in context my few remarks on the amendment. However, I am sure that, in due time, I may come to be persuaded that those extra levels of bureaucracy will somehow benefit Londoners in a way that is not yet clear to me—or, I suspect, to the majority of Londoners.

The Minister said that he had had 1,200 responses to the Green Paper. Out of 7 million people, that is not an overwhelming endorsement of the Green Paper. If I share with the Committee the information that one of those responses was from me, and it was not a glowing support

[Mr. Forth]

for the Government's proposals, that will cast some doubt on the Government's proposals. When the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) not unreasonably asked for a bit of detail, nothing was forthcoming. When he gets that list, I hope that he will find my name on it; then perhaps he can ask me what I said to the Minister.

Mr. Simon Hughes: The right hon. Gentleman may not have seen my question on the Order Paper asking Ministers whether they would publish the list, and place it in the Library, by 17 November. I did that expressly so that we would have that information, including the right hon. Gentleman's submission. We shall get that information by 1 December and we shall be able to see the evidence in the Department, but that will not be much good to the Committee. I see no good reason—the right hon. Gentleman will agree—why we could not have that in good time, even in summary form and even if we had to go across the road to look at it.

Mr. Forth: Of course I agree with the hon. Gentleman. The Committee would not want me tediously to repeat what I said earlier when I intervened in the hon. Gentleman's excellent—if I may say so—speech.

I want to query the nature of the referendum process itself. I must confess—I am obviously in one of my mildly heretical moods this evening—that I am not yet desperately impressed by referendums as a means of political decision making. The Bill is a good example of why not. All here well understand that the nature of the questions asked very much determines the likely answer, and timing is crucial. The popularity of the Government or whomever is asking the question will colour the answer.

Given all that, it is obvious that, if I wanted—it is doubtful, but let us say I did—to vote for an assembly, and, following the questioning of my hon. Friend the Member for Croydon, South, we were able to wring out the detail in time, and if that assembly were to be based on some form of proportional representation, which would no doubt be favoured by the Liberal Democrats, I would be in a dilemma. I would want to say yes to the assembly but, if I did not want an assembly based on proportional representation, how should I vote? Or, to follow the point made by my hon. Friend the Member for Mole Valley (Sir P. Beresford), supposing I wanted a powerful mayor, unshackled by some superficial or superfluous assembly, how should I vote? I am being given no option.

The referendum, which is being offered as some great consultation process, is nothing of the kind; it is a question formulated to get the answer required by those posing the question—the Government of the day. It is no more and no less than that. Therefore, before we endorse the referendum process in essence, principle and substance, we should be sure that we understand what the Government seek to do and how they intend to go about it.

Mr. Gerald Howarth (Aldershot): Does my right hon. Friend agree that the case for a referendum in respect of Scotland and Wales rests on the fact that the House proposes to cede substantial powers elsewhere in the United Kingdom? The House has no powers to cede on behalf of Greater London. Is not this something of a cop-out by the Government, who, because they cannot make a decision themselves, want to put it to the people?

Mr. Forth: I am tempted to agree with my hon. Friend but I am prevented from doing so because I believe that the referendum process in Scotland and Wales was flawed in that important regard. When were the people of England ever asked what they thought about all this? After all, it is the people of England who are ceding political power and are paying for most of the process, yet they were never asked. What price a referendum in those circumstances? I concede that the same argument does not entirely apply to London.

Mr. Pickles: May I correct my hon. Friend? Part of the Metropolitan police area lies outside London, so the changes in respect of the Metropolitan police will affect my constituency in Essex. My constituents will not have a vote either.

Mr. Forth: I think that I am grateful to my hon. Friend. I am tempted to digress on one of my favourite hobby horses, which would be the definition of London, but I shall not, Sir Alan—

The Chairman: Order. The right hon. Gentleman anticipates me. If he looks at the selection list, he will see that I have tried to ensure that there can be discrete debates on a variety of subjects. I appreciate that there is some interlinking of argument, but it will assist the Committee if hon. Members try as hard as possible to stay within the bounds of the amendment, which is concerned with the date of the referendum and not with the content of the questions or any other matter.

5.30 pm

Mr. Forth: I am grateful for that guidance, Sir Alan, and I am sure that, even in their enthusiasm, my hon. Friends will not tempt me to digress any further than my natural inclinations would allow.

Those were my preliminary remarks; I now begin the substance of my speech. I want to agree both with my hon. Friend the Member for Croydon, South and with the hon. Member for Southwark, North and Bermondsey, because their remarks were key to the point at issue.

Let us suppose that we are going to have a referendum and that people are going to be asked to vote on those matters. It is not only not unreasonable but absolutely essential that people in their maturity are given the opportunity to study the proposals carefully and to discuss them and consult among themselves to determine what they think before being asked to vote.

The central question is whether the Government are prepared—or even able—to give us sufficient information in the form of a White Paper, a Bill or any other supporting document so that people can come to a mature judgment. That information must cover all the points made by my hon. Friend the Member for Croydon, South and possibly even more. It must cover the nature of the proposed assembly and answer the questions asked by my hon. Friend the Member for Mole Valley by covering in some detail the nature of the proposed relationship

between the assembly and the mayor. Otherwise, we as voters will be unable to make a sensible judgment or vote in the referendum.

Sir Paul Beresford: The matter goes further than that, because some of the responses from some of the elected London borough councils have consisted of a list of questions. They want to know what powers are to be taken away, what the financing will be like and whether they are being top-sliced. Initial indications from the standard spending assessments are that money is being moved out of London, but councils want to know whether more money will be taken from them along with their powers.

Mr. Forth: The Minister was not listening to my hon. Friend's valuable intervention, and he is not listening now. I therefore hope that my hon. Friend will feel the need to ask his questions again and that he will succeed in catching the Minister's attention. Unless we get answers to those questions at the end of this part of the debate, we shall not know how we are going to vote on this issue or on others.

I thought that that was what we were here for—to discuss the matter and to elicit answers from the Minister. The Minister's failure to listen will make answering difficult, although all the evidence gathered today in this Parliament is that Ministers do not listen to what is being said here and, if they do, they still do not give us any answers. Perhaps new ground will be broken tonight, which will be an exciting moment for Parliament, but I shall not hold my breath.

Nevertheless, we must ensure as best we can that detailed answers to our questions are forthcoming now, so that we can make up our minds on the amendments. Subsequently, the Minister must give an absolute guarantee that sufficient detailed information of the sort requested by my hon. Friends the Members for Croydon, South and for Mole Valley and answers to their questions will be available in time for voters to give proper and mature consideration before being asked to vote in the referendum next May. Unless those answers are forthcoming, the Minister can draw his own conclusions about what we shall all be forced to do.

Mr. Alan Clark (Kensington and Chelsea): My hon. Friend the Member for Croydon, South (Mr. Ottaway) has quite rightly emphasised that the devil is in the detail. I realise that the Minister probably has some arguments in reserve that he will deploy when winding up. He will probably cite the lack of time, the fact that some of the details have to be settled with reference to other parties and the need for consultation—all the usual flannel with which his officials will brief him.

However, one question relates directly to the date: it is absolutely fundamental and, unless it is answered, all our discussions are almost valueless because they are taking place in a vacuum. That question is: what is the cost of what is being proposed? It is totally unjust for the people of this city to be invited to vote on a matter, of which they may or may not approve in principle, without their decision being related to what it will cost them.

The scheme has been talked up with descriptions of what powers will be given to the mayor and what benefits will accrue from having a mayor and assembly, but at the back of all that hype is colossal expenditure. My hon. Friend the Member for Croydon, South listed various sources from which revenue might be derived, but even if every single one were milked for revenue, there would still not be enough at the disposal of the new bodies to meet the grandiose claims made for them.

It is said that they will deal with traffic congestion, get rid of pollution and impose a green regime across the inner city and there are many other wild ideas—often touted by the *Evening Standard*, which has behaved in an extraordinarily irresponsible manner in respect of this whole topic from start to finish. If there is to be any realism in the fulfilment of those pledges, a colossal sum of money will be involved. That sum has to be drawn from somewhere and it will be drawn from the people of London. We all understand the Chancellor's pledge that the overall level of taxation will not be raised, and we know that we can trust his word. Therefore, the money will have to be raised locally.

There will probably be some hypothecation—at least, we hope there will. Will there? Perhaps the Minister can answer that question—it would be original and inventive of him to do so. If Londoners are to be asked to contribute an enormous sum of money—which they will be, through various indirect taxes and a huge loading on their council tax—it would be useful for them to see in advance some indication of how that would be hypothecated.

Such things can easily be calculated, at least in general terms, and it would be possible to put them in good time—even sticking to the existing date—so that those who are to vote in the referendum can carry such considerations in the forefront of their mind. I hope that the Minister will assure the Committee that he is going to ensure that that happens.

Mr. Pickles: I imagine that the Minister must now be feeling a little embarrassed, having told us on Second Reading that he had received 1,200 responses. I put out a regular newsletter to my constituents—33,000 households. I do not get 1,200 responses back, but I get a number of responses that approaches 1,000. A figure so low is a sign that one should consult the people about one's proposals—the people are waiting to read the proposals before making a significant contribution.

I have noticed the Minister nodding while my hon. Friends raised their points, as if to say, "Yes, I have the answer to that," "We know what we are going to do there," and "Don't worry, everything will be sorted out." If that is the case, what is the Minister scared of? Why does he not produce the Bill or his White Paper? Let us have the information so that the debate can be properly worked out.

Referendums are not usual in our constitutional system. We have had a series of them, but they might best be described as a means of getting the Government off the hook. Generally speaking, with the exception of the two referendums in Scotland and Wales, they have been held against a background of a known position. Previously, the only referendums we had experienced had been on small local issues such as whether or not the pubs should open in Wales.

Mr. Gerald Howarth: On the issue of the referendums on Scotland and Wales—serious matters for the kingdom—does my hon. Friend accept that the no White Paper has yet been forthcoming on the detail? As my hon. Friend the Member for Croydon, South (Mr. Ottaway)

[Mr. Gerald Howarth]

rightly said, the devil is in the detail. What guarantee is there that the Government will produce serious detail about their proposals in time for a referendum on the date that is now proposed?

Mr. Pickles: My hon. Friend is absolutely right. Nothing in the Bill would force the Government to do anything. They need not do a single thing from the time that the Bill becomes an Act until the time of the referendum. As my hon. Friends have said, it is important that, before we make such important decisions, the full facts must be known. After all, we shall be faced with a question at the referendum where it will be possible, no matter what one's view are and unless one is violently opposed to both a mayor and an assembly, to vote yes.

This may be the first of many referendums, so it is important to get the ground rules right. Before the people are asked to express a view in the referendum, we must ensure that the consultation is real and complete. We know that, at this referendum, substantial parts of the Metropolitan police area will be disenfranchised. Therefore, even if the full facts are known, some of the people who will be affected by policing decisions will not have an opportunity to vote.

The Government have a duty to explain. If they intend to use referendums as a constitutional device—if they are to become a regular feature—they should not be used as a cynical and sinister way of trying to increase the number of people who vote in local government elections. The Government should explain to the people exactly what they are being asked to endorse.

If we are to move forward in a process of "trust the people", those people have a right to complete disclosure. After all, as my hon. Friend the Member for Croydon, South said, the devil is in the detail. The Minister's position is now like that of the red queen in "Alice's Adventures in Wonderland". The Government are saying, "Never mind about the evidence or what the people think, let us have a judgment now." The only answer given by Labour Members is to say that they had a large majority on Second Reading.

Mr. Gerald Howarth: Is my hon. Friend as astonished as me to see so many Conservative Members present, anxious to debate these matters, while the Government Benches are virtually empty? Labour Members are not prepared to ask their Government for details about the financial consequences of the Bill. The Government are relying on the Lobby fodder who voted for the Bill on Second Reading. They have now been told to go home and not trouble this Committee.

Mr. Pickles: That is an important point, which I was about to mention. We are in danger of treating the citizens of London like Labour Members of Parliament. The view seems to be, "We do not care what they think or what they do as long as they turn up." The public should receive more respect from the Chamber than the Government Chief Whip offers to his Back Benchers.

Mr. Jeremy Corbyn (Islington, North): Will the hon. Gentleman give way?

Mr. Pickles: A Labour Member. How nice to see him.

Mr. Corbyn: I could not help but hear what the hon. Gentleman said about the alleged lack of Labour Members in the Chamber. Can he explain why, on a matter as important as world climate change, only two Tory Members were present this morning? They had nothing to say about pollution in London or anywhere else and most Conservative Members stayed away. It may be that they had businesses to go to—I do not know. The world should be told.

Mr. Pickles: I think that the—

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): Order. I hope that the hon. Gentleman will not allow himself to be led down that route. I should remind him that the amendments are tightly drawn. Some of the issues that he is covering now will be dealt with in later amendments.

5.45 pm

Mr. Pickles: Of course, Mr. Lord. My only response to the hon. Member for Islington, North (Mr. Corbyn) is to say that we saw how he voted on Second Reading.

Before people reach a decision they have a right to full disclosure. They need to know what the mayor will do and what powers he will have. They need to know whether an elected assembly will take powers away from the boroughs. The Minister for Local Government and Housing has talked to the Local Government Association and explained that there will be a tight settlement. We know that money will go away from London. We need to know whether additional money will go away from London because of the cost of the new assembly.

Mr. Howard Flight (Arundel and South Downs): May I ask my hon. Friend what information people will have before the referendum on the future of the City of London Corporation? I think that the public believe that this is all about electing a new Lord Mayor of London and something that will take over the corporation. It is of major financial importance to know whether revenues from property rates will accrue to the new organisation or stay as they are. Central to knowing what one is voting for is knowing how the new arrangements will interact with the City.

Mr. Pickles: I must tell my hon. Friend that I am the bringer of bad news. Nothing in the Bill explains that. There is no duty on the Government to explain any of those important things before the people of London vote.

The people need to know whether powers will be taken from the boroughs. People within the London area come from distinct communities—that is where their roots are and where the power is. Before they are allowed to vote, that issue should be clear. We know that the strategic authority will have enormous powers on planning. The London boroughs will deal with only small considerations. Before people sign away the powers of the London boroughs, the consequences need to be explained in a White Paper or a draft Bill.

In reply to a question before the recess, the Minister for Transport in London suggested that the strategic authority might care to consider the finance of London Underground. I understand that that suggestion has been withdrawn, but most of the major decisions on London Underground will have been taken long before the assembly comes into being.

If we are to use referendums as part of our constitutional system, they should have legitimacy. If people are asked to take decisions without full knowledge, the legitimacy of the referendum is undermined. After all, on Second Reading many Labour Members seemed to think that the new strategic authority was to be a rebirth of the Greater London council. The hon. Member for Enfield, Southgate (Mr. Twigg) is shaking his head, but he should read the Second Reading debate. It is clear from that that a substantial proportion of Labour Members thought that the GLC was coming back.

We have the strange position in which Conservative Members are in general agreement with those on the Government Front Bench in that we both do not want to see the GLC come back. If Labour Members are so confused about the powers of the new strategic authority—they have had the benefit of reading their manifesto commitments—what chance does a member of the public have unless there is absolute disclosure? A system that treats the people as a rubber stamp treats them with cynical contempt.

Mr. Livingstone: I did not intend to participate at this stage of the debate, as there are more important substantive matters to come but, having listened to so much appalling twaddle and knowing the Conservatives' record, I have been provoked.

It will come as no surprise when I say that I have disagreements with my party on some of the details of its proposals for a new government for London. However, it is a bit much for the Conservatives to complain that the proposals are ill thought out, given the method of consultation used for the abolition of the previous London government, when 98 per cent. of the responses to the consultation were opposed to abolition, and, on the basis of 2 per cent. support, the Conservative Government went ahead.

I recall that the entire exercise was not even agreed by the Cabinet. When the late beloved leaderene decided that she wanted to abolish regional government in London, she was told by the then Secretary of State for the Environment, who went on to become Deputy Prime Minister, the right hon. Member for Henley (Mr. Heseltine), that it was barmy and, after a study at the Department of the Environment, that it could not be done. His successor, the right hon. Member for Bridgwater (Mr. King) gave the same advice in the month before Mrs. Thatcher, at a meeting drawing up the Tory manifesto, sidelined the Cabinet by putting the proposal in the manifesto, when the Cabinet had not agreed to it.

There was no discussion and no consultation. The only study done in the Department of the Environment said that the plan would not work and was barmy. Having won the election on that and being seized by a fit of manifestoitis, the Conservatives had no plans for abolition and no prospect of having any plans for the abolition of the council within the two years before the next Greater London council election. They needed emergency legislation to abolish the election. It was passed in the House and overturned in another place, and the Government were forced into a humiliating retreat. They knew that it would take them 18 months to work out how to do it. It was a nightmare.

The guilty men and women who voted for that nonsense back in 1983 are in no position to question the fact that Labour has had a consultation, and asked genuine questions of Londoners. We shall, however imperfectly, put a question—or two, if I have my way—to the people of London next year, and detailed legislation will then be introduced. That is a much more structured approach than the nonsense that we had before.

Sir Paul Beresford: At the beginning of his speech, the hon. Gentleman said that he had difficulty with some of the details. There were few details; there are few details. From past debates with him, I suspect that, after the referendum, he will have further arguments about the legislation, but it will be too late. Would he not prefer to allow the public to see more details beforehand? That would follow the position that he has taken over many years.

Mr. Livingstone: Londoners clearly want an assembly or a government of some kind.

Sir Paul Beresford: You do not know that.

Mr. Livingstone: Every opinion poll for the past 10 years has shown that. The specific nature of such a body will require long and detailed legislation that will take the best part of a year. There is no prospect of that legislation being squeezed into the timetable for this Session. Therefore, if we waited for a referendum to consult Londoners, the plans would probably be put back to 2000, and we would not get a mayor before the next election. However imperfect the arrangements may be, at least they give Londoners a chance to elect an assembly and a mayor who will be in office before the year 2000.

Sir Paul Beresford *rose—*

Mr. Livingstone: If the hon. Gentleman will forgive me, I shall not give way to hear the same point made again. If the Government's plans are agreed to, Londoners will at least be consulted.

There are serious points on which my party is split, and important amendments to consider. I would have hoped that, instead of time-wasting, the Committee could debate serious matters. Dare I ask whether a filibuster is looming? That would merely take time away from the serious consideration of important issues.

Mr. Wilkinson: How refreshing it is to have the authentic voice of the Labour party in London participating in this important debate. I would not dream of referring to the remarks of the hon. Member for Brent, East (Mr. Livingstone) as appalling twaddle, but as usual his sense of history was rather colourful and not exactly scholastic.

It would be helpful for the Committee to focus more closely on amendments Nos. 13 and 14. Why are the Labour Government so keen that the referendum should be held on 7 May 1998? I suggest that they hope that the date will be useful for their election campaigns in the boroughs.

The record of Labour authorities in London is abysmal. The Government hope that there will be so much hype and such excitement about the issues of the referendum that their record will not come under the close scrutiny that it deserves. I can assure Ministers that, in my own borough of Hillingdon, it will. We have particular

[Mr. Wilkinson]

problems relating to planning, for example, which the electors will want to address, as they did in the Uxbridge by-election. That may not be the case in other boroughs.

With regard to the length of time between the publication of the White Paper—or, as we insist, the publication of the Bill—and the referendum, there is much of great constitutional significance. The Liberals, as ever, are acting as the sweepers to the Labour team. They are happy with a two-month period between the White Paper and the referendum date.

Those of us who have been in the House for a while recognise that the White Paper process is a serious one which does not affect this House alone. It is a process of pre-legislative consultation which should encompass public opinion as a whole, interested bodies, industry, commerce and the City of London. The consultation must be meaningful. In the light of the representations made, many of the original proposals submitted must be reconsidered.

We are led to believe by Government spokesmen that if we are lucky, we will get the White Paper in the spring. That hardly allows time for the definitive proposals, which will be published only with the legislation, to be produced.

I would go further and say that the people of London should not be required to have a referendum on the future governance of London until the Bill is through both Houses, but I shall not quibble; amendment No. 14 is satisfactory, allowing one month between the publication of the Bill and the referendum date. I would have hoped that in a spirit of good will, the Government would allow the stages in this House—the Second Reading, Committee, Report and Third Reading of the Bill—to be completed.

The trouble is that the Government regard the entire exercise as an attempt to seek popular approval in a referendum for a model of government—a prototype—which will be appropriate for the European elections. That is not spelt out in precise terms; nothing is. The Green Paper is the vaguest Green Paper that I have ever read.

By rights the Government should by this stage have presented the House with infinitely clearer proposals. There is no expectation that even by the early spring, when the White Paper is due to be published, they will have formulated their ideas clearly. One might have imagined that they would have done so by the election. Instead, it was an exercise in sloganeering about how wonderful an elected mayor and assembly would be. There was no effort to analyse the policy and spell it out, either in the election campaign or in the Green Paper.

As there has been such a policy vacuum, the people of London should at the very least have a month to consider in careful detail the precise proposals for which the Government will seek the approval of the electorate in the referendum.

It is not right that the people of London should be the guinea pigs for constitutional change. I use the term "constitutional change" advisedly, because the Liberal spokesman, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), admitted that the proposed assembly is a prototype for regional government for England as a whole. If it is so, the people of London need much more than the one month that we anticipate between the publication of the Bill and the date of the referendum to make up their minds. It will be an issue that transcends London itself, and the people of London will wish to judge, in reaching their conclusion on referendum day, whether they wish to set a precedent that could be used in the further modification of our traditional forms of government.

6 pm

The Government's proposal is a constitutional monstrosity. They are seeking approval for something which even by 7 May will be largely unclear. They are expecting the people of London to accept as an act of faith that all will be well even though they will probably receive no clear explanation of how the assembly is to work, how the mayor will be able to obtain approval of his budget from the assembly and how the necessary moneys will be raised. The people of London are being asked to accept the biggest constitutional blank cheque in municipal history.

Mr. Andrew Lansley (South Cambridgeshire): I support amendments Nos. 13 and 14, from which two issues arise. The first—probably the more important and certainly the one on which many of my right hon. and hon. Friends have focused—concerns the fact that, at the point at which the electors of London will be asked to comment on the Government's entirely vague proposals for a mayor and an assembly, those proposals will not be before them in their full form, and certainly not in the form of a Bill.

The Government might, if they wished to comply with the spirit of amendment No. 14, produce a draft Bill. We understand that, on a number of issues, they intend—and it is an entirely laudable intention—to anticipate the introduction of legislation, and the more important the legislation, the more important it is that that should be done. Before a Bill is presented to the House for the first time, it should be the subject of a draft Bill that has been the focus of substantive consultation.

We are all aware of the numerous bodies in London and the numerous policy areas that will be affected by the Bill when it comes before us. With my constituency interests at heart, let me say that many of those interests relate not only to London but to London in its national context, and they too must be the subject of consultation.

It is entirely right, given the importance of the issues that are to be raised, that the Government should use the opportunity to present a draft Bill before proceeding to present a substantive Bill to the House in the 1998–99 Session. Surely it is entirely possible that the Government could proceed by publishing a draft Bill in the earlier part of 1998. Consistent with that, the Government could ask for a referendum, having acceded to the amendments, during 1998 without necessarily imperilling their timetable for the introduction of legislation and hence the introduction of a mayor and an assembly.

The hon. Member for Brent, East (Mr. Livingstone) is no longer in his place, but I would take issue with him that it is necessarily the case that to accept the amendments would be to delay the Government's timetable for the introduction of a mayor and an assembly.

As I have said, the first issue is whether the electors should have before them the proposals that will be set out in the Bill. Surely it is vital that they should. On Second

Reading I referred to the apparent anomaly of the Labour party having sought a mandate in its manifesto for the introduction of a mayor and an assembly, only to throw it away.

Mr. Pickles: My hon. Friend talks about full disclosure, but surely there needs to be substantial disclosure. The hon. Member for Brent, East (Mr. Livingstone), who, like most Labour Members, is not in his place, argued that the entire process would be put in jeopardy if it were delayed because of the introduction of a Bill. Surely an indication of what the Government propose to do in relation to powers, functions and finance will be necessary.

Mr. Lansley: I thank my hon. Friend for his intervention. It is clear that the Green Paper does not raise 61 questions that will become matters of detail at a later stage, so it is not possible to vote on the basis of proposals in the Green Paper that represent a substantive understanding of what the mayor and the assembly are to be.

It is of considerable importance to many, not least to my hon. Friends, to understand what is to be the relationship between the mayor and the assembly, because that determines whether the assembly should be composed of separately elected individuals or those drawn from the London boroughs. What sort of scrutiny and powers is the assembly to have in relation to the mayor? The Green Paper merely tells us that there needs to be a mechanism for the resolution of conflict. Indeed there does, but what is to be the mechanism, how is it to work and what are to be the respective powers?

We are in the business of constitution making and, as we shall find in due course in relation to some of the documents published on Scottish and Welsh devolution, that is not about everyone agreeing all the time. There must be a clear understanding of respective powers and of how conflicts are to be resolved.

One of the key issues is the relationship between the proposed Greater London authority and the London development agency. We do not know now what stage will be reached in the publication of details about the development agency and its relationship with the Greater London authority. Littered throughout the Green Paper are references that imply that the GLA is to be construed as a body that is taking to itself responsibilities of central Government and exercising those in relation to London. Other parts of the Green Paper make explicit reference to the GLA as analogous to a county council.

It makes an enormous difference to voters to know which we are talking about. If we are talking about a body that is essentially decentralised and using central Government powers, it would seem that there is a stronger case for the involvement of the boroughs in ensuring that that approach is consistent with borough strategies and priorities. If we are talking about a body that is analogous to a county council and by extension will be drawing many powers to itself from the boroughs, that will involve a substantial degradation or diminution of borough responsibilities—a matter to which the boroughs might like to respond.

Mrs. Teresa Gorman (Billericay): My hon. Friend may not be aware that I served on Westminster city council. I remember the appalling delays and difficulties that ensued because those involved in planning had a foot in both camps. The business community and others in London should be made well aware of the problems that will arise, unless wording is precise, as a result of delays in central London activities, especially the development of properties.

Mr. Lansley: My hon. Friend makes an extremely important point. The Green Paper is indeterminate as to whether the Greater London authority will issue planning guidance, in the manner of the Secretary of State, or create a structure plan, in the manner of a county council. To those of us concerned with land use issues, the manner in which the development, control and land use powers are to be determined, and the influence that the Greater London authority could exercise over those powers, is of the essence.

When it comes to voting on whether there should be a Greater London authority in the manner described, many people in the outer London boroughs will ask, "What powers will this body have in relation to the green belt and green space in London; and what influence can it have over development control in our borough?" The answer is not clear. It is not in the Green Paper.

At this stage one has to ask what the Government are trying to achieve by their timing of the referendum. The timing is, on the face of it, simply to reiterate the Government's intention to introduce a Bill to provide for a mayor and an assembly. They are, in effect, mandated to legislate for a mayor and an assembly, because that was in their manifesto, and it is the opening comment in the Green Paper.

I entirely agree with my hon. Friend the Member for Ruislip-Northwood that, if Ministers are looking for a referendum to play its proper part constitutionally in relation to this issue, they have two options. They can legislate for a referendum to take place once a Bill has secured its passage through both Houses, so that the voters of London can, in a constitutional manner, act as a democratic legitimising body for the intentions of Parliament and so that Parliament can submit its determinations to the electorate to secure their agreement. That option is entirely preferable constitutionally.

Alternatively, if this is to be an advisory referendum, which I suspect is the Government's intention, the Government should seek the advice of the electorate substantively on the issues that arise from the manifesto. When Labour went to the polls on 1 May, it did so on the basis that it would introduce a mayor and an assembly for London, but not knowing what the mayor and the assembly would do.

Sir Paul Beresford: Does my hon. Friend agree that the Government are trying to persuade the public at large in London that one of the assets of the Government's proposal is that the management, control and organisation of London would be more efficient? However, when he touched on planning, he touched on the very area on which I have severe doubts. People need to know what will be the relationships between the boroughs, the new Greater London authority and the mayor, the Government office for London, the regional development agency association and the Government. Should we not reflect on the fact that London is so important to this country that it

[Sir Paul Beresford]

is unlikely that there will be any final decision anyway, and that it will have to be taken by the Department of the Environment, Transport and the Regions?

Mr. Lansley: My hon. Friend makes his point very well. From my reading of the Green Paper, and from my knowledge of planning issues, it seems to me that it would be very difficult in relation to any major development and planning issue that arose in London to know how the Secretary of State, who remains a court of appeal in relation to the powers of the Greater London authority and the boroughs would exercise his powers if the Government office for London were absorbed into the Greater London authority.

I suspect that the Green Paper is moving towards a situation in which the Greater London authority is both analogous to a county council, as one would understand the term outside London, and would exercise many of the powers and responsibilities of the Government office. Yet outside London these are separate bodies, and for jolly good reasons.

I come now to the second issue arising from the amendments. Why 7 May 1998? What is important about that date? From the electoral administration point of view it is cheaper and easier to have the votes on the same day. I entirely take the point, as a saving of £2 million to £3 million could be achieved. However, when examined in rather more detail, it becomes a little more strange.

Are the issues to be determined in the two elections the same? In theory they are not, because the issues relating to the mayor and the assembly are issues for a considerable time ahead. The issues to be determined on that matter are the strategic governance of London from 2000 onwards, not the policy priorities now for London as exercised by the boroughs. There is an important difference between those issues, which suggests that they should be separated.

6.15 pm

How will the boroughs interact with the referendum? Existing councillors of London boroughs were elected in 1996 and therefore without a mandate in relation to the Government's proposals. I suspect that, although London boroughs will have their own views on the referendum, they will be unable to acquire a mandate—which they might seek to do—at the local government elections next May to influence the introduction of legislation. They would benefit from the Government making further and faster progress in presenting their proposals through a White Paper and a draft Bill, so that councillors and candidates can seek a mandate to change the governance of London.

At the moment, the boroughs will not interact with the referendum because they will be conducting their own campaign. Technically, the borough elections will be held without knowledge of whether the people of London support a mayor and an assembly.

Mr. Wilkinson: Is not the most likely reason for selecting 7 May for the referendum that, without the election taking place on the same date, the turnout in the referendum would be totally derisory? It would be even worse than the Welsh referendum, and it would be patently clear that there was no democratic mandate for what the Government propose. This is the only way in which they can ensure at least a 30 per cent. turnout on the day.

Mr. Lansley: I am delighted that my hon. Friend has made that point, as he has saved me the trouble of having to do so, and he made it better than I would have done. I am sure that he is right.

I shall dwell not so much on the politically manipulative aspects of the Government's proposal as on the constitutional aspect. It seems highly undesirable in constitutional terms for the Government to invite the people of London to vote on the referendum issues, which relate to the governance of London after 2000, while the people of London should focus in the local government elections on the government of London and the policy issues that affect London from 1998 to 2002.

Mr. Pickles: Does it not go a stage further than that? Will not the people of London elect their various borough councillors not knowing whether they will be stripped of power?

Mr. Lansley: My hon. Friend is absolutely right. Indeed, the council candidates who will present themselves to the electorate in the run-up to 7 May 1998 will be unaware of the context in which the second half of their term will be conducted—with what powers, under what circumstances, and so on. From 1998 to 2000, they will know that they are exercising the current set of powers and be able to deal with the issues, but they will have said to the electorate, "Give us an opportunity to run this borough through to 2002." But for the subsequent years, 2000 to 2002, they may not have the power.

Sir Paul Beresford: Or the money.

Mr. Lansley: My hon. Friend makes a good point. The money will have gone—indeed, I suspect that a great deal of it will have gone—into the coffers of the Greater London authority, perhaps substantially more than is currently spent by the London boroughs.

Let me return to the question of political manipulation. It seems to me that, in the run-up to the 7 May local elections next year, the decision to hold a referendum on the same day will have a political impact. It is a perfect device employed by the Government to avoid addressing some of the real issues. By that time—in this context, the presence in the Chamber of the Minister for Transport in London is helpful—the Government should have begun the process of telling the electorate what they meant by "an integrated transport strategy". It was clear that they had no idea what that meant when they secured office on 1 May.

The same applies to the questions that were presented in the Green Paper in relation to the government of London. It turned out that the Government's policy consisted of 60 questions—or however many were involved in the transport strategy document.

When we come to the elections next May, the Government will doubtless say, "Don't worry precisely what we mean by an integrated transport strategy in London now. You can vote for a Greater London authority." The Green Paper, which I consulted, makes it

clear that there will be something even better: a genuine integrated transport strategy. I quote from the Green Paper. The heaping up of adjectives before the word "transport" knows no end.

It strikes me that the device that is being used—the holding of two elections on the same day—is intended to allow the Government to escape from the critical issues, and, in many instances, to escape the criticisms that will fall on Labour local authorities in such areas as Hackney and Islington by saying, "With one bound you, the electorate, will all be free. The critical issue is whether you vote for a Greater London authority. If you do, all your problems will disappear in the future, because the Green Paper says that the Greater London authority will be more effective"—and all the other adjectives that go along with whatever the GLA is supposed to do.

There will be a very undesirable conjunction on 7 May. I understand that, in practice, it is an administrative convenience, but I feel that administrative convenience should take second place to political need and constitutional desirability, and I consider it constitutionally desirable for the Government to proceed. I see no reason why such a timetable should be used, and no argument was presented for it on Second Reading.

It would be entirely consistent with the Government's timetable to introduce the mayor and assembly in 2000, and to bring in legislation in the parliamentary Session of 1998–99. It would be perfectly possible, in advance of that, to hold a referendum in, let us say, September 1998. It would be perfectly possible, in advance of that, to present a White Paper and a draft Bill. The Government would have to go a long way to convince Conservative Members that they were not competent to achieve that.

Such action would put things in their proper order. Perhaps, when we consider other issues in relation to the Bill, we shall suggest ways in which the Government's failure to spell out what they intend to achieve, and the way in which they will achieve it, can also be put in order.

Mr. John Horam (Orpington): If I understand the Government's position rightly, the commitment made by the Minister in response to the genuine unease that is felt about the problem means that they are saying that they will produce a White Paper in the spring. I do not know where the Minister made that commitment, but I understand that that is the nature of it.

As my hon. Friend the Member for Croydon, South (Mr. Ottaway) pointed out, the first question to be asked is what is meant by "the spring". The Minister should tell us exactly how much time he would expect to elapse between the publication of the White Paper and the referendum that he expects to take place on 7 May. Are we talking about four weeks, six weeks or two months? "Spring" is an extraordinarily elastic term, which allows the Government to do pretty much what they want. If the Minister is really talking about producing a White Paper at the very beginning of a local government campaign in London, I think that that would be a travesty of any proper consideration of the Government's proposals, separate from the existing governance of London.

There is a more important point that will have a resonance for hon. Members who are long enough in the tooth to have been in the House for some time. White Papers can be pretty white. White Papers can be pretty elementary, and pretty skeletal. I do not make that point in a party sense; I am talking about Parliament versus the Executive—the way in which the Executive treats Parliament.

When I was on the Back Benches under the last Government, I was shocked and scandalised—and said so in a debate—by a White Paper produced by my own Government proposing the privatisation of the railways. I felt that it left unanswered so many fundamental questions about—for instance—the way in which the privatisation would be carried out that it constituted an abuse of the procedures of the House.

I pose the same question to the Government now, not on a party basis but simply on the basis of how they hope to treat Parliament during this process. After all, the Government have said things about that, and they are doing things about it—for example, by modernising our procedures. They have raised hopes that they will proceed in a more composed way than Governments have proceeded in the past.

We need to know first what the Government mean by a White Paper. As I have said, a White Paper is pretty elementary, and I feel that the Government are left with far too much room in which to manoeuvre. The Minister has a problem—one with which we are all acquainted. If he had to produce a Bill, he would have to secure agreement from his colleagues on the Government committee that authorises the drafting of Bills. He knows well enough that he would not secure the agreement of his colleagues. They would say, "You have not got the referendum through, and we therefore do not know whether the legislation will be passed. How can we justify the expense of constructing a Bill, and all that goes with that—the time of the Parliamentary Counsel, for example?"*[Interruption.]*

The Second Deputy Chairman: Order. Far too many private conversations are going on, especially near the Chair. I am finding it difficult to follow the debate.

Mr. Horam: As I was saying, the time that the Parliamentary Counsel would need to devote the necessary attention to detail could not be justified. The Minister has a problem: he knows that he could not produce a Bill, even if he wanted to.

I agree with my hon. Friend the Member for South Cambridgeshire (Mr. Lansley). Why not produce a draft Bill? The whole point of producing a Bill is that it is a necessary intellectual exercise, in which those involved must go into the minutiae. As has been said repeatedly, the devil is in the detail. The point is well made: as Disraeli said, if you have a good point repeat it, repeat it, repeat it. [HON. MEMBERS: "Cliché."] Disraeli had some rather good clichés.

I am saying that, if it is possible to embark on the intellectual exercise that is necessary to produce a Bill, that will resolve some of the points about which people are concerned. After all, the Government are producing a draft Budget next week or thereabouts. That process is normally shrouded in secrecy, as was pointed out by the previous Chancellor, my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke).

It is extraordinary that the Government should produce a draft Budget dealing with a subject that is renowned for secrecy, but should not produce a draft Bill dealing with a

[Mr. Horam]

subject on which there should be consultation—on which, indeed, consultation is taking place. They have got themselves into an absurdly illogical position. That is one suggestion: the Government should commit themselves to producing at least a draft Bill, while not committing themselves to a final Bill. After all, the Minister knows that he cannot do that.

I want to be helpful to the Minister. I hope that I am being helpful. Even if he cannot do that, he could, this evening, give some clothing to the White Paper proposals that he may produce. Can he tell us exactly what a White Paper would cover? My hon. Friends the Members for South Cambridgeshire and for Mole Valley (Sir P. Beresford) mentioned planning. Planning is a major consideration when a new body is being put into an existing arrangement in which there are several London boroughs, government of London organisations and, indeed, the Government themselves. Problems will occur because of the sheer complexity of the proposals, and it would be sensible to deal with those problems in detail now.

The Government should address the concerns of hon. Members and the citizens of London by spelling out this evening how the White Paper will be structured. Can the Minister give us more information about the chapters that it will contain and the headings that it will cover? Will it contain the detail that we would expect from a proper White Paper? That would assuage some of my doubts about the excessive room for manoeuvre that he has given himself, which we suspect will be exploited as usual by the spin doctors. The House will be given the minimum information that is consistent with parliamentary adequacy, and the people of London will not be given the detailed information they need to make a valid judgment on the Government's proposals.

6.30 pm

That lack of information is one of the reasons why the response to the consultation was so pathetic. Only 1,200 people responded, many of whom may be opposed to the proposals. As we know from an earlier intervention, one of those responses came from my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), so perhaps there were 1,201 responses out of 7 million people in London, including 5 million electors.

Mrs. Gorman: Does that not suggest that the people of London are far too canny to want to be lumbered with this great expense? We are signing a blank cheque, and it may turn out that there is not enough interest in the proposal to go ahead with it. Does my hon. Friend agree with me that we should not allow the same to happen with this proposal for London as happened with the Welsh referendum? Only 20 or 25 per cent. of the people in Wales showed any interest, whereas the Government talk about the result as if it were a great victory for them.

Mr. Horam: I agree with my hon. Friend. The Minister has a problem. He is linking the referendum to the elections on 7 May, in the hope that it will boost the turnout and will conceal the fact that people are not as keen on his proposals as he wants them to be. He has an interest in having a real debate about the proposals. It is no good resting on a consultation process that yields 1,200 responses. If my calculations are correct, that is 0.0002 per cent. of the people and institutions of London.

Mr. Pickles: Does my hon. Friend realise that that take-up is less than the average double glazing salesman gets?

Mr. Horam: I do not know whether 0.0002 per cent. is the proportion of London Labour Members present in the Chamber at the moment. I noticed that the hon. Members for Islington, North (Mr. Corbyn) and for Brent, East (Mr. Livingstone) briefly appeared, no doubt so that their names would appear in the debate, but suddenly vanished. They said that 2 per cent. was an unacceptable figure. The Minister would be delighted with 2 per cent., given that only 0.0002 per cent. responded to his overtures.

The Minister has a responsibility to the House to flesh out this evening the ground that he proposes to cover.

Mr. Raynsford: I shall do so.

Mr. Horam: I am getting nice smiles from the Minister. My hon. Friends will want to intervene in his speech to find out what ground he will cover in the promised White Paper, when he intends to publish it and when we will have some clear-cut proposals that the people of London can debate.

Mr. Laurence Robertson (Tewkesbury): I do not want to speak for long, but I believe that a fundamental issue is at stake. As this is a matter of such importance, it is extraordinary that people in Scotland, Wales and now in London are being asked to vote merely on the principle, and not on any details. It is odd that referendums come before legislation. These referendums have major constitutional implications. Expenditure matters will have to be considered, and powers will have to be shifted from one body to another.

The public are concerned about the honesty of politicians. I am a new Member, and I have noticed a great deal of dishonesty. The way in which the Government have behaved since they took office is not as the electorate might have expected. There have been betrayals. Many Labour supporters refer to the Government's U-turns as betrayals. They have made U-turns on tuition fees, cold weather payments and tobacco advertising.

The people of London will be asked to vote on a proposal about which they know very little. The last time they were in office, the Labour Government had their fingers burned, because they proposed legislation before the referendums and could not get their business through the House.

The name of the London authority also raises an issue of honesty. It is now to be the Greater London authority, whereas in the past it was the Greater London council. Are the Government frightened to go back to that august body, or is this change of name yet another smokescreen?

More particularly, I want to know exactly what the authority will do. Will it be yet another tier of bureaucracy? From my travels around my constituency and throughout the country, it is clear that people are tired of politicians and of government, yet the Government

want to create further tiers of bureaucracy and more levels of government throughout the kingdom. These proposals have many more constitutional implications.

Where will the balance of power lie between existing London authorities and the new authority? What will be the division of power? What will the new mayor of this great authority do? Will he be powerful or not? Will he chair council meetings, and if so, which ones?

Mrs. Gorman: Who will serve on the authority? As I understand it, there will be some well-paid jobs in the assembly. I have heard that the lord mayor will be paid about £100,000. What will happen to the district councils if people flock to serve on the new authority? District authorities are established bodies which handle local issues, but they may be undermined.

Mr. Robertson: My hon. Friend is right. No one has any idea what will happen.

Sir Paul Beresford: My hon. Friend may like to ask for a small pause in our discussions, as there is no one on the Government Front Bench. The Liberal Democrats and the Government are arranging a stitch-up beyond the Bar.

Mr. Robertson: I am grateful to my hon. Friend, but, as there is now someone on the Government Front Bench, I shall continue.

I cannot answer the questions that I have posed. It is up to the Government to explain to the House and to the people of London the role of the new authority and the mayor, and how that will affect the role of district authorities. If a £100,000 salary is to be paid, many people will be asking how they can become mayor of this great body.

As the Government get into further difficulties, they start to retreat into themselves. I advise them not to keep putting up smokescreens, because it is not doing them any good.

On a wider constitutional issue, the Government should explain to the people of London and to the House whether they are creating yet another region of Europe. There will be some sort of government in Scotland and Wales, and the Government have not yet published their plans for regional government in England. Will the Greater London authority be yet another of those regions? That would have important implications. These matters should be explained not in a White Paper, but in full legislation before the people of London are asked to vote on it.

Mrs. Gorman: I speak from experience as a councillor and as someone who is not a lover of referendums. In fact, I am not a lover of extra government, because I think that we should have the least possible government. If the Opposition's role is to give more power back to the individual, the less government we have the better. We should not take powers away from the individual and give them to central bodies.

One of the things I do to keep in touch with London, and with London opinion, is a little radio programme on Sunday mornings with the hon. Member for Brent, East (Mr. Livingstone), who is no longer in his place. That is declared in the Register of Members' Interests. We invite people from London to telephone about matters that worry them. The radio programme enables us to find out much more about the views of Londoners than we are ever likely to discover through the referendum. People worry about law and order, but, of course, there are already strategic bodies such as the police and the fire service to deal with such matters. Therefore, the new authority need not become involved in that.

People worry about their dustbins being regularly emptied and about the cleanliness of their streets. Those functions are carried out fairly effectively, certainly in the Conservative boroughs in London, although I cannot say the same for Camden and Islington, where the streets are filthy and the rates are such that most people try to leave them. They certainly send their children to school outside those boroughs. People are worried about education in London, but I do not think that there will be any suggestion of the new body taking over council powers, because the councils will fight like hell to keep them.

It might be a good idea to take the power to control schools away from many London boroughs whose schools are atrocious. The rare exceptions are Wandsworth and Westminster. They run good schools, but, of course, they have Conservative administrations.

People worry about transport and roads.

The Second Deputy Chairman: Order. The hon. Lady is embarking on a Second Reading speech. The debate is tightly drawn and deals with the date of the referendum.

Mrs. Gorman: Thank you for reminding me of that, Mr. Lord.

Londoners have strong views, and offering them a blank cheque referendum will not let us know whether they want a detailed say. The referendum question will require just a yes or no and the Government owe it to the people of London to say that, if not enough of them vote in the referendum, they will not proceed beyond it. I should like to hear the Minister's view on that, because there has been little response.

We must take account of the serious difficulties that arise with another layer of government. That will be evident on planning issues. Such strategic matters should be reflected in the information that the Government give to people before the referendum. If it is not, people will be voting for a pig in a poke. If people are not told what the authority involves, they will not know whether they want it. The Minister must deal with some of those issues or we shall be debating nothing more than bread and circuses. We have had a blank cheque, a pig in a poke, bread and circuses and the devil in the detail. The new authority may be an abomination.

Before Londoners are asked to decide on the issue, they must know that if not enough of them take an interest in it in the first place the Government will take note of that. I am putting to the Minister the matters that Londoners are interested in enough to phone up about on a Sunday morning after breakfast and before they get down to cooking the lunch. I have used this opportunity to pass that information on. I know that my hon. Friends back me in calling for information, and I hope that the Minister will deal with these important matters.

Mr. Flight: I should like to deal in more detail with the point that I put to my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles). The referendum is self-evidently to endorse Government proposals. What

[Mr. Flight]

has been aired so far is not simply a replacement for the GLC. The City is in the middle of London. Financial services represent 23 per cent. of our national income and are crucial to our prosperity. London citizens need to know the proposals for the City corporation. That is fundamental in several key areas. Will the authority have tax powers, will it make the City uncompetitive, will it have planning powers and will it be relevant to the efficient operation of the most capitalist part of our economy?

6.45 pm

It is not good enough to seek a blank cheque. *[Interruption.]* Labour Members find that funny. It is a jolly good cliché, but if they damage the City of London they will find it difficult to get cheques out of anybody. The referendum is about the future of London and the most important part of our economy. If the Government wish properly to consult people, they must advise people of their proposals about that most important part of London. There is no reason why the proposals cannot be set out in detail in a draft Bill or a proper Bill with adequate time for digestion before the referendum. The referendum should not be held until these matters have been resolved.

Mr. Raynsford: The debate has been protracted and not entirely illuminating. I was frequently reminded of literary images of conversations among a group of dead souls who were endlessly repeating the same clichés—how they tripped off their tongues—and trying to reassure themselves that the world had not changed on 1 May. The world did change, and the Conservatives are in opposition. Labour is in government and we have positive proposals to give the people of London the right once again to determine who governs their city.

The Conservative party took away from the people of London the democratic right to elect their own citywide authority. [HON. MEMBERS: "Get on with it."] I am getting on with it, and if Opposition Members will bear with me they will hear a few simple facts about their party's record when it was in power.

We take no lessons from Conservatives about the exercise of democracy. They did not believe in consulting Londoners before abolishing the GLC. They did not make proposals for draft Bills or other constitutional innovations to allow people an opportunity to test their proposals before they abolished the GLC. The Conservative party did not publish anything before producing a paving Bill which, using their majority, they rammed through the House. The people of London had no say. It is pure hypocrisy for Conservative Members to suggest that what we are doing is undemocratic.

Sir Paul Beresford: Will the Minister give way?

Mr. Raynsford: No. The Government are committed to ensuring—*[Interruption.]*

The Second Deputy Chairman: Order.

Mr. Raynsford: Thank you, Mr. Lord. I have listened for approximately an hour and a half to a protracted debate with frequent Opposition interventions. They might have the courtesy to listen briefly to me before intervening.

The Government are committed to ensuring that the people of London have full information about our proposals before they vote in the referendum on whether they wish to have a new strategic Greater London authority comprising a directly elected mayor and a separately elected assembly. We have already demonstrated our commitment to full public consultation. Within three months of coming into office, we published a Green Paper. We circulated many copies of the summary version of it. There has been extensive media coverage and a substantial response to the Green Paper. We received more than 1,200 responses, and they are still coming in after the consultation closure date, which has meant that it has taken some time to analyse the responses to 61 questions.

I put it to Conservative Members and to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), who first made the point, which many of them repeated, that putting out a newsletter—which probably asks the electorate whether they endorse the hon. Gentleman's actions in relation to a popular issue such as repairing council houses—will almost certainly elicit a good and positive response, but he will probably understand that the responses to 61 questions are not necessarily as simple as those to his question.

Mr. Simon Hughes: I do not intend to protract my comments, but, as an exercise in democracy, I am happy to tell the Minister that our surveys had four pages of questions—I concede that they were not all answered—and that that produced 5,000 or 6,000 answers, so I still think that the Government could have done a bit better in relation to responses from Londoners.

Mr. Raynsford: I am not going to enter a debate with the hon. Gentleman about the wordiness of Liberal Democrats' literature and the number of questions that they pose. I will say only that we have had a full and comprehensive response from a wide range of London organisations and individual Londoners. We are analysing those comments carefully because many valuable contributions have been made in the consultation. We take that seriously and we will pay good heed to it before we produce our final proposals.

Mr. Lansley: The Minister makes the point about the previous Government's consultation, or lack of consultation as he alleges, but perhaps he will be able to help me, because my memory is not as good as his. I recall a White Paper on London, I think in 1994, which was published by my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), when he was Secretary of State for the Environment, and which sought widespread consultation. Perhaps the Minister can tell the House now or at an early opportunity how many responses there were to that consultation.

Mr. Raynsford: The most striking thing about that consultation was that the then Government did not choose to ask the people of London whether there was a need for a strategic authority for London, despite which 30 per cent. of respondents said that they wanted a strategic

authority for London. That showed Londoners' response to the bogus attempt at consultation by the previous Government.

We have said clearly that we are consulting the people of London and we will lay before them the full details of the Government's proposals in a White Paper. We will also ensure that every household in London receives a neutral and factual summary of the White Paper, setting out the proposals on which they will be asked to vote, as well as other initiatives, to ensure that everyone knows what the issues are.

Mr. Pickles: Give us the date.

Mr. Raynsford: If the hon. Gentleman will bear with me, I will come to that. He is terribly impatient. I assure him that I will give him the answer that he is looking for. We intend to publish the White Paper—*[Interruption.]* If Conservative Members could restrain themselves, they might be interested in this. We intend to publish the White Paper during or before the week commencing 23 March.

The hon. Member for Croydon, South (Mr. Ottaway) asked whether the definition of spring was within that period. He made the point that spring technically begins on 21 March. Therefore, we intend to publish the White Paper at the earliest opportunity in the spring. That will allow six weeks for the issues to be considered fully by the people of London, before they vote in the referendum on 7 May.

Mr. Wilkinson: The Minister is making a point of great importance in announcing that, some six weeks before the referendum day, the electorate of London—every household—will receive a copy of the White Paper. Will the Government facilitate the issue of literature to the contrary? For example, will the no campaign—if such a campaign materialises—have freepost facilities?

Mr. Raynsford: I have said that we will publish a factual and neutral summary of the proposals. There will be no public funding for either a yes campaign or a no campaign. The Government will set out the options and invite the people of London to make a choice. That is the right and proper course for the Government to follow.

The hon. Member for Ruislip-Northwood (Mr. Wilkinson) talked about the merits of publishing legislation and giving a period of perhaps a month for people to consider it before they voted in a referendum. Legislation is of necessity often very technical. The Bill to give effect to our proposals on London will inevitably involve many technical provisions. The idea that the electorate of London should have one month to absorb highly technical legislation, while the concept of giving people six weeks to digest a White Paper expressed in clear English is rejected, shows a curious sense of how to ensure the best possible public consultation.

Mr. Ottaway: Will the Minister give an undertaking that there will be no changes between publication of the White Paper and the First Reading of the Bill—that there will be no changes between the detail of the White Paper and that in the Bill?

Mr. Raynsford: Of course I cannot give that undertaking because, as the hon. Gentleman knows, the first thing that will happen after the White Paper's publication is the referendum, and if it produced a no vote, there would clearly be a change in the Government's position. It is preposterous to suggest that we should give an undertaking that there will never be any change in our White Paper proposals.

We are holding the referendum on 7 May deliberately to gain the benefits from combining the poll with local government elections. That will result in a considerable saving in public expenditure, which I would have thought all hon. Members would welcome. Separating the referendum date from the local election day would probably result in additional public expenditure of some £2 million to £3 million and could reduce voter turnout. That is not in the interests of democracy or of economy, and the Government do not intend to propose that.

As for the amendments in the name of the hon. Member for Croydon, South, I cannot believe that he is suggesting that the interests of democratic choice are best served by asking the people of London to scrutinise a Bill with 100 or more clauses.

Mr. John Hayes (South Holland and The Deepings): The Minister wants the referendum to be held on the same day as local elections. Is that because he fears the possibility of a derisory turnout in the referendum, thus removing the mandate to act? I am mindful of course of the experience in Wales. To support what I have said, may I tell him that I was in Greenwich this morning discussing the matter? Not only had no one to whom I spoke heard of the Minister, but no one had heard of these proposals.

Mr. Raynsford: It was a mistake to give way to the hon. Gentleman, who has only just arrived in the Chamber and clearly did not listen when I spelled out the obvious financial advantages. Before he says anything more, I advise him that he does not appear to have honoured the normal parliamentary courtesy of giving a Member of Parliament notice that he is visiting his constituency.

We propose that Londoners will have the chance to scrutinise clear and comprehensive proposals in the White Paper. It will then be for Parliament to scrutinise legislation, taking account of the content of the White Paper and the verdict of the people of London. People who suggest that the referendum should take place after Parliament has completed consideration of a Bill support a strange constitutional concept that would make the House subordinate to a referendum. Our referendum will precede parliamentary consideration. This House will have the final say. That is right and proper, and in accordance with the constitution of this country.

Mr. Pickles: I want to press the Minister on a couple of important points. He said that he will produce the White Paper in the early part of March. Is he giving an undertaking that the Government's preferred position on important matters—who pays, where the powers come from, the respective roles of the mayor and the strategic authority—will be explicitly laid out for the people of London?

7 pm

Mr. Raynsford: I must make it clear to the hon. Gentleman, who obviously has not been following the Government's statements, that the decisions will be

[Mr. Raynsford]

spelled out in the White Paper. We are not yet in a position to do so, because we have not completed the analysis of the responses to the Green Paper. We are rightly carefully considering all those matters before we reach a decision. We will spell out in the White Paper our proposed framework for the new authority, including all the relevant considerations about how that authority will be constituted, what its powers will be, the relationship between the mayor and the assembly, how the assembly will be elected and all other considerations of which the public will need to be aware before reaching a decision in the referendum.

Sir Paul Beresford: A few other considerations have been mentioned in the debate, the key ones being the source of the financing and the Government's suggestion that the new authority and mayor will be more efficient. Will the Minister explain how they will be more efficient?

Mr. Raynsford: The White Paper will spell out what the Green Paper showed—winding up the complex and undemocratic raft of quangos left by the previous Government and creating a more streamlined and coherent administration will achieve significant savings and ensure that the objective we have spelled out in the Green Paper is met. We do not envisage its resulting in an increase in public expenditure. That is not what we are interested in; we are interested in good, efficient administration that will ensure that Londoners themselves have a democratic say in how their city is governed. We want them to have the prospect of an efficient authority delivering the services that Londoners want.

The proposal favoured by the hon. Member for Southwark, North and Bermondsey is close to our proposal. He wants a reasonable period for consideration of the White Paper proposals before the vote. We are not far apart. We believe that six weeks is adequate; he would like it to be two months. If it had been possible to complete all the work necessary within that time, we would have wanted to do so. However, we are working to a tight time scale and we want to provide a full opportunity to consider and discuss all the relevant issues with all the interested parties.

The hon. Gentleman obviously recognises the difficulties, because his amendment specifically exempts the electoral arrangements from the requirement of two months' notice. I hope that, having received that assurance, he will feel that he does not need to press his amendment.

The hon. Gentleman rightly raised a question about information on responses to the consultation. We have taken advice on that, and I am pleased to tell the House that the Government are now able to place in the Library a list of the responses by 21 November. We can do a little better than we had originally expected, to ensure that hon. Members have access to the list of organisations that have responded to the consultation.

In the light of those assurances, I hope that the hon. Gentleman will feel able to withdraw his amendment. I advise my right hon. and hon. Friends to vote against the amendment tabled by the right hon. Member for Sutton Coldfield (Sir N. Fowler), as it is neither practicable nor desirable.

Mr. Simon Hughes: As has been said, we are constitution—making. That is why we are on the Floor of the House and not upstairs in Committee. It is important to have this debate, although I did not expect a debate about whether we have a pre-legislative or a post-legislative referendum to be quite so extended. If I may make some observations about the style of participation, it is fair to say that the debate has been a little thin on Labour attendance, but equally a little thick on Conservative repetition. Conservative Members took 123 minutes to make two points over and over again.

I share with the Minister and the hon. Member for Brent, East (Mr. Livingstone) the view that it is a bit rich to hear from Conservative Members that there should be more time for consultation. Anyone who has been involved in local government, let alone the debate about the Greater London council—I served on the Standing Committee that debated the abolition of the GLC and the Inner London education authority—will remember that, first, there was not any real consultation, and secondly, when there was, the Conservative Government paid not a blind bit of notice to what anybody said.

I say seriously to the hon. Member for Brent, East that it would be wonderful if we had, for the first time in my political memory, a Government who, when they consulted, went by the results of the consultation. I do not refer to the issue that we are debating; the Minister knows that I share his view that the overwhelming majority of Londoners are in favour of Londonwide government. However, we are close to having a Government announcement about their views on the London health service. I sincerely hope that they have listened to the responses, that the consultation will mean something and that we do not have, with this Administration, consultation exercises that are then blithely ignored.

The hon. Member for Brent, East made a suggestion that the House will encourage. He said that the former Prime Minister, Mrs. Thatcher, was advised by everyone that she should not abolish the GLC, but she took no notice. It would be great evidence of openness of government if we knew civil service advice before we voted on Government proposals. To take a topical example, I do not think that the chief medical officer is terribly keen on back-tracking on tobacco advertising. If, on government and regional government, we heard civil service advice as well as the Government's view, we would be better informed.

I am looking forward to the document that the Government say they will produce in the spring. I do not know whether we ever get entirely factually neutral documents, but if the Minister seriously wants it to be a neutral as possible, we will happily collaborate and willingly say that, although we may not support all the proposals, they at least honestly represent the Government's view. It is important that electors are not misled and that they are given information.

I was amused by the Conservatives' suggestion that there might be funding for the yes and no campaigns—the Tories have not yet decided whether they will be on the side of the yes or the no vote. Perhaps we will hear tonight whether the Conservatives, having originally been against London government, will now say that they are in favour of some form of London government. The Liberal Democrats may not like the exact proposals, but some democratic London government is better than none, so we will be on the side of the yes vote.

If the one or two London Conservative Members who are present decide to be on the side of the no vote, they will suffer in the ballot box in the local council elections. The prizes may well go to those on the side of the yes vote because it means being in favour of London government. Being in favour of democratic government is positive, whereas being against it is negative.

The hon. Members for Ruislip-Northwood (Mr. Wilkinson) and for South Cambridgeshire (Mr. Lansley)—the Conservative speeches were notable for the number of speakers who are not London Members—suggested that we should have a draft Bill. We are in favour of draft Bills, but I said that if we are to have the White Paper in March, we will not get a draft Bill in March. It will be a service to hon. Members if we can have a draft Bill after 7 May, but before we start the summer recess.

Establishing England's first proper regional government will not be easy, and the Bill creating that government will be long and complicated. As the Minister and colleagues who were Members when we abolished the GLC—under a Tory Administration—will know, there are many difficult issues. It would be helpful if we could first examine draft legislation.

The Minister made two concessions, for which I am grateful. He told us that, this week, we will be able to see the list of respondents. That represents progress. I did not quite understand—perhaps he will tell us—whether the documents or only the list will be placed in the Library this week. Nevertheless, that concession is certainly better than the original date of 1 December, because we will have the documents before the second day of the Bill's consideration in Committee.

Mr. Raynsford: I can give the hon. Gentleman the assurance that he seeks. The list will be in the Library, and copies of it will be available for inspection in the Department.

Mr. Hughes: That is very welcome. It would have been better to receive the list before today, but I will not be churlish about it. We will have a chance to see the documents before the second day of the Bill's Committee stage. We will at least know who said what, including what the right hon. Member for Beckenham—

Mr. Forth: Bromley and Chislehurst.

Mr. Hughes: Yes—so that we know what the right hon. Member for somewhere near Beckenham submitted.

The Minister said that the Government are now committed to producing the White Paper in the same week as spring begins—spring does not always begin on the same day—which is a firm commitment and represents progress. The Liberal Democrats should have preferred to have two months between the White Paper and the vote, because we think that that would be better. I gather that, by definition, civil servants always say that such matters will take a long time.

The Liberal Democrats take a different view from that of the Conservative party. We are not arguing that it is possible to produce the Bill before we have the referendum—which would slow down the proposals. We do not think that that would be an appropriate sequence of events.

As only a matter of two weeks separates the Government's position from ours, we should move on to other aspects of the Bill. If the House wants to vote, it can do so once; but it will not be detained by a second vote. If you, Mr. Lord, are able and willing to select amendments Nos. 13 and 14, I will not press our amendment.

Amendment negatived.

Amendment proposed: No. 14, in page 1, line 8, after 'prescribe', insert

'(being a date not earlier than one month after the publication of the Government's bill for the establishment of that Authority)'.—[*Mr. Ottaway.*]

Question put, That the amendment be made:—

The Committee divided: Ayes 118, Noes 339.

Division No. 90] **[7.12 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Beresford, Sir Paul
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hayes, John
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple-Morris, Peter

Townend, John
Tredinnick, David
Trimble, David
Tyrie, Andrew
Viggers, Peter
Waller, Robert
Waterson, Nigel
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Wilshire, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Mr. Stephen Day.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell–Savours, Dale
Canavan, Dennis
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chidgey, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Field, Rt Hon Frank
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Ilsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheffld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian

Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Speller, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wigley, Rt Hon Dafydd
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. John McFall and
Mr. Jon Owen Jones.

Question accordingly negatived.

Mr. Simon Hughes: I beg to move amendment No. 3, in clause 1, page 1, line 9, leave out from 'Authority' to end of line 10.

The Second Deputy Chairman of Ways and Means: With this, it will be convenient to discuss the following amendments: No. 5, in page 1, line 11, leave out 'question' and insert 'questions'.

No. 18, in page 1, line 11, leave out 'question' and insert 'two questions'.

No. 12, in schedule, page 6, line 2, leave out from 'Paper' to end and add—

'Q1. Are you in favour of regional government for London exercised by an elected Greater London Authority?

Put a cross (X) in one box:

YES

NO

Q2. Are you in favour of the Greater London Authority made up of:

(A) an elected assembly with a mayor elected from the assembly; or

(B) an elected assembly and a separately elected mayor.

Put a cross (X) in the box of your choice.'.

No. 19, in schedule, page 6, line 3, leave out from 'paper' to end and add—

'Q.1. Are you in favour of a directly elected mayor for Greater London?

Yes

No

Q.2. Are you in favour of a directly elected assembly for Greater London?

Yes

No'.

Mr. Hughes: We have reached what is probably the most important debate in Committee, as it deals with a fundamental matter—what the electorate in London will be asked in a referendum. The Liberal Democrats are strongly in favour of regional government, and we hope that it is approved by the electors in the English regions. We are happy that the referendum in London will take place on 7 May next year, and that democratically elected local government will be restored.

I would go further, and say that the Greater London council was not securely established regional government, but developed from the old London county council. We are pleased that we stood on the same platform as the Government and supported regional government in London. We shall certainly continue pushing for regional government in London to be followed by regional government elsewhere in England.

Mr. Forth: More bureaucrats.

Mr. Hughes: There will be not more but fewer bureaucrats, who will certainly have much more accountability than there is now or than there ever was under the Conservative Government, who handed over London government to people who were unseen and unknown, sitting in Government offices and running huge budgets. They were never elected, or able to be removed, by the people in whose name they acted and who paid their wages.

Mr. Edward Leigh (Gainsborough): As it happens, I voted to retain the Greater London council. I hope that the hon. Gentleman recognises that the arguments for London are very different from those for the regions. Let us take the east midlands. People in Lincolnshire have no desire to be run by Leicester. Does he accept that the arguments for London are quite different from those for elsewhere in the country?

7.30 pm

Mr. Hughes: I accept what the hon. Gentleman says. As I recollect, he was a member of the GLC some time ago in his pre-Lincolnshire life.

London is different for two reasons: it is a capital city, and it has a history of regional government. My party has been absolutely clear that, although it believes that the powers exercised in his part of the world in, for example, the health service, which is controversial in Lincolnshire, by officials in the regional outpost of the NHS should be exercised by democratically elected people, none the less, regional government should not go ahead in Lincolnshire without the authority and approbation of the people—not least because it is one of those counties that does not naturally belong in a region as easily as some.

This week there was a lobby for the north led by the hon. Member for Morley and Rothwell (Mr. Gunnell). Perhaps people in the north want regional government more acutely and more urgently. There are the boundaries of the south-west, Cornwall and the north-east. I accept what the hon. Gentleman says. London therefore rightfully comes first.

[Mr. Hughes]

The Liberal Democrats are proud that, before the election, my right hon. Friend the Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) and the then right hon. Member for Livingston (Mr. Cook) came to an agreement that there should be a programme of regional government. The Cook-Maclennan joint consultative committee was set up by the two party leaders—it was not easy in negotiation—and concluded:

"Both parties endorse the establishment of an elected authority for London, with the consent of the people of London in a referendum, which would act as a powerful voice for the capital and work with the boroughs and other organisations in London."

Then came the point on which the two parties differed. The Labour party also proposed an elected mayor for London. We acknowledge—and did so then—that there is a difference of view about one of the key aspects. For us, today's debate is about the package; what proposal will be put to the electorate in May next year.

The Liberal Democrats are strong believers in real devolution from Whitehall to the regions. The issue for us is not about local government giving up powers. In my book, local government should hold the powers it has—although I have arguments about its structure. The right hon. Member for Bromley and Chislehurst, the hon. Member for Gainsborough (Mr. Leigh) and others prompt me to say that the issue is about taking power from civil servants and central Government and giving it to elected people at a regional level.

My hon. Friends and I are clear that, above all in London—the arguments are overwhelming—regional government needs to be fairly elected; for without that, it will not be seen to be clearly representative. If we end up with an electoral system or an elected assembly which could, for example, mean that the government of London was run by a minority political view, we risk the authority's abolition in a very short time.

My hon. Friends and I are strong in the view—we are different from the Government in this respect—that the authority should have tax-varying powers. We do not back off from that; we think that that is proper. Tax raised from London taxpayers goes into a national kitty. It is allocated by central Government to the regions, and spent on services in the regions. We hope that, in time, taxes raised from Londoners for services given to Londoners should be decided by Londoners. [HON. MEMBERS: "Oh."] That does not necessarily mean—before Conservative Members say it does—a penny extra in taxes.

Mr. Forth *indicated dissent.*

Mr. Hughes: It does not. The right hon. Gentleman must know that, as a matter of logic and honesty. If we give some of the central Government administration to regional government and give the power to collect money from the region, the total could be exactly the same. Indeed, the cost might go down. Perhaps regional government is more efficient than central Government.

Mr. Wilkinson: Will the hon. Gentleman clarify that? Liberal Democrat spokesmen have traditionally argued that a small local supplement on income tax would be necessary to fund regional government. In the case of London, are the Liberal Democrats flying in the face of all those previous statements and saying something quite new? What are we supposed to believe—what they say on the hustings or what they say in the House?

Mr. Hughes: The hon. Gentleman has reminded me that I promised him a copy of our proposals. I hope that my hon. Friend the Member for Richmond Park (Dr. Tonge) will help by giving them to him now, so that he can read the full monty and not have to hear a summary from me. There is plenty of time to read them before the Committee sits again. I apologise for not giving him the proposals earlier.

There are a variety of ways in which we can collect money for London, but we believe, as the Government argue—

The First Deputy Chairman (Mr. Michael J. Martin): Order. Perhaps I can help the hon. Gentleman. The amendments are nothing to do with collecting money or raising taxes. He must stick to the subject of the amendments that he has tabled.

Mr. Hughes: I was distracted, as you saw, Mr. Martin, by the intervention of the hon. Member for Ruislip-Northwood (Mr. Wilkinson). I accept your rebuke, and return to the straight and narrow, as always.

The central matter of the debate is whether we have a mayor elected from a London-wide assembly and accountable to it, or whether we have a directly elected mayor. Our amendments relate both to the clause and the schedule. We Liberal Democrats are not in favour of a take-it-or-leave-it proposal. We are in favour of posing the questions to the electorate, but we are not in favour of denying the electorate the right to give answers.

The Government are proposing that, in theory, Parliament has a chance to alter their proposals. But the electorate have no choice other than the one that the Government give them. I know that Ministers will say—rightly—that they went to the electorate with a proposal for a London-wide authority comprising an assembly and a mayor. Their manifesto never said that there would not be two questions—it did not say that there would be, either. We argue that the choice of the make-up, style and balance of power in London should be left to the electorate and not determined by the Government—even if they get their proposal through Parliament.

Conservatives propose a choice. They propose that the electorate will be asked either whether they want a directly elected mayor or whether they want a directly elected assembly.

Mr. Ottaway: It does not say "or".

Mr. Hughes: The hon. Gentleman says that their proposal does not say "or". Indeed, one could vote yes, yes, and there would be a directly elected mayor and an assembly. But one could also vote yes, no, as many Conservatives wish—we disagree—and have a mayor and nobody else. That is apart from the Conservatives' amendment that would create a cabal of local government leaders who would hold the directly elected mayor to account. We shall debate later whether local government leaders should do that job.

The Liberal Democrats ask two simple questions. The first is the logical first question: "Do you want a democratic government for London—yes or no?" If the

answer is yes, a second question would be: "What sort of government do you want?" We do not think that it is beyond the wit of Londoners to understand or answer that question.

One choice is government on the Westminster model, in which the primus inter pares—the Prime Minister—is chosen from among the elected Members of Parliament. The Prime Minister is accountable to this place, and loses his or her authority if this place takes it away. That is the model proposed for the Scottish Parliament. The alternative has never been tried in this country—a separate election, so that, whatever the view of the assembly of the day, the directly elected mayor remains in office, at least potentially, for the whole term, irrespective of democratic support.

We believe that there should be two questions. It could be argued that there should be more, but the essential difference is between those who want only one and those who want more than one.

The debate is simple. To their credit, the Conservatives have tabled proposals for two questions. We have also put forward two questions—different from the Conservatives' questions. The Government propose one question. The principle of two questions—"Are you in favour of a London government?" and "Are you in favour of a directly elected mayor or a non-directly elected mayor form of government?"—is more important than the exact drafting of our amendment or any other. I ask hon. Members to vote for our amendment, without necessarily signing up to the specific wording. We need to establish the principle of two questions.

Mr. Forth *rose—*

Mr. Hughes: Let me just finish. I undertake to the right hon. Gentleman, who desperately wants to intervene again, that I am happy to negotiate with hon. Members from both sides to find the best wording for two questions that could establish whether people want London government and what sort of government they want.

That is detail, which can be sorted out before next Monday, when we conclude the Committee stage, between Committee and Report, or even between the consideration in this House and consideration in the other place. If we at least agree tonight that there should be two questions, we shall have made great progress, reflecting the differences of view in London, which will not otherwise be expressed.

Mr. Forth: The hon. Gentleman has made the Committee a characteristically generous offer, which I am sure we all want to consider. Will he extend his generosity to an undertaking that it would be essential for the negotiating process that he envisages to provide for the questions—two or more, however many there may be—to allow Londoners to express a view on whether they want a mayor without an assembly, or an assembly without a mayor? That key option is missing from his formulation. If I want a mayor and no assembly, I cannot support his amendment.

Mr. Hughes: That is a valid point. Some Conservatives have taken that position. I would rather have discussions that left that as an option. I am in favour of opening the options to the voters, not closing them. That must be the way forward. We are trying to achieve a system that Londoners say they want. I am happy to have a debate about the best form of government, on radio, on television or in the streets and boroughs of London.

No proposal ever made by women and men is perfect. No Government get it right all the time. I accept that many Labour Members believe that their proposal is the best available, although some have a different view.

Mr. Forth: There are not many of them here.

Mr. Hughes: That is true.

I know the pressure that Labour Members are under, but I ask them to vote for the amendment, not because they sign up to the words in detail, regarding them as unamendable, but on the basis that it would start a process of considering the options for more than one question. If we do that, we can start trying to find the best form of government. Even if some hon. Members do not want any form of London government, at least we have to give people the choice.

Mrs. Gorman: I appreciate the hon. Gentleman's concern to let Londoners have the biggest say. What level of turnout would he consider necessary to make the vote valid? We have already heard—

The First Deputy Chairman: Order. I do not think that the hon. Gentleman wants to get into that, because it has nothing to do with the amendments. There are other amendments on that. Perhaps the hon. Lady could intervene in those debates.

Mr. Hughes: I was with you that time, Mr. Martin. I was about to tell the hon. Lady that amendments on that were coming up later, and we could debate the matter then, if she was patient. Some of my hon. Friends are particularly ready for that debate, which may come on Monday, so we have time to prepare ourselves.

I sense that the mood of the House is not to spin matters out, but to put arguments in an orderly way. We may be able to conclude this debate and that on the schedule by the end of play today, so I shall not detain the House.

7.45 pm

One option is an assembly elected by the people under a fair process. That assembly would then elect its leader—the mayor—and the mayor would then choose the cabinet. That is what we want—just like the House of Commons. The alternative is a system that gives huge powers to the mayor, who has no necessary and direct accountability to the assembly.

I have given the hon. Member for Ruislip–Northwood (Mr. Wilkinson) one of my happily not extremely rare copies of our response, submitted in time to the Government, available to the wider public from Friday in Marsham street—sorry, from Eland house; that is a nicer building. It is also available to other hon. Members if they want it. It is called "Home Rule for London".

We set out clearly there our view that a cabinet headed by a mayor who is an assembly member provides the most responsive form of government—more responsive than a directly elected mayor. We are not saying that the idea of a directly elected mayor has no merit, but there are risks.

[Mr. Hughes]

If one of my hon. Friends catches your eye later, Mr. Martin, I hope that we shall be able to elaborate on some of the risks.

Israel changed its voting system not many years ago. The Prime Minister is now directly elected, not elected by the Knesset. That is a model.

Mr. Livingstone: It is bleeding awful.

Mr. Hughes: The hon. Gentleman gives a characteristically succinct view. I have never heard the Israeli electoral system commended for giving stable government.

Mr. Leigh: It is proportional.

Mr. Hughes: It is a proportional system, with such a low threshold that the parties splinter all over the place. Many of us do not argue for that.

A few places in the world, including the United States, have directly elected mayors. The mayor of New York was re-elected recently. However, not only is it not common in Britain—it is also very rare in Europe. Ministers try to hide the fact, but very few places in Europe have directly elected mayors.

Mr. Forth: So what?

Mr. Hughes: So nothing, other than the fact that it is an untried model. We believe that one reason why the rest of Europe has not gone down that road is that it gives too much power to one person and too little to the general body.

The powers of the mayor can be qualified. We propose that, if 90 per cent. of the assembly thought that the mayor had gone mad or was corrupt, they could vote him or her out. We also propose that, if 10 per cent. of the electorate of London thought that the mayor had clearly gone off the rails, they should be able to vote that mayor out. If the Government win the day and there is a directly elected mayor, we shall be keen to ensure a power of recall to deal with such problems.

There are also ways of unblocking logjams. If the assembly did not agree on a budget and the mayor took a different view, we propose that the mayor could call an election.

But these are not comfortable systems; they are systems that require the overturning of a huge constitutional boulder. It is surely more democratic that a whole load of us should be collectively responsible, and act collectively as people whom the electorate can influence. We are a collective assembly of elected representatives accountable to the people we serve.

Mr. Leigh: I recall that there was not much interest in the GLC until the hon. Member for Brent, East (Mr. Livingstone) managed to liven it up a bit. The advantage of a directly elected mayor is that it would generate at least some interest in the process. The hon. Gentleman seems to be talking about a re-created GLC which would result only in one huge yawn from most of the people of London.

Mr. Hughes: No one is suggesting a re-created GLC—but I do not accept the point about a lack of interest anyway. There was plenty of interest in the last general election, just as there would be in a contest between two philosophies of how to run a capital city, led by groups of people with leaders putting differing views. If the Conservatives, Labour and the Liberal Democrats each put their views, under declared leaders, just as the electorate warmed to that in sufficient numbers at the general election—between 70 and 75 per cent. voted in it—they would do the same in London.

There is, however, a danger to which the hon. Gentleman did not allude and which even the hon. Member for Brent, East may not now wish to defend. It should certainly not be permitted to change the leader the day after the election. If the Prime Minister leads his party into an election, the electorate requires a guarantee that he will be sitting in the biggest chair at the Cabinet table the next day.

The alternative is equally dangerous—I say that as one of the people who has featured on this problematic road. If a mayor is to be directly elected, most of the debate will concern not policy issues or the structure of local government but who the mayor will be. Will it be Jeffrey Archer; will it be Ken Livingstone; will it be Richard Branson or one of the Spice Girls? [HON. MEMBERS: "Or Simon Hughes?"] Or me.

Yet that is not the most important question. The most important question is: what will the elected person do? What will his policies be? So the electorate should be given the chance to decide whether they want an election dominated by a personality contest or one dominated by debates on the issues. If we fight the election in teams—that does not rule out independents taking part—we will get an election about politics and policies, not about personalities.

We are asking the Committee to vote to allow the electorate of London to decide whether it wants the leadership to be accountable to the assembly or to be divorced from that accountability. The latter would be dangerous and novel, not to mention unwise. We have hitherto been relatively well served by our parliamentary system, and by the prime ministerial system of democracy. We think that that system should be tried, to begin with, in London too.

Sir Norman Fowler (Sutton Coldfield): As the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) has said, this is one of the most important questions of these debates. There was a great deal in his remarks with which I fundamentally disagreed—on regional government, tax-raising powers and proportional representation—but luckily, as all that was out of order, I need not detain the House by responding to it. Fortunately, the one part of his speech that was in order was also the part that I agreed with—the need for two questions in the referendum.

The fact is that, outside the ranks of the Government, very few support the proposition that there be just one question for the people of London. There is a consensus around the idea that there are two issues—possibly more, but at least two. They are: should we have a directly elected mayor; and should we have a directly elected assembly? My party supports a directly elected mayor, as I said on Second Reading and before, but we are not in favour of a directly elected assembly.

We want two questions, in which view we are supported by a range of people and newspapers. *The Times*, speaking of the Minister's paper, said:

"Two distinct issues require two different questions".

The Daily Telegraph takes a similar view. The Liberal Democrats adopt a view different from ours as regards the policy, but they argue strongly for two questions. I venture to suggest that some Labour Back Benchers have also argued for two questions. In due course, the Committee will be fascinated to hear what the hon. Member for Brent, East has to say. It would have been fascinating to hear what the hon. Member for Islington, North (Mr. Corbyn) had to say—had he been here.

There are others who support the Government's proposals but who also want a two-question referendum. Consider *The Guardian*'s editorial, which the Minister—even on his own admission, I think—so misleadingly quoted on Second Reading. He broke his quotation in mid-sentence, thereby entirely changing the meaning. The quotation goes:

"Mr. Raynsford dismisses the Conservative suggestion that the mayor could answer to the current 33 London boroughs as a recipe for disaster. Any mayor could simply buy off the boroughs by chucking goodies their way, bringing US-style pork barrel politics to the capital. The Minister is right"—

at that point, the Minister broke off in mid-sentence, though the rest of it reads—

"but he should make that argument in a campaign".

The editorial continues:

"The Government's package deal allows no room for those who want a mayor but no assembly or those who want an assembly but no mayor. We subscribe to neither view, but to deny them any expression on the ballot seems peculiar. After all, the whole point of a referendum is to allow all the people their say."

That is what the Minister chose to use to support his case.

It is not just opponents of the Government's position who want two questions: it is also their supporters. This all reveals an amazing lack of confidence in the Minister's and the Government's case. They do not seem sure enough of their own proposition to put it to the public in London. The Labour manifesto said that the purpose of the referendum was "to confirm public demand". How is that possible if the public are not allowed to express their views?

The Government know that there is public support for a mayor, but not nearly so much support for an assembly—

Mr. Raynsford: What is the evidence for that?

Sir Norman Fowler: I hope that the Minister will accept our suggestion, and allow the public to decide. Why will he not allow the public to decide?

Mr. Raynsford: The right hon. Gentleman claims that there is evidence of support for a mayor but not for an assembly. Perhaps he could give the House that evidence. Perhaps he will tell us where that evidence is in terms of public opinion, not selective newspaper quotations.

Sir Norman Fowler: These are newspapers such as *The Times* and *The Daily Telegraph. [Interruption.]*

8 pm

The First Deputy Chairman: Order. The Minister cannot behave like this in Committee.

Sir Norman Fowler: The Minister is getting terribly excited and going red in the face. He is blustering. Anyone would think that he was super-sensitive on the issue. Why is the Minister so sensitive and blustering? Why is he going so red in the face? Why is he smiling in that extraordinary way which indicates that he is on the defensive? Is it that the Minister knows perfectly well that he has a lousy case, which, so far, he has not done very well in defending, and he knows that he must defend it again?

Mr. Dominic Grieve (Beaconsfield): Is it not extraordinary that the Minister should talk about public opinion? I thought that the whole purpose of the referendum was that it should be a sounding of public opinion. Otherwise, we need not have one. The Minister can go away and look at his opinion polls and his crystal ball, consult his colleagues, and get on with it. I thought that the referendum was the consultation process with the electorate.

Sir Norman Fowler: My hon. Friend misunderstands the Government's purpose. The purpose of their referendum is not to find out what the public think. What the Government want is some sort of rubber stamp on the proposal that they are making. That is the whole point. That is why the Minister gets so indignant. That is why he is so sensitive. That is why he goes so red every time the issue comes up. It is the most revealing display that I have seen since the Deputy Prime Minister lost his temper on a particular issue.

Mr. Pickles: My right hon. Friend is being quite unkind to the Minister. The Minister is a sensitive man. I suspect that he secretly agrees with my right hon. Friend, but there are others in the Government preventing him from following his natural inclinations.

Sir Norman Fowler: I had better leave the Minister to compose himself, because at some stage he will have to respond to the debate.

Sir Paul Beresford: Does my right hon. Friend agree that the best way for the Minister to help himself, since he wants the evidence, would be to have the two questions?

Sir Norman Fowler: That is rather what I have been saying. That is the whole point of what I am saying, and what others have been saying as well. What I find so extraordinary about the Minister's attitude is that it is not always firm opponents of the Minister who are saying this. *The Guardian* is on the Minister's side. It is one of the few papers which thinks that the Minister is right. But leave that to one side; he has some supporters. But *The Guardian* is then asking why the Minister does not put it to the public. That remains the question. Why does not he put it to the public?

Some hon. Members see this in terms of there being public support for a mayor but not for an assembly; and there is even less support for what some Labour Members want, which is a return, step by step, to the GLC. Conservative Members favour a directly elected mayor, but we would have an assembly made up of borough leaders. We favour that, because a mayor would have to work with the boroughs. There is no question about that.

We reject the argument that that will simply lead to conflict. Our fundamental belief is that the structure suggested by the Minister has conflict built into it at every

[Sir Norman Fowler]

stage—and not only conflict, but layer after layer of local government. That lies at the heart of why we propose a two-question referendum.

It is important that we remember what the Government are proposing. They propose a directly elected mayor and a directly elected assembly, a regional development agency for London and a government office for London; and then we get to the stage of 32 borough leaders. Another piece of legislation coming in on the side, which the Minister might care to talk about at some stage, is the innovation Bill, which I understand will be introduced in another place, which will allow a directly elected mayor for boroughs as well. For the sake of argument, there could be a borough directly elected mayor.

One does not have to be a reader of *The Times* or a paid-up member of the Conservative party to think that that process is getting out of hand. But even if the Minister fundamentally disagrees with what I say, I should have thought that it was common ground that there is a case to be debated. What we find so offensive is that the Minister and the Government simply will not answer that case. They simply will not approach that case and take it to the public.

If ever there was inbuilt conflict, it is in the system that the Government propose. As the Minister knows, already, in the question that the Government are asking, they have revealed some of their internal uncertainty. At one stage, earlier in October, the question on the ballot paper was going to be: "Are you in favour of the Government's proposals for a greater London authority made up of an elected assembly and a separately elected mayor?"

When the Bill is published, the order is reversed, and the mayor comes before the assembly. I would have loved to be at the Cabinet Committee which decided that order. With any other Government, I concede that it would be a matter of no consequence, but with this Government one can just see the spin doctors debating which should come first. Obviously, their aim is that the popular idea of the mayor should take the assembly with it.

It takes no great powers of forecast to know what the next step will be if we have an elected assembly. The assembly will want more powers. There is no question about that. Whenever the Minister reveals what powers the assembly will have—we should remind him that it is not the White Paper that sets that down, but, as has been said, the Act of Parliament—those elected members will want greater and greater power. They will not be satisfied with an advisory role. They will argue that they are democratically elected, and will have an absolute and complete right to that.

Anyone who has been in government knows that, if powers go to the assembly, they will not be given up by the Government. The one thing that I did learn during 10 years in government is that getting powers out of Departments is extraordinarily difficult. Government will devolve powers from other organisations, but when it comes to themselves, there is turf battle after turf battle. Therefore, the powers will come from the boroughs. That is the fundamental importance of the Bill.

That is the issue that stands behind the Opposition's demand for two questions. Londoners should be able to say whether they want to put their future more and more in the hands of an intermediate regional assembly, or to strengthen the borough council system which is closest to the public. We should be aiming not for a new elected assembly but for a mayor working with the boroughs. But when it comes to it, what is striking about the debate is the Government's lack of confidence in their arguments. They talk about reaching agreement and about consensus, but they are not interested in either.

The Opposition's amendment simply divides into two the single question that the Government propose. If I may say so gently to the hon. Member for Southwark, North and Bermondsey, that has the advantage of clarity over the slightly elongated and prolonged question in the Liberal Democrats' amendment—certainly over the second question. As I have made clear, there are several things, such as regional government, with which we simply do not agree. We do, however, support the principle of having two questions.

As they stand, the Bill and the referendum will not give the public the right to have their say on the structure of local government in London. They are being denied a choice, and told that they cannot express a view. We believe that Londoners should be given the opportunity to judge for themselves whether London needs both a mayor and a directly elected assembly. That is why we shall support any amendment that gives them that choice, and asks Londoners two questions in the referendum.

Mr. Livingstone: I suppose that I should start by declaring an interest, although I am not certain that I shall eventually have an interest—or whether I shall be allowed to have an interest—in the post under consideration. Being endorsed by the right hon. Member for Kensington and Chelsea (Mr. Clark) has not helped in any way, but my recollection of his diaries is that there will be a few good meals and the odd glass of good wine going around if he is interested in becoming my campaign manager.

I also have to say that I cannot support my party in the Lobby tonight because I have not heard a convincing argument to satisfy me and enable me to do so. I would, in the more liberal times that prevailed in my party before the election, have joined the Liberal Democrats in the Lobby in support of their amendment, which comes closest to my own views; but, as Labour Members know, shortly before the election, the standing orders of the Labour party were changed so that to vote against a Labour Government is now an offence against those standing orders and leads to withdrawal of the Whip and debarment from further candidature. One might think that an overreaction, given that we have the largest majority since 1935, but it might indicate that we did not expect to win so well.

I would have been prepared to be persuaded on the question before us if I had heard any convincing argument about why we need a separately elected mayor—why we are going to turn our backs on the best part of 1,000 years of painfully slowly constructed parliamentary tradition and run maniacally in the direction of a presidential system—but I have been unpersuaded of the case throughout, despite listening carefully in my office to the debate on Second Reading.

I did not vote against the Bill's Second Reading because it would have been madness to throw the whole Bill out and end up with nothing, but because I had not quite grasped the Government's argument I read *Hansard*

twice—the whole debate, every speech. I have to say that that was a hardship: it took several hours. I wanted to pin down the Government's detailed arguments in favour of a separately elected mayor and against the Liberal amendment, so I went through the debate and extracted all those arguments. Throughout the debate, Ministers said, "I am coming to that point shortly," so they will be glad to learn that I have analysed their argument, sentence by sentence.

The longest speech in support of a separately elected mayor and against the amendment came from my hon. Friend the Minister for Transport in London. She said:

"London needs the strategic leadership that can be provided only by a mayor who is directly elected by and speaks for the people, and who is capable of bringing all of London together. It also needs an assembly capable of scrutinising, questioning and holding the mayor to democratic account, creating a proper balance of accountability, but also capable of advising the mayor and contributing ideas and expertise in regular dialogue."

I can see nothing in that statement that cannot be fulfilled by the leader of a group, whether that person is called a mayor or a leader, in a normal parliamentary system. I agree with Ministers that an independently elected mayor without any assembly or check would be a nightmare and open the way for the most appalling abuse of power, so I do not find myself at all attracted by the Conservative amendment.

My hon. Friend the Minister reached the crunch point when she said:

"The two proposals are inseparable."

She did not say why. She continued:

"Neither on its own would provide the mix of leadership and accountability that London needs. That was stressed in almost all the contributions of Labour Members."—[*Official Report*, 10 November 1997; Vol. 300, c. 671.]

Thus stirred by my hon. Friend's words, I went back and read all of the Labour Members' contributions. My hon. Friend the Member for Battersea (Mr. Linton) said:

"We can have a hung Parliament or a hung council; we cannot have a hung president"—

that depends on how unpopular he gets with the public—

"or a hung mayor—at least not in the electoral sense."

He went on:

"An assembly without a mayor, as the Liberal Democrats advocate, is a recipe for inertia."—[*Official Report*, 10 November 1997; Vol. 300, c. 603.]

That is one sentence in support of the Government's position.

8.15 pm

We then come to the speech of my hon. Friend the Member for Harrow, East (Mr. McNulty), who said:

"I do not see the creation of an elected mayor and a Greater London assembly as a recipe for conflict, and most of the points made on that have been clichés."

Tell that to the American people who watched Clinton and Congress locked in mortal combat over a Budget; tell it to the hundreds of thousands of American civil servants who did not get paid, from the Defence Secretary to the park keepers at collecting tills at the gates of the national parks. Such deadlock is an endemic feature of the American system—it happened three times in California between the governor and the assembly and I am certain that it has happened on many other occasions. That system is a recipe for deadlock and simply saying that it will not be will not make it not so.

My hon. Friend the Member for Harrow, East went on to state:

"Similarly, we are told that a mayor will open things up to corruption. Why should that be the case any more than it is the case with the leader of a council in whom so much is vested?"—[*Official Report*, 10 November 1997; Vol. 300, c. 618.]

I will tell him why. There is corruption—albeit not on the scale seen in America, which dwarfs anything we have here—but corruption is minimised because the leader of a council is like the Prime Minister in that his own party is scrutinising him every bit as much as the opposition. As leader of the Greater London council I never had any doubt that there were another 91 members of the council watching my every move. Labour members watched with the greatest dedication and concentration because, if they could catch me with my hand in the till, one of them might get my job. That is a powerful discipline. A separately elected mayor who is able to remain at a distance from the assembly and who receives a salary rumoured to be £100,000 will not suffer the same scrutiny from members of the assembly who are trying to get by on a loss of earnings allowance.

Next, I read the contribution from my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck). She said:

"It will be the different, but complementary, roles of the mayor and the Greater London authority that will deliver those aims;"—

achieving our policies for London—

"and it is because those roles are so complementary that it is necessary that we put a single, simple question to Londoners."

Unfortunately, her contribution in support of the Government was undermined when she went on to say:

"Without a single voice for London, we cannot tackle those problems effectively."—[*Official Report*, 10 November 1997; Vol. 300, c. 637-38.]

We are not getting a single voice for London—we are getting two competing voices, locked into an institutionalised conflict.

To round off matters, my hon. Friend the Member for Putney (Mr. Colman) rose and said that he had seen such a system at work. He said:

"Such a system of checks and balances works; I have seen it working in Seattle, one of the most prosperous and fastest-expanding but civilised cities on this earth."—[*Official Report*, 10 November 1997; Vol. 300, c. 652-53.]

I had the good fortune to go to Seattle for my holiday this year. No one would deny that it is a wonderful city, but there is the small matter of billions of dollars of investment from Asia—money out of Hong Kong—helping to boost the local economy. Nothing in Seattle's prosperity is inherently dependent on the structure of its government; it is especially well located for development on the Pacific rim.

That was it—in an entire day's debate, that was the entire Back-Bench support for the Government's proposition. Pretty weedy, is it not? I do not want to undermine my own Front Benchers, so I have to say that my hon. Friend the Member for Streatham (Mr. Hill)—my dear old friend—supported the Government in an earlier debate. I remember clearly that he also uttered one sentence in support of the concept: when I questioned him on why we should not apply it nationally and have a directly elected Prime Minister, he replied:

[Mr. Livingstone]

"it is horses for courses."—[*Official Report*, 6 June 1997; Vol. 295, c. 726.]

When we marshal the arguments that the Labour party has mobilised behind a separately elected mayor—one sentence from my hon. Friend the Member for Battersea, two from my hon. Friend the Member for Harrow, East, one from my hon. Friend the Member for Regent's Park and Kensington, North, one from my hon. Friend the Member for Putney and one earlier this summer from my hon. Friend the Member for Streatham—it is not exactly overwhelming; it makes six sentences in support.

Mr. Keith Hill (Streatham): I am grateful to my hon. Friend for recalling earlier and distinguished contributions by the hon. Member for Streatham, but I feel slightly hurt than in his careful analysis of the Second Reading debate he has omitted my observation, in an intervention, about the benefits of an elected mayor.

I pointed out that, in the United States, the evidence is that elections for mayors have, almost without exception, high turnouts—normally over 50 per cent.—which is noticeable in a country that is notorious for low turnouts in elections of all descriptions; and it is higher than those for most local elections in this country. The public's involvement in local politics and the consequent democratic renewal is a powerful argument for an elected mayor, and my hon. Friend should take it into account.

Mr. Livingstone: I take it into account, but I hope that my hon. Friend will excuse me if I demolish it. There is a better turnout for the election of American mayors because they have real powers. American mayors run the police force and the health service in their local areas. That is a major job. In terms of their spending impact on the general public, mayors spend more than the governor or the President. If we created an assembly for London without a mayor and we gave it those major powers, I bet our turnouts would be much higher. People would say the members of the assembly were responsible for tackling crime in London. If the assembly were given the power, it would get the turnout.

The average American I have bumped into is never deeply consumed by the structures of government, and I have never been involved in any great debates on my holidays there about the wonders of the American structure of government. The Americans get involved in mayoral elections because mayors have real power. We have a low turnout in Britain because councils are now bound hand and foot by central Government. Councils are given budgets and left to decide what to cut, and that is why interest in local elections is declining.

Mr. Simon Hughes: The turnout for the American presidential election, as the hon. Gentleman knows, is normally about 50 per cent. I argue that that is because all the personality, all the money and all the personal campaigning do not persuade people about policies and real commitments. When it is merely a question of failed individuals fighting each other, the election becomes a turn-off not a turn-on.

Mr. Livingstone: I find myself agreeing with the hon. Gentleman's comments. Anything that increases the personality conflicts in politics will alienate the British public. They are sick and tired of the slanging match that sets up individuals against each other—cut off from parties, programmes and principles. A politician who says only, "Vote for me, because I am better than he is, and he is a crook," will not engage the enthusiasm of the British people.

Mr. Leigh: What was the turnout in the last GLC election?

Mr. Livingstone: The turnout was 44 per cent., which is not dramatically worse than the figures for mayoral elections. Mind you, Andrew McIntosh had a wonderful personality.

The Minister for London and Construction is the man responsible for steering this great constitutional change through the House. I thought that I could rely on him, with his sharp and dry mind, to focus on the real arguments. Certainly his Second Reading speech contained some interesting points. In answer to an intervention from the hon. Member for Mole Valley (Sir P. Beresford) he said:

"go to New York, to see how that city has tackled the crime problem".—[*Official Report*, 10 November 1997; Vol. 300, c. 592.]

The crime rate has gone down in New York because the mayor has hired 7,000 new police officers. The crime rate could be brought down in London if another 7,000 police officers were hired. I hope that that comment from the Minister means that he will give the new, powerful mayor the power to raise taxes to hire extra police officers to make an impact. That is the logic of his argument.

Earlier in the Minister's speech, I found the kernel of the Government's ideological support for their position. The Minister managed to get it down to two sentences—new Labour, very concise. We must remember that the Minister had built up to this point and all the way through his speech he kept saying that he was coming to it. He said:

"A mayor alone, without an assembly, would wield too much power. An assembly alone, without a mayor, would not give London the focus and leadership that it so desperately needs."—[*Official Report*, 10 November 1997; Vol. 300, c. 590.]

Is that the Government's justification for their proposal? I am prepared to give way to the Minister if he cares to intervene with some more reasons, but I fear that that is it—because that was what was in our manifesto. The Minister obviously thinks that it is an important point because it was repeated word for word in his article in *The House Magazine* this week, but we have been sold on a gimmick. Such gimmickry has dominated so much of the politics of the Labour party in the past few years. An idea hatches in Millbank tower, is passed up through the spin doctors, goes down well with a focus group in Chipping Sodbury, and suddenly we are all committed to the damn thing.

There has been no debate in the Labour party. I went to what was called a consultation meeting of the Greater London Labour party, at which we discussed the proposal that appears in the Liberal Democrats' amendment. The Greater London Labour party assembled in conference and split into working groups to discuss whether we should have a separately elected mayor. The most crowded working group was the one that discussed the relationship between the mayor and the assembly. Nine

out of the 10 speeches opposed the principle of a separately elected mayor, but we were told, "You have got to have it because it was in the manifesto."

No one can mobilise any more arguments for it than the Minister can. The right hon. Member for South–West Norfolk (Mrs. Shephard) referred to Labour's new legions as the terracotta army. That is unfair, because when you get close you can hear them all mumbling, "Its in the manifesto, it's in the manifesto." It's being in the manifesto does not justify a major constitutional change. I would like some more substance before we launch into a new method of government for which we have no background and which, looking at America, does not seem to be more effective.

As I have said, the Minister repeated his arguments in his article "A New Mayor for a New Millennium", but the reality is that the case has not been made. Recently, an opinion poll showed, for the first time, that a majority of Londoners were more in favour of a mayor than of an assembly. A head of steam is building up, engineered by the media, but the argument did not persuade the Greater London Labour party delegates who sat and discussed it. We sat in the working group and we proposed a vote on the matter. We were told that we could not have a vote, but demand was overwhelming. The result was nine to one against a separately elected mayor.

When the working party reported to the conference, we were forbidden to have a vote. That is not very democratic, when people are being consulted. Why could we not have a vote? Because those in charge knew that the Labour party leadership would face the embarrassment of the Greater London Labour party rejecting its proposal by nine to one. It is an absolute scandal that policy can be created like that. The policy has not arisen as a result of any detailed consultation with Labour party members in the House or in London.

Before the election, my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson)—he is a dear friend and I love him deeply—had to come along and browbeat the London Labour Members of Parliament and then went off to browbeat the London borough leaders who were meeting in caucus. He said that we had to go along with the policy because the leader wanted it and we did not want a big upset before the election. The party has gone along with the policy because we do not want to rock the boat, but before we vote for a system that no one has been able to persuade us will work, we should rock the boat.

I shall rock the boat a little more and say that we should trust Londoners. The Liberal Democrats' proposal would give Londoners a clear choice. If we were prepared to trust Londoners, we would have a debate in which Ministers could marshal their arguments and we could challenge them. If Ministers could persuade Londoners, Ministers would get their way, but they do not trust Londoners, which is why they will not be given a choice. Londoners will be told, "Take it or leave it." That is insulting to Londoners. We have just had a referendum in Scotland and we allowed the people to have two votes to decide about tax policy, but Londoners can have only one option.

Londoners are told that they cannot have the assembly without the mayor. Why not? Is it because we are frightened that we might re-create the GLC? Is that the fear of Ministers as much as it is the fear of the Conservatives? I am not ashamed of the role of the GLC. The record of county hall under the GLC and the London county council shows huge achievements for London. I do not expect everyone to agree with that, but we should not deny Londoners the chance to decide what system of government they want. I am deeply ashamed of the way my party has proceeded tonight, because it is an offence to Londoners and an insult to their intelligence.

I do not believe for one minute that those who argue for a presidential system have demonstrated any real basis for proceeding with it. They do not have the right to expect the support of the House and they will not get my support until they can marshal much better arguments than the half dozen scrappy, monotonously repetitive sentences that they have been able to marshall so far.

8.30 pm

Mr. Pickles: It is a great pleasure to follow that speech from the hon. Member for Brent, East (Mr. Livingstone), not least because he tackled some serious questions and managed to do so in an amusing way. The truth of his comments about the inability of the House and the people of London to address an important constitutional change will make Labour Members feel deeply ashamed when they read *Hansard* in years to come.

The debate is encapsulated in a couple of sentences spoken by the Minister for Transport in London, on Second Reading. She said:

> "This Government were elected on a manifesto promise to bring back democratic government to our capital. With the approval of the people of London, that is what we shall undoubtedly do."—[*Official Report*, 10 November 1997; Vol. 300, c. 670.]

The hard truth is that that is exactly what the people of London will not get an opportunity to decide, because it has already been decided, as my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) observed, by the terracotta army saying, "It is in the manifesto."

Why cannot we have two questions? I believe that there is a case for a mayor for London, who could act as a catalyst, as do mayors in other cities. I do not believe that a strategic authority is necessary. The difference between the Minister and me is that I am prepared to argue the point in public and I am prepared to allow the people of London to decide—to pass judgment on whether I am right or the Minister is right.

The hon. Member for Brent, East said that Scotland could cope with two questions, so why cannot the people of London cope with two questions? We have had an opportunity to have a good look at the Labour manifesto. If the hon. Gentleman consults it again, he will see that Scotland and in London are dealt with on exactly the same basis. There is no suggestion in the manifesto that there will be two questions for Scotland and only one question on a Greater London authority.

We were promised on Second Reading that we would be given cogent arguments to demonstrate why it would be impossible to have a mayor without a strategic authority. None came. All we got was the strange mantra, "We won the election. We have a big majority. Our Back Benchers will support us, because if they do not, they will be thrown out of the parliamentary party and deselected. Therefore, we are right."

[Mr. Pickles]

A large majority does not remove the obligation to explain and to justify one's actions. The mere fact that there are more Labour Members than Opposition Members does not release the Minister from giving us a reason for the Government's position.

We are faced with three propositions: a proposition from Conservative Members that we should have a directly elected mayor; a proposition from the Liberal Democrats that we should have a strategic authority, from which a mayor might be elected; and a proposition from Labour Members that we should have both.

I do not suggest that we are right and everyone else is wrong; I suggest that we have an arguable case that deserves to be put to the people of London. Why be so hesitant? If the Government are so convinced by the arguments and so sure that our proposition will not work, let the people of London decide. It is not such a difficult issue.

Ultimately, Parliament decides in a democratic society. If we start to have referendums regularly—I am not entirely against the idea of referendums and I am attracted by some of what I have seen in the United States, in circumstances where there is a series of propositions to be decided—we must give the public a right to arrive at a judgment. If we do not ask a clear question, we will not get a clear result. The process is worthless unless the people have a right to decide.

People can vote yes in the referendum if they are in favour of a mayor, if they are in favour of a strategic authority or if they are in favour of both. They can vote no only if they are opposed to all three propositions.

We heard quotations from the Minister about the views of Londoners and about opinion polls and focus groups. He told us that the Government had looked into the matter carefully. We are used to seeing sham polls during election campaigns, suggesting that certain candidates have more support than others. It is likely that the polling organisations have begun to examine in detail the questions that they ask.

We know that the Minister has given much thought to the questions. He said on Second Reading, in reply to a question from my hon. Friend the Member for Chipping Barnet (Sir S. Chapman):

"The question is one on which we have taken considerable advice, and we have tried to ensure that it is framed so as to be as comprehensible as possible to the widest range of Londoners. As I am sure the hon. Gentleman will appreciate, there can be confusion with the framing of questions, and if the electorate are not clear there will not be a satisfactory outcome."—[*Official Report*, 10 November 1997; Vol. 300, c. 593.]

The phrase "not . . . a satisfactory outcome" is rather ominous and sinister. The Minister is saying, in effect, that the Government are prepared to put a question to Londoners provided that Londoners say yes, but the Government are not prepared to put a question that allows the possibility of Londoners saying no.

We have some experience of that. Some will recall that, shortly before the last election, the late Sir James Goldsmith approached one of the polling organisations—I think it was MORI, but I stand to be corrected—because he wanted to put down a question to be asked in an opinion poll that would have given a false reading of the support that he was receiving. The polling organisation rightly refused, because its integrity was on the line.

The question before us would not pass muster through a respectable polling organisation. Two propositions are put in a single question. That is no way to find out from the London public what they want. The Minister says that the majority of people support his ideas. Let him put that to the ultimate test—a referendum that should give him two resounding yes votes. Unless he is prepared to do that, there remains a great air of mistrust over the entire debate.

Mr. Edward Davey (Kingston and Surbiton): It was a pleasure earlier this evening to listen to the hon. Member for Brent, East (Mr. Livingstone), who made a powerful case against a directly elected mayor. It is a shame that the Labour party's illiberal standing orders do not allow him to join us, the Liberal Democrats, in the Lobby when the Division takes place. The hon. Gentleman would be welcome there.

I shall explain why we, the Liberal Democrats, wish to argue for a two-question referendum so as to allow the people of London to choose the form of government that will govern them. I shall explain why we believe that we should trust the people of London to make that choice.

The hon. Member for Brent, East said that the arguments for a directly elected mayor are very weak. The arguments for a one-question referendum are even weaker. The Government have justified offering only a one-question referendum—a take-it-or-leave-it referendum—by saying that they have a mandate as a result of the general election. They have elaborated on that on Second Reading and on other occasions. They say that the Labour party's election manifesto was a package and that it has to be presented as a whole. That is the package of the mayor, the assembly and the referendum.

Let us examine that argument. Elsewhere in the Labour party's manifesto, there are other packages. How are the Government matching up in putting those into practice? They will tell us that they had a mandate to ban tobacco advertising. That was to apply, for example, to cricket, darts and formula one motor racing. The Government have unpacked that mandate and promise and broken them. It seems that they felt fairly happy in doing so.

Why cannot the Government unpackage the London proposals? Why cannot they revisit the Labour party's manifesto and say that the mandate is flexible? The Government should take care when they rely on the mandate argument. Indeed, mandate arguments are often flawed; they are devices behind which Governments can hide. Parties that believe that a majority in the House gives them a mandate for detailed policy proposals are, in my view, guilty of arrogance.

I accept that a mandate was achieved for the principle of democratic governance for London. My colleagues and I put that to the electorate and together we certainly achieved a large majority for the proposal. That was not in any way a mandate for a directly elected mayor.

It is surprising that the Government have not learned from their lessons when in Opposition. The previous Government abolished the Greater London council on the basis of one line in the Conservative party's manifesto in the 1983 general election. There are many other examples of the previous Government driving incredibly unpopular policies through the House on the basis that they had a mandate.

We all know that, when voters go into polling booths, the vast majority of them have not read every word or sentence in our parties' manifestos. It is dangerous and

arrogant to suggest that a vote on one day gives a party when in Government a mandate to implement all of its policies with every i and every t. It is a question of trust. If the Government showed that they were prepared to put trust in the people, they would legitimise the principle of democratic government in London to a far greater extent.

The history of government in London shows how unstable it has been. There have been many structures of government over the past 100 years. We started with the London county council. We heard earlier, in an intervention from the hon. Member for Brent, East, that, 10 years after the then Tory Government created the LCC, they were trying to get rid of it. Eventually, it was abolished, to be replaced by the GLC, which in turn was abolished. It is important that, in introducing a new London government, we ensure that it has much greater legitimacy than its predecessors so that we do not continue chopping and changing and reinventing the wheel every two or three decades.

The only way in which we shall achieve full legitimacy for the new London government is by giving the voters a choice. That choice will strengthen the future London government so that another Government presiding in this place 20 or 30 years down the line will not feel so able to abolish or reform London government or to gerrymander the results of elections for that government.

I do not understand why the Government lack confidence in these matters.

Mr. Raynsford: We do not.

Mr. Davey: If that is so, they should accept the Liberal Democrat amendment.

Surely the point of a referendum is to introduce a much more detailed mandate on a policy proposal. Why not let the voters come to decisions on all aspects of the Government's policy proposals and not merely on the package as a whole? Let the Government unpack their proposals and give the people of London a proper chance to register their voice. What would the people decide if the options were open to them? The answer is that we do not know.

On the basis of the amendments, three potential options would be open to the people. We do not know for which they would opt but we on the Liberal Democrat Benches believe that they would not support the Government's current proposal. They would not back the proposed US-style system of a separately elected mayor and assembly. I feel that, as the details of the Government's proposals are more widely known, support for them will decrease.

The problem with a directly elected mayor is that one person can never represent the range of views that are contained in a city such as London—a city with such a varied range of cultures, such a wide variety of socio-economic groups, and, indeed, voting patterns. With debate, with choice, I believe that people would see that problem.

A separately elected mayor with a separate mandate from that of the assembly can never be fully accountable to it. He or she would always be able to point to his or her separate mandate and ignore the views of the assembly. Vast powers would be placed in the hands of one person, who could be held to account only every four years. Such a concentration of power causes genuine concern as the details of the Government's proposals are more widely debated. That is why one question is not enough. A take-it-or-leave-it question is characteristic of eastern Europe before the wall came down—a sort of Albanian referendum, or, as the right hon. Member for Sutton Coldfield (Sir N. Fowler) argued earlier, a rubber stamp referendum. It does not offer choice.

8.45 pm

It is even more astonishing that, after widespread consultation, the Government are still sticking to their one-question proposal. We have not yet had the chance to read the replies to the consultation; we shall do so with great interest. When we have spoken informally to people who replied to the consultation, they have expressed concerns about the mayor, as have many London local authorities and London-wide organisations, for example London Youth Matters. They believe that an all-powerful mayor would leave them stranded from the democratic process, because they might not have access to his or her office, where all the power would be concentrated.

The Green Paper gives some idea of how powerful the mayor will be. We are told that the mayor will set the strategic objective for London; that he or she will have certain powers of appointment; that he or she will speak up for London, increase competitiveness, attract investment and push forward major civic projects. We are told in particular that he or she will propose budgetary and strategic plans. The fact that huge financial power will be in one individual's hands sets a very worrying precedent.

The Spice Girls might not have been quite so popular over the past few months—

Dr. Jenny Tonge (Richmond Park): Who?

Mr. Davey: The Spice Girls. I believe that my hon. Friend had not heard of the Spice Girls until very recently.

If the Spice Girls suddenly became more popular, perhaps Baby Spice or Mel B would stand for election. The huge budget for the whole of our capital could be decided and plans could be put forward by Mel B, and the assembly would not have the power to ensure that she spent the money wisely. Surely it makes much more sense that the assembly has power over the budget.

I hope that the Government will think again and allow a two-question referendum in the form that we propose. If they have enough faith in their arguments, they will, and Londoners will respect them for it. However, if the Government continue to distrust the people of London to choose the form of government most appropriate for them, they risk setting up a constitutional structure of conflict and insecurity, one that may not stand the test of time and one that could potentially be a disaster.

I urge Ministers to use the referendum to get a real mandate for democratic government for London and give the new authority real and lasting legitimacy.

Mr. Forth: The debate has surely illustrated—better than anything that one could have anticipated—the hazards of referendums as a mechanism for policy making. To those who are sceptical about referendums, that comes as no surprise but, even to the enthusiasts, for this way of seeking political decisions, it should have

[Mr. Forth]

become pretty obvious by now that, at least, it is unsatisfactory, and, at worst, it can be very dangerous. We need only glance at the amendment paper and note the wording of the proposals that have been set before the Committee to gather very quickly that all this has the potential to go very wrong.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) made a very generous offer earlier, but, on reflection, I am not sure how it can be followed through. I think that the hon. Gentleman was saying that, although his wording might not be ideal, if we could go along with it—or something like it—we could all chat among ourselves afterwards and, in some way, return to the matter later. I doubt that that is the case in procedural terms, but it shows that, even after giving all the thought that I suspect the hon. Gentleman and his hon. Friends gave to the matter, and even after they came up with the rather convoluted formula that is offered to us in the amendment, the hon. Gentleman—albeit in a spirit of flexibility—is saying, "Well, if that does not ask quite the right question, I would be prepared to talk about something that does." In fact, as the hon. Gentleman conceded to me at the time, his question fails to offer a key option to the people of London—an option that must surely be available to them.

Mr. Simon Hughes: I agree that a variety of options are available. What we must do first is escape from the idea that there is only one option. Once we have broken out of that cell, we must consider what options are serious runners. I would say that the option presented by the Tories—the option of having only a mayor—is worth considering.

Mr. Forth: I am grateful to the hon. Gentleman for his intervention, but, in my current greedy mood, I will press him and see whether I can carry him a little further down that road. He conceded what to many of us is a very important point. The whole argument revolves around that point, does it not? Let us put aside for a moment the question whether we think any of this is a good idea—whether it is necessary, or whether, as one of my hon. Friends suggested earlier, there should be an option on the referendum voting form called "None of the above".

I pose that as a semi-serious suggestion. Why are we forced to say one thing or the other? Many people may want to turn out and cast their vote rather than staying at home and saying, "I do not want any of this, thank you very much. I do not think it is necessary." Those people may think—as the hon. Member for Brent, East (Mr. Livingstone) said so eloquently—that it could be damaging, or that it would not work. That may be a question that people would want to consider; but there are others, are there not?

The difficulty underlying the proposals revolves around the inadequacy of the process of asking questions involving very complicated issues in a simple form. Among the issues that we are considering, or asking the electorate to consider, is not just the question whether there should be an executive mayor, never mind whether he emerges in the assembly or is directly elected; not just whether there should be an assembly sitting, as it were, on top of the boroughs; but, crucially, the relationship that would exist between that mayor and that assembly: how they would interrelate, how they would react to one another and the precise relationship of the checks and balances involved. Those are crucial questions.

Dr. Tonge: Will the hon. Gentleman give us the benefit of the experience of his party? I know that it has recently posed two totally different questions in the form of a single question, and has put that question to its membership—or what membership it can identify. I understand that that is quite a problem.

Mr. Forth: It may or may not surprise the hon. Lady—who does not yet know me all that well—that I was not greatly in favour of that exercise either. The point that I was trying to make is that it is surely unreasonable to ask people to make a decision on such important matters without going fairly deeply into the way in which the institutions concerned are expected to work. It is not good enough to ask, "Do you want a mayor?", without giving people some idea of the proposed relationship between the mayor and the boroughs, the mayor and the assembly, the assembly and the boroughs or any permutation of those.

As I pose those questions, it becomes obvious that it is difficult, perhaps impossible, to reduce those matters to the formulation that is perforce required in the referendum. That is my point. I have not even dealt with the other crucial permutations. The electoral system is a subject very dear to the hearts of Liberal Democrats. Many people may like the idea of an assembly, but only if it is under the traditional, single-Member, first-past-the-post system. They may be familiar with that system and want to identify directly with their assembly member, as they do with their Member of Parliament.

Mr. Wilkinson: My right hon. Friend makes an important point. The Labour Government's draft proposals would do away with that close, democratic, territorial connection. Many Conservative Members, including me, would be quite happy with a directly elected assembly containing assemblymen who represent our boroughs. My constituents want someone whom they can identify as fighting for them and their interests. If they cannot have that, why on earth should they vote for what my hon. Friend the Member for Billericay (Mrs. Gorman) called a pig in a poke?

Mr. Forth: My hon. Friend is absolutely right. Let us be fair to the Labour party. It is consistent in its view of representatives. Its Members of Parliament—I think that we now call them the terracotta army—are expected to do nothing in the House, and to have little or no relationship with their electorate. We shall be told next week that it expects its Members of the European Parliament to have no relationship with their voters. It would be consistent for Labour to argue that members of the assembly should have as little relationship with their electorate as Labour Members or Members of the European Parliament have with theirs under the Labour party's other proposals. Funnily enough, I do not condemn the Labour party for that, because at least it is consistent.

When talking about those options to our voters, we are in danger of making an awful lot of assumptions about the formulations. We should not simply ask them, "Do you want an assembly?", without telling them about the relationships between the mayor and the boroughs or

the assembly, or what electoral system will be used. Even if we had complete clarity on those issues beforehand, there would not be a sufficient range of options in the questions to allow people legitimately to exercise a choice. Knowledge, clarity and awareness are wonderful, but if people cannot exercise their judgment on the basis of that information through the mechanism of the questions in the referendum, the whole exercise is bogus.

I have not even come to one of the most crucial problems: our old friend the question of money. Unless we ask people, as we asked the people of Scotland, whether they are prepared to pay extra taxation to finance the authority, or to give the mayor or the assembly the power to raise taxes to spend, the whole exercise will be seriously undermined.

The hon. Member for Brent, East would surely find that argument attractive. He and I may agree on the matter. People may like the idea of a mayor, and may want a mayor or an assembly to exercise widespread powers. If he is expected to undertake Londonwide projects and to do good things for London and its people, surely it is not unreasonable to ask the electorate whether they want the mayor or the assembly to have powers to raise extra taxes to make those aspirations a reality. That seems a reasonable proposition.

The hon. Gentleman rightly nods and smiles. We are not to have any of that. Not only will the people of London not be offered proper choices, options and related questions on which to exercise their judgment, but some questions will be missing. Sadly, they are missing from the options that are offered by my hon. Friends but, on this occasion, I shall forgive them for that.

Perhaps we must look for the least worst that is on offer. I strongly prefer the questions that my right hon. and hon. Friends have tabled, because at least they offer clarity and choice that will take people some way down the track. I would prefer to see a wider range of questions, but I pay tribute to my right hon. and hon. Friends for at least giving the crucial option that was missing from the original formulation offered by the hon. Member for Southwark, North and Bermondsey. He has generously offered a return to the matter and has said that we could try to get together and reformulate it in some way.

That is an attractive offer on which we can perhaps build, because there must be something useful to be had from this exercise. Surely we can use the debate in Committee to find an agreement that is much broader than the narrow, laser-like focus that the Government are trying to force us into.

9 pm

Mr. Simon Hughes: A Conservative Member has said that part of the Bill is a bit like a blind date. That was a good analogy. I am prepared to make a blind offer to the hon. Gentleman, and Ministers may know the answer to my question. I would be happy for the two questions to have the two preferred options from the consultation paper. That would at least offer people an alternative. There is no need to get stuck on specifics, because there are ways of getting the two preferred options in front of the electorate, and on Friday we shall know what they are.

Mr. Forth: That is a helpful suggestion. It seems that everybody except the Government is trying to be positive and helpful. We have become rather used to that over the past few months, but I hope that we shall not be expected to swallow it indefinitely and that, sooner or later, hon. Members other than the hon. Member for Brent, East will be prepared to speak up for their constituents.

I hope that the hon. Gentleman's comments will be widely studied, because they have given a unique insight into the way that the Government works, not least in the light of what was said in the Chamber earlier today—much blow-hard nonsense about open government, modernisation and pre-legislative consultation. The debate illustrates the opposite—closed minds, single-minded determination to drive through a narrow set of proposals, and the brushing aside of all helpful and constructive suggestions that were made in the Chamber or by people outside in the process of consultation.

There has been no sign whatever of flexibility or open-mindedness. Sadly, if that remains the basis of consultations on the exercise, there is a risk that the institutions that the Government are determined to foist on the people of London will be much weaker and much more narrowly based, and will have a lesser chance of success. That will be a tragedy, because, even in view of my clear reservations about the necessity for any of this, if we must have the proposed institutional arrangement for London, we all desperately want it to be well thought out and to work for the benefit of London's people. Those must be our joint and several aspirations.

If the Minister continues down his present track, there is a risk that he will lack the support of me and my colleagues, that of the Liberal Democrats and the London boroughs and perhaps, as we have heard, of important elements in his party. The Minister and his colleague snigger as if to dismiss—

The Minister for Transport in London (Ms Glenda Jackson): I was laughing.

Mr. Forth: The junior Minister says that she was laughing. She laughed just at the point where I referred to the vivid account by the hon. Member for Brent, East of the Labour party's internal workings. If that does not confirm better than anything else his fears about the way in which his party is working, I do not know what does.

I leave that for Labour Members to work out, except to say that it is now on the record that his concerns, which he expressed with great sincerity, have been brushed off with artificial giggling and laughing by the Government Front-Bench team. That sums up perhaps better than anything the attitude with which Ministers came into the debate, which contrasts vividly with the attitudes of Opposition Members, both Conservative and Liberal Democrat, throughout the debate. I regret that. This is a sad day for London and for the legislation.

I hope that, even at this stage, the Minister will think that Opposition Members' comments are worth contemplating, will reflect carefully on what the hon. Member for Southwark, North and Bermondsey has suggested as a possible way forward, and will at last realise that the proposals will be materially improved if he allows that crucial flexibility that is suggested by the amendments.

Mr. Wilkinson: We have been privileged to hear the speech of the hon. Member for Brent, East (Mr. Livingstone). Many of us suspected that there was a

[Mr. Wilkinson]

gagging order on Labour Members in this debate. Now we know that it is more serious than that, and I will write to the Chairman of the Select Committee on Standards and Privileges to find out whether the Labour party's standing orders accord with the procedures, as we know them, of the House. Labour Members are being intimidated into not expressing a particular view, and sanctions can be imposed on them that could prejudice their political careers and so preclude their taking part impartially and fair-mindedly in debates. I am glad that the hon. Gentleman has spoken as he has.

There is a facile tendency, which many hon. Members have exposed, to believe that, if the capital city has a directly elected mayor, somehow, he will be a Dick Whittington figure and the capital's streets will again be paved with gold. It could be—we hope that it will if the people of London decide that we should have a directly elected mayor—that he will be a positive force to encourage investment and industrial and commercial regeneration of our capital city, which is already vibrant and buoyant, thanks to a successfully managed economy. However, the crucial effectiveness of his role will depend on his relationship with the assembly, because the authority is a single entity in the Government's eyes and it is the authority for which the Government are seeking approval in the question that Londoners will have to answer on 7 May.

It is noteworthy that the Government are asking a question that requests approval of their proposal for a Greater London authority, whereas the shadow Secretary of State and other Conservative Members are putting two essentially open questions of principle to the electorate. We ask:

"Are you in favour of a directly elected mayor for Greater London?"

We are asking whether they believe that the concept of a directly elected mayor is, of itself, beneficial for our capital city. Likewise, we ask:

"Are you in favour of a directly elected assembly for Greater London?"

All that the Government propose is that the electorate should accept hook, line and sinker the Government's proposals, which, as we have heard, remain almost entirely unclear.

Like my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), I should have preferred a third and crucial question—the question uppermost in most Londoners' minds—to be posed: "Do you wish the assembly to have revenue—raising powers?" However, my hon. Friends are wise to ask the question, "Do you wish for a directly elected assembly?" as the electorate will understand that such an authority implicitly must have revenue-raising powers.

Although the Green Paper is almost entirely in interrogative mode and begs many more questions than it answers, at least one thing is plain—that the mayor will set a budget. I can well comprehend why the Government do not wish to ask two questions in the referendum. If Londoners know anything, it is that an assembly will accrete powers to itself and will have ambitions. Its members, especially if they have no territorial or constituency responsibilities, will feel no compunction about asking for more revenue, because they will be directly responsible to no one—or only to the upper hierarchy of the Labour party, as we were told by the hon. Member for Brent, East. There will be no built-in mechanism for economy, cost control or effective scrutiny. The mechanism that is so essential to budgetary management is wholly absent from the Government's proposals.

No one knows how the assembly will provide revenues for the mayor or what will happen if the mayor has over-arching ambitions—and he may have, as the post seems to be attracting some of the biggest egos in the country. It is a recipe for conflict, confusion and, ultimately, expensive chaos. It would have been so much better if the Government had had the honesty to recognise that what was provided for the electors in Scotland in their referendum should, at the very least, be provided for the electors in Greater London—two questions. The electors may want the mayor but not the assembly, or vice versa. They should have that choice.

Mr. Nicholas Winterton (Macclesfield): My hon. Friends have said that one of the jobs of the mayor will be to promote London as the capital city and to attract investment to it. I presume that, with the sort of person that we are likely to get as mayor of our capital city—a big ego and big expectations—that will involve travelling abroad, which will cost money. There are clearly revenue implications. Would my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson), who, as an outer-London Member, has great knowledge of London, be prepared to speculate on the cost of selling London abroad?

The First Deputy Chairman: Order. Perhaps hon. Members could talk about the amendments rather than going wide of them.

Mr. Wilkinson: It is tempting to speculate, but I will stick to the amendments.

We are also considering the Liberal Democrat amendment which would include among the questions asked:

"Q1. Are you in favour of regional government for London"?

Londoners are proud because they are the residents of our capital city. The do not consider it to be a region—it is the heart of the nation. It is where the decisions are made that govern the United Kingdom. They will think that the amendment is condescending in the extreme.

In the eyes of the Government and of prospective candidates, the post of mayor attracts such interest because of the capital city's special nature. As my hon. Friend the Member for Macclesfield (Mr. Winterton) said, the post will attract globe trotters. It will also, appropriately, require much hospitality to be shown to visiting delegations.

Although I appreciate the good will of the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) in suggesting that there should be consultation, I do not think that his formulation is the right one. The consultations should be based on amendment Nos 18 and 19, which have been tabled by the shadow Secretary of State and other Conservative Members.

To ask the London electorate in a pre-legislative referendum,

"Are you in favour of the government's proposals",

when those proposals are not yet clear—they cannot be clear until the legislation has been passed by the House and the other place—is asking those electors to sign a blank cheque. They should be asked to approve clear and specific questions. Ideally perhaps, they should be asked three questions, but two questions, as proposed by Conservative Members, would be entirely satisfactory.

9.15 pm

Mr. Leigh: A Committee stage is an opportunity to give short speeches. I take issue with the hon. Member for Brent, East (Mr. Livingstone) and think that, in this place, if one can reduce an argument to one or two sentences, it is all to the good. After two and a quarter hours of debate, I shall endeavour to make such a speech.

I was wrong, 10 years ago, when I was allowed, under the Conservative party's standing orders, to rebel over the future of the Greater London Council. I felt passionately about the issue, having worked as a young man in the GLC, having served on the GLC and having served as a borough councillor. I felt that what my party did then was wrong, because I felt that we were denying a voice to London. A landmark in my effortless rise in the Tory party was that, on many occasions, I rebelled on that issue.

I know now that I was wrong about the issue. Among the public in Greater London, there simply was not sufficient interest in the GLC. When the GLC was under Conservative control—let alone Labour control—it was, like the Department of Trade and Industry, an organisation in search of a role. That was the problem faced by the hon. Member for Brent, East—who had to develop all sorts of alternative roles and life styles for the GLC, which thereby lost the confidence of Londoners. The GLC had run out of time, and I was wrong to stand up for its future. I was right, however, to say that London needed a voice.

The Conservative party has now come up with the right solution, because there is a limit to Londoners' enthusiasm for another tier of government. Hon. Members may dismiss a mayoralty as a personality cult, but local government in London requires a mayoral election. It will generate real enthusiasm and regenerate interest in the problem. There is not enough business to do to sustain borough councils, a new assembly, a mayor and a Government—the whole lot.

I may be entirely wrong in saying that there is insufficient enthusiasm. Perhaps there is a role for an assembly, and perhaps all the arguments that we have heard will ensure that an assembly clips a mayor's powers. Ultimately, however—after two and a half hours of debate—I do not think that the Government can deny the choice of the people of London. The people will decide—trust them. Trust them to decide whether to have a mayor and an assembly, a mayor alone, or perhaps only an assembly. Why deny the people their choice?

As has been said, if the House fiddles around with and finesses this matter past the people of London, the desired referendum outcome will be won, because people want a voice for London.

However, it will not be a lasting outcome and in another 10 or 20 years' time we shall have to return to the issue. Let us do the job properly now, have a referendum with a real choice and let the people of London decide.

Mr. Raynsford: Once again, we have had a long debate, in the course of which we have heard a great deal of posturing from the Opposition about the nature of democratic choice as exercised through a referendum. Let me remind the Opposition that had they been in power, there would be no referendum. There would be no debate tonight about whether there should be one vote, two votes, three votes or more; there would be no votes because the Conservatives made it clear in their election manifesto that they saw no need for a mayor or an assembly or any change in London government. They were complacent and backward-looking. They totally failed to read the mood of the public in London and realise how London had been damaged by the abolition of the GLC and the lack of a strategic authority; justifiably, they paid a serious price in the election.

Now, of course, the Opposition have changed their minds. They realised that they were left behind and they have started to adapt their policies. They accept that there may be a case for a mayor, but they have not yet come around to agreeing the need for an assembly. That is why we are hearing so much posturing from the Opposition who are simply trying to justify their partial conversion on the road to London, not Damascus.

Sir Norman Fowler: The Minister refers to posturing by the Conservative party. Can he refer me to any Back-Bench speech that has supported his position?

Mr. Raynsford: Can the right hon. Gentleman refer to any speech by a Back-Bench Labour Member other than that by my hon. Friend the Member for Brent, East (Mr. Livingstone)? That is a pretty thin argument. The right hon. Gentleman has to refer to only one person to try to imply something. That is absolutely in character. The right hon. Gentleman loves to use selective quotations and to massage the figures to support his case. He gave us a good example of that earlier when talking about newspapers. It was pretty rich. He gave the impression that all the press were in favour of his proposition.

The right hon. Gentleman has an interest in a newspaper that is published in the Birmingham area. Could he imagine a debate about the future of Birmingham in which he did not refer to the views of the local newspaper? Today, however, he managed to give the impression that all the media and the press were on his side, yet he conveniently forgot to mention at any point the views of London's newspaper, the *Evening Standard*. He did not do so because he knows perfectly well that the *Evening Standard* has rubbished his party's position.

The *Evening Standard* made it quite clear that the Conservative proposition for a mayor with an assembly made up of the borough leaders would not work and was impractical and that there should be a single vote based on the Government's proposal. The *Evening Standard* is right and, as so often, the right hon. Gentleman is wrong.

I very much welcome the opportunity to discuss the amendments, as they go to the heart of our proposals for a Greater London authority. Londoners will be given the

[Mr. Raynsford]

opportunity to vote on a clear proposal—whether or not to establish a Greater London authority made up of an elected mayor and an elected assembly. We shall make sure that the package that we put to Londoners is one that works and enables the new authority to get on with the real business at hand—addressing Londoners' needs and aspirations.

The mayor and the assembly are not separable. An authority without a directly elected mayor would be a very different organisation—one not qualified to give London the clear leadership that it needs. A mayor without an elected assembly to hold him or her to account would be too powerful and unaccountable. No one really believes that a part-time forum of borough leaders would ever have the time or the capacity to constitute an adequate check or balance. Frankly, the people of London should not be conned by the proposition from the Conservative party, which was opposed to any elected body to represent the interests of London.

Sir Norman Fowler: Just say, for the sake of argument, that the hon. Gentleman is right. Why cannot he have the courage to put the proposition to the public of London?

Mr. Raynsford: I remind the right hon. Gentleman of what I said a moment ago. We are putting a proposition to the people of London which his party would never have put to them. There would have been no questions if his party had won the election—not one vote, not two votes, not three votes, not four votes, but no votes. The Conservative party took away from Londoners the right to have their own strategic authority. It allowed Londoners no say. It is sheer hypocrisy to try to make such a fuss.

Mr. Simon Hughes *rose—*

Sir Norman Fowler *rose—*

Mr. Raynsford: I shall give way to the more civilised hon. Member for Southwark, North and Bermondsey (Mr. Hughes).

Mr. Hughes: I am quite prepared to accept that the Minister has been persuaded of the Government's view. The Government are entitled to put that view. The Minister has still not said why, if Londoners have a different view, the Government's view is better and the people's view is worse. Why not ask Londoners whether they agree with the Government?

Mr. Raynsford: We have been consulting pretty intensively with Londoners and listening rather carefully to the views expressed. The most authoritative opinion poll—the one conducted by London Weekend Television, the *Evening Standard* and ICM Research in October—showed that 82 per cent. of those expressing an opinion were in favour of the Government's proposition of a directly elected mayor and a directly elected assembly. We are going to put precisely that to the test.

Let us consider for a moment arguments for more than one question. What would more than one question achieve? What would a second, third or fourth question say? Inevitably, the question arises which issues ought to be put. The hon. Member for Southwark, North and Bermondsey said in a generous—and perhaps misguided—moment that he would be prepared to waive the Liberal Democrat amendment in favour of whichever two propositions appeared to command the most support as a result of the consultation. I must tell him that the consultation has revealed an enormously varied series of priorities.

There are people who are most concerned about electoral systems; there are people who are most concerned about the financing of the authority; there are people who are most concerned about the relationship between the mayor and the assembly; there are people who are most concerned about the powers of the authority.

The consideration of such responses could only result in the kind of process that has led the London borough of Wandsworth to a curious proposition on the form of the questions. Wandsworth has submitted proposals to us, which suggest not just one, not just two, not just three, but four questions. However, the questions are phrased in such a way that they actually imply about seven or eight questions. Indeed, my hon. Friend the Member for Putney (Mr. Colman) said on Second Reading that, if one analyses the questions closely enough, one sees 11 separate questions.

Mr. Pickles: Will the hon. Gentleman give way?

Mr. Raynsford: No, I am not giving way. I am answering a question arising from a previous intervention.

The suggestion that one should have 11 questions in a referendum is simply fatuous, and not one that we as a Government could seriously entertain.

Mr. Simon Hughes: I accept that all sorts of issues will be priorities for respondents to the consultation. The point that I am putting to the Minister is not that our view, the Conservatives' view or the view of the hon. Member for Brent, East (Mr. Livingstone) is necessarily the best alternative. One could even allow the two most popular views in the consultation on the question of the structure of London government. The issue is not what are the alternatives but whether we give voters the choice.

Mr. Raynsford: If the hon. Gentleman bears with me, he will inevitably recognise that even his party and the Conservatives cannot agree on the formulation of wording to achieve that effect. In practice, the Liberal Democrats' amendment would make it impossible for Conservative Members to vote for what I understand to be their preference: a mayor without an assembly. There is no way under the formulation proposed by the Liberal Democrats in which that preference could be expressed. So we have perfect evidence of why it is impossible to do justice to the myriad views that people are expressing through the form of a notional second question. There is not a notional second question. There is a series of possible second, third and fourth—and many more—questions.

Sir Norman Fowler: No.

Mr. Raynsford: The right hon. Gentleman says no, but—

9.30 pm

Sir Norman Fowler: On his proposed ballot paper, the Minister will ask the public whether they approve of an elected mayor and a separately elected assembly. Those are two questions. If the Liberal Democrats agreed with us that those should be the two questions, would the Government accept that?

Mr. Raynsford: We are putting forward the proposition that we spelled out in our manifesto for a package. *[Interruption.]* It is extraordinary that Conservative Members—and my hon. Friend the Member for Brent, East (Mr. Livingstone)—have expressed doubts about honouring manifesto commitments. The Government believe that honouring manifesto commitments is very important. It is a matter of trust between the Government and the electorate. We have given those pledges and we are proposing a package involving mayor and assembly.

Sir Norman Fowler: Is the Minister saying that he will not accept any proposal for two questions under any circumstances?

Mr. Raynsford: The right hon. Gentleman is clearly not listening. I am trying to point out to him that no single proposition for a simple second question can be put forward. I ask him to listen for once, rather than trying to convince everyone of his point of view. He might benefit from listening to others. There are many possible propositions that people may be interested in, covering the form of election, the relationship between mayor and assembly, the powers of the authority and its remit. Those are all legitimate issues. The right hon. Gentleman need only ask the leader of Wandsworth council, who thinks that there are many questions to be asked.

There is no simple second question. Even the Conservative and Liberal Democrat proposals, would not do justice to people with a different point of view. A Conservative who does not favour an assembly but wants a mayor could not get that outcome from the wording put forward by the hon. Member for Southwark, North and Bermondsey. Someone who wants a mayor and assembly would have a difficult dilemma if presented with the Conservative proposals.

Sir Norman Fowler: No, they would not.

Mr. Raynsford: Yes they would. Let me explain to Conservative Members, who seem a little slow in grasping that. Consider someone who voted yes to a mayor and to an assembly. The outcome could be a majority for an assembly, but not for a mayor. That person would have supported what may well be their least favoured option. A proper choice would be between a mayor or an assembly or both. All three would have to be offered. That is the only way in which someone could say that they wanted a mayor and assembly together but did not want one without the other. The Conservatives seem to have no understanding of the implications. They have created a bogus sense of grievance about democracy when they would never have allowed democracy to the people of London. They would not have given any votes.

We have heard a lengthy debate with a great deal of hot air and very little cool analysis. We are putting forward a detailed proposition—a package that the people of London can decide on. They will decide whether they want the Government's proposal. If they vote no, we shall not proceed. If they vote yes, they will have an assembly and a mayor together, able to give London the leadership and government that it requires. That is a fair, sensible and democratic proposition. I commend it to my hon. Friends, and urge them to reject the amendments.

Mr. Simon Hughes: This has been an interesting debate in two respects. The hon. Member for Ruislip–Northwood (Mr. Wilkinson), as well as others of us who were aware of the issue before, picked up on the fact that there is a risk tonight of some Labour Members not being able to vote the way they want to because the rules of their party impede their right to exercise their democratic choices. That is a much bigger issue than the one under debate, and we shall certainly return to it on another occasion.

I pay tribute to the right hon. Member for Sutton Coldfield (Sir N. Fowler) for his last intervention in the Minister's speech, when he asked him whether any set of two questions would prove to be acceptable to the Minister. The Minister had no answer to that. I will take up the challenge—I hope that the right hon. Gentleman will, too—because I think it entirely possible to draft a two-question formula. If we do, it will appear on Report; and woe betide the Government if, faced with an agreed set of alternatives, they refuse to offer it to the people of London.

The amendment would amend clause 1 with a deletion that would leave only the proposition that there be a referendum, without fixing in advance the nature of that referendum. My party happens to believe that a mayor and an assembly directly but separately elected would result in London speaking with two voices—but we believe the people should decide. We happen to prefer a prime ministerial system to a presidential system for London—but we believe that Londoners should decide. My party believes that, if there is an election for an assembly and a separate one for a mayor, the latter will become a personality contest—but we believe that Londoners should decide. We prefer our model to others—but we believe that Londoners should decide.

The Government proposals, if unamended, mean in effect, "You can have a choice of London government, provided it is ours."

Mr. Iain Duncan Smith (Chingford and Woodford Green): East European.

Mr. Hughes: It certainly is. Londoners are being offered democracy but only on the Government's own terms. The Government in fact propose to tell the people of London which sort of government they should have. We propose asking them which sort of London government they would prefer.

Question put, That the amendment be made:—

The Committee divided: Ayes 157, Noes 311.

Division No. 91] **[9.37 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Atkinson, David *(Bour'mth E)*
Allan, Richard	Atkinson, Peter *(Hexham)*
Ancram, Rt Hon Michael	Baker, Norman
Arbuthnot, James	Baldry, Tony

Ballard, Mrs Jackie
Beith, Rt Hon A J
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Nicholls, Patrick
Norman, Archie
Öpik, Lembit
Ottaway, Richard
Page, Richard
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Temple-Morris, Peter
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Paul Tyler and
Mr. Andrew Stunell.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beggs, Roy
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chaytor, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Field, Rt Hon Frank
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Henderson, Ivan *(Harwich)*
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John

Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Maginnis, Ken
Mahon, Mrs Alice
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheffld Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Sloate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Rt Hon John D *(Strangford)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Desmond *(Kemptown)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Robert Ainsworth and
Mr. David Jamieson.

Question accordingly negatived.

Mr. Ottaway: I beg to move amendment No. 15, page 1, line 9, leave out 'an elected assembly' and insert

'an assembly of leaders of London boroughs'.

The Chairman Ways and Means: With this, it will be convenient to discuss the following amendments: No. 16, page 1, line 10, leave out 'separately' and insert 'directly'.

No. 17, in schedule, page 6, line 4, leave out 'an' and insert 'a directly'.

No. 28, in schedule, page 6, line 4, leave out 'a separately elected assembly' and insert

'an assembly of leaders of London boroughs'.

Mr. Ottaway: Anybody who listened to the speeches on Second Reading and tonight would feel that some Labour Members wished to bring back the GLC. They expressed a nostalgic feeling that the good old days of the GLC should be allowed to return. I remind Labour Members of what the Green Paper says—I presume that the Minister endorses it—in paragraph 1.09:

"This is not an exercise in bringing back the Greater London Council."

Any Labour Member who thinks that the Bill will bring back the GLC is wrong, and any Labour Member who appeals for its return is out of line with his party.

I have been struck by the number of Labour Members who seem to lament the passing of the GLC. Indeed, I thought at one point on Second Reading that the hon. Member for Barking (Ms Hodge) was about to grab a box of Kleenex. That is extraordinary when we remember that the GLC cost Londoners some £2 billion a year to run, and all the more extraordinary when we remember that it squandered thousands of pounds of taxpayers' money so readily on the most invidious cases—such as the £30,000 it gave to the Camden Policing the Police group and the £38,000 to the Campaign against the Police Bill.

I do not for one moment lament the passing of the GLC. Labour Members say that we abolished it without any consultation with the people of London. They are wrong. We fought the 1983 general election in London on an abolitionist commitment. We won just over half of London seats in 1979. By 1983, we had won exactly two thirds of London seats. That was our mandate from the people of London. They had had enough, and Labour Members would do well to remember that.

Even the Labour party manifesto in 1983 demonstrated concern at the state of local government at that time. The section on local democracy stated:

"We are examining how best to reform local government. . . and we aim to end, if we can, the present confusing division of services between two tiers of authority."

[Mr. Ottaway]

Those are words that Labour Members would do well to remember.

Let me remind Labour Members of the reaction to our abolition proposals at the time. The Confederation of British Industry, an organisation that they are not usually shy of endorsing, supported our view that reform of metropolitan government was necessary, and that the GLC should be abolished. It supported devolution of most functions to lower-tier authorities, possibly in the form of a district joint board. Moreover, in its business leaders manifesto in 1983, the Institute of Directors urged local government reform, including abolition of the GLC.

It was not as if there was no comment at the time; it was not as if there was a void into which we stepped. A proposal for the abolition of the GLC was in our manifesto, business leaders wanted it, and the community wanted it.

The GLC was a dinosaur running out of control, but we recognise that things have moved on since then. After all, 10 years is a long time in politics. The world has become a global village, and it is essential that London's representative is prepared and able to move around in that village.

I will take no lectures from those on the Government Benches on changing policy. They are already old hands at going back on manifesto commitments. In only five months, they have changed their mind on tobacco advertising and tuition fees. That gives me hope that it is not too late for the Government to change their mind on the nature of the assembly that they are offering Londoners.

The Government are offering the people of London the chance to vote in a referendum on their plans for a Greater London authority. The authority has two parts: a directly elected mayor and a directly elected assembly.

The House will know of Conservative support for a mayor. Let us have a mayor. The Government, the Conservative party and much of London agree on the need for a directly elected mayor for London. I look forward to the election of a mayor—not least to the election campaign, and the election of a Conservative candidate as the mayor for London.

We need a mayor who will be an ambassador for our great city, a strong voice for its people and a champion of Londoners, promoting London on the international stage. The mayor will be able to publicise the capital's case on issues ranging from inward investment and regeneration funding to the bidding for sporting events such as the world cup and the Olympic games.

However, the last thing that London or the mayor needs is a directly elected assembly, a kind of GLC mark II. On this proposal, opinion is divided in the Labour party—we have heard the hon. Member for Brent, East (Mr. Livingstone) and London borough leaders expressing their doubts—in the boroughs and among the people of London.

That is why, on this proposal, the Government have decided not to put a separate question to London's electorate. That gesture demonstrates the Government's doubts about their own proposal. It is proof that a directly elected assembly is the weak link in Labour's plans to reform London government.

The House will know of Conservative concerns about the Government's plans for a one-question referendum. That is a point of great relevance to the amendment, because it illustrates the Government's own lack of confidence about the assembly. They want to lump it into a single question about a directly elected mayor. That is because the disadvantages of a directly elected assembly far outweigh the advantages.

I have been canvassing opinion in my constituency and in London as a whole. I have found that there is wide support for a voice for London, but hardly anyone agrees with the detail of the Government's proposals. That is why, perhaps, something curious has happened to the single question. That must be because the Government are nowhere near as confident as their case suggests for a directly elected assembly for London.

It appears that the Government have changed the wording of the proposed—

It being Ten o'clock, THE CHAIRMAN *left the Chair.*

To report progress and ask leave to sit again.—*[Mr. Betts.]*

Committee report progress; to sit again tomorrow.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With the permission of the House, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Deregulation (Northern Ireland) Order 1997, which was laid before this House on 28th October, be approved.

NORTHERN IRELAND

That the draft Shops (Sunday Trading &c.) (Northern Ireland) Order 1997, which was laid before this House on 28th October, be approved.—*[Mr. Betts.]*

Illegal Drugs

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

10 pm

Ms Gisela Stuart (Birmingham, Edgbaston): I am glad to have the opportunity to talk about illegal drugs, and especially their long-term harmful effects. Those drugs are deemed to be illegal substances because they damage the individual to such an extent that what seems to be a private choice to begin with becomes a public choice. That happens when their use leads either to anti-social behaviour or long-term damage to the individual, so that society as a whole deems such use to be unacceptable.

There is a continued increase in the incidence of drug taking. The evidence shows that between 1989 to 1995 nationwide drug usage increased by two and a half times, but in Birmingham it increased ninefold. We find also that young people take drugs in increased numbers and that such young people are getting younger and younger. Drug incidents in primary schools are by no means unknown.

The debate was sparked by yet another piece of research on the permanent brain damage that is caused by Ecstasy, which is often referred to as a recreational drug. I find that terminology extremely misleading and dangerous, and that is not merely a matter of semantics.

I refer my hon. Friend the Minister to several press reports. The most recent one appeared in the *New Scientist*. It tells us that the brain scans of drug users reveal the first direct evidence that Ecstasy or MDMA can trigger long-lasting changes in the human brain, which cause memory impairment and depression.

The year before the article to which I have referred appeared, an article—again in the *New Scientist*—in June reported, following a study among students, that a weekend dose of Ecstasy can lead to forgetfulness, poor concentration and midweek blues that are severe enough to qualify the sufferer for clinical treatment.

The Parliamentary Office of Science and Technology made an important observation in March when it told us that, in contrast to such drugs as cannabis, on which there is research literature stretching back 25 years or more, the relatively recent emergence of Ecstasy means that there is much less research on its potential psychological and health effects.

We have information on long-term drug damage that is fairly generic. Prolonged exposure to most drugs can lead to tolerance where the user develops a form of immunity and needs higher doses to produce a given effect. Most drugs cause some dependence if taken for prolonged periods. I am particularly concerned about their psychological effects, because those are much more difficult to measure. If drug use leads to long-term psychiatric effects, we as a society should be extremely concerned. Long-term use of Ecstasy causes a massive release of the neuro-transmitter serotonin by causing the stored neuro-transmitter to be released and inhibiting its re-uptake, so that its effect is increased and prolonged.

I shall make a point that we often tend to forget. Young people, who are most at danger, make very rational decisions. They make much more sophisticated risk assessments. We have a problem because, as parents, we encourage our children as they grow up to take risks, to try things. When a child will not eat spinach, we say, "How do you know that you don't like spinach if you've never tried it?" Five or six years later, we say, "Here's something that you mustn't try." We need very good evidence and facts to convince our children when we warn them about the long-term danger.

I talked to DASH—the drugs and sexual health project in Birmingham—and asked for its experience of Ecstasy. In the first two years it recorded face-to-face contact with 3,400 drug users, particularly in clubs. Thirty-one per cent. of inquiries came from Ecstasy users wanting more information about the drug. The standard profile of an Ecstasy user is likely to be male, but we should not underestimate the number of young women who take Ecstasy; they simply seem to use it less.

Users are likely to be in their early twenties and use Ecstasy in addition to a range of other drugs, notably alcohol, cannabis and amphetamines. They make choices about the substance on which to get high on a particular night. They will consume one or two Es one or two nights per week, almost every week, for much of the year. Usage may continue for between two and four years. It is a social group activity which they grow out of. However, if it results in long-term or permanent brain damage, we cannot take it as something that is part of the club scene and just tolerate it.

Young people express concern about the long-term effects of drug usage, but when they assess the risk they have difficulty in finding the facts. I sent my researcher to a library yesterday to find some facts about the various long-term effects, and asked her to pretend to be a member of the public. She came back very surprised and said, "I found some very old medical text books with information on LSD, but I knew that it was not telling me the whole picture." We tend to overlook how difficult it is for youngsters and parents to find the facts, unless they are already in certain schemes.

We also face the difficulty that we want to spell out the realities very starkly to youngsters while not frightening the parents too much, so that they can handle the situation. Parents face the double problem of a teenager who is difficult at the best of times and a teenager who is taking drugs.

There are some very good organisations. One in particular that I have come across in Birmingham is Parents for Prevention. It is extremely useful. It is mainly for parents who are concerned about drugs or who face problems with their children: they either suspect that they are drug abusers or know that they are. Parents for Prevention educates parents about the drug culture and the effect of drugs, but in particular it enables them to cope with the situation so that it does not escalate. In the first 12 months of operation, its helpline had contact with some 2,600 parents and professionals. Most callers were mothers, and their main concerns related to cannabis, amphetamines, LSD, solvents and heroin.

The organisation provides continuing support for parents, visiting and befriending them. The system involves parents helping other parents. It also organises courses that all of us with teenage children should welcome—the "living with teenagers" programme. It recognises that a joint approach is essential.

What I welcome particularly about the Parents for Prevention campaign is that its funding is currently also a joint effort. The campaign is financed by the Home Office

[Ms Gisela Stuart]

and the drug prevention initiative, but also by the local authority action trust and Birmingham health authority, which recognises that dealing with drugs must be a cross-institutional initiative. The ultimate aim is to set up groups across the city that help parents to help other parents.

Once people's children are taking drugs, we have embarked on the dangerous debate about harm reduction and minimisation. We must recognise that once we have implemented harm reduction measures such as licensing requirements for drugs, it is, in a sense, too late: the young people have already started taking drugs. Although such measures are essential, they should not be the sole aim; we should not accept that we have to live with the problem.

My main purpose is to plead for much more research and much more evidence-based information. Youngsters respond to that. The more hard facts we have, the more they will follow those facts. The approach to the heart does not work, as we saw in the Leah Betts case: that did not, in a sense, reduce the attraction of Ecstasy.

A report produced by the Parliamentary Office of Science and Technology in May 1996 gave a good summary of the position. It stated;

"Given the inherently psychoactive nature of these drugs, the major potential problem area is the definition of psychology/psychiatry. Here there are many research targets. At the basic level, the natural function of the cannabis receptor is not yet known, even though it is one of the more common types in the brain. Secondly, there are differences of view over the extent to which current psychiatric problem derive from illegal drugs."

The report asks for more information that influences behaviour.

I am often concerned when I hear the argument that the only kids who suffer from long-term exposure to drugs such as Ecstasy were already prone to some other addiction. That is simply a recognition that some groups are more vulnerable; it should not be used as an excuse for not emphasising the dangers of Ecstasy.

We need to recognise the existence of drug dependency, and accept that some groups of people have dependent or addictive natures. Again, that is no excuse for taking no action: it simply means that a different way of tackling the problem may be needed. I remember talking to a mother who said, "I have two kids. One is not a risk-taker, but the other is." The messages not to take drugs would be very different for those two children. Both messages must recognise their separate psychological dispositions, but both must be based on fact.

The most dangerous thing is conflicting information: young people in particular pick up inconsistencies, and the illogical arguments of adults, much faster than anyone else. If the case that we advance is not credible, they will not listen to us.

We need better information about patterns of use and about the mixture of various drugs. It is very unhelpful, for example, to say that only so many cases are related purely to Ecstasy. That does not help if we know that a mixture of drugs is causing the problem. Since 1972, the United States drug abuse warning network has provided the US Government with consistent sets of statistics on the harmful effects of drugs gathered from hospital accident and emergency departments and drug-related deaths.

Large-scale epidemiological surveys have examined the socio-economic aspect—which groups of children are more likely to use certain drugs. There is an argument that Ecstasy is taken mostly by young people who earn a lot and take it at weekends. That is no excuse for not taking the matter seriously.

My plea to the Minister is that we need more evidence-based information. I should like to ask my hon. Friend the Member for Bolton, South–East (Dr. Iddon) to give the scientist's view of this problem.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. It is not for the hon. Member to determine who should speak. An hon. Member may catch my eye.

10.15 pm

Dr. Brian Iddon (Bolton, South-East): I thank my hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart) for requesting this timely debate, and for allowing me to participate, albeit briefly. I listened with interest to her comments, and agree with them all.

There are no safe drugs, legal or illegal. Society must weigh the advantages of the use of drugs against the disadvantages. Ecstasy, MDMA is an amphetamine with the chemical name 3,4-methylenedioxy-α-methylamphetamine, from where the abbreviation comes. It is almost certainly neurotoxic: the report to which my hon. Friend referred contains evidence to support that view, and I have been preaching that for many years.

When I told my students that, if they took Ecstasy—probably some did—it could be neurotoxic, they expressed great surprise and asked me what "neurotoxic" meant. It means damage to the central nervous system that is considered irreversible. I hope that, as a result of students being told about the health risks, those who took Ecstasy were deterred from taking it ever again.

If a given age group took Ecstasy over a prolonged period, it is conceivable that at some time in the future a generation of people would exhibit Alzheimer-type symptoms at a much earlier age than is usual now. However, I do not think that that is probable, because the taking of Ecstasy is a phase in young people's lives. The November edition of *The Big Issue*, which is sold in London, suggests that the drug culture on the rave scene is changing, and that people are moving off Ecstasy. Goodness knows what will be the next rave drug. Fashions change, and we must keep an eye on that.

Ecstasy's dehydration effects are well known. I condemn those nightclubs and rave clubs that turn off the natural water taps. That is happening on quite a scale across Britain. It has happened in my own town, and Bolton council has taken action against clubs that have turned off the mains water at source to force young people to pay more than £2 for bottled water at the bar. I draw the Minister's attention to that practice, because it must be stopped.

I want to refer briefly to the impurity of street drugs. It is often not the MDMA that causes the problem, including death in a very few cases; it is mainly the impurities that are present in street drugs. Such drugs are made under poor conditions, often in back-street garages, with no analytical control: certainly not the analytical control that is prevalent in the pharmaceutical industry. I do not think that young people who buy street drugs

realise what they are buying. In most cases, they are buying not a pure drug, but highly contaminated materials from irresponsible people.

I implore the Minister to study the harm-reduction programmes that other countries have undertaken, including the Netherlands, which is the leader in this area. I refer to simple, analytical kits, which are cheap, so that users can prevent themselves from being damaged.

I also want to refer to the serious business of polydrugs. In Bolton, young people are taking not only one drug, but a multitude of drugs, even on the same night. There is no research on the synergistic effects, which is the action of one drug on another. We must point out to young people that they put themselves at great risk when they take a combination of drugs, because they may have powerful, synergistic effects. We know nothing about the polydrug scene, which is very damaging. I draw that to the Minister's attention.

10.19 pm

The Minister for Public Health (Ms Tessa Jowell): I congratulate my hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart) on securing an opportunity to raise these important issues. I thank my hon. Friend the Member for Bolton, South-East (Dr. Iddon) for his contribution.

The Government are well aware of the effects of drug misuse not only on the drug takers and, often, their families but on society as a whole. One of our manifesto commitments was to appoint an anti-drugs supremo to co-ordinate our battle against drugs and as a symbol of our commitment to tackle the modern menace of drugs in many communities. We have fulfilled that commitment by appointing Keith Hellawell as the UK anti-drugs co-ordinator and Mike Trace as his deputy. That is not an end in itself, and across government, under the leadership of my right hon. Friend the Leader of the House, we will work closely with Mr. Hellawell and Mr. Trace to develop our strategy to tackle the misuse of drugs.

While awaiting the arrival of Mr. Hellawell and Mr. Trace, we have continued to undertake activity in relation to a range of problems. A wide range of drug initiatives is under way. Some 79 innovative local anti-drugs projects have been supported through the drugs challenge fund. Plans for a reduction in front-line customs staff have been reversed; proposals have been brought forward for a drug testing treatment order; and a cross-departmental review is under way to assess the resources that are available for action against drugs. That is evidence of the Government's recognition that effective action against the threat posed by drugs to our young people and to society as a whole needs to be waged on a number of fronts.

Before I turn to the specific issues that my hon. Friend has raised, I should like to put in context much of the media speculation about the extent of drug misuse in this country. Drug misuse is not the normal majority pattern among young people. Authoritative figures published in September from the 1996 British crime survey showing that while about half of our young people have taken prohibited drugs in their lifetimes, only one in seven could be said to take drugs on anything remotely like a regular basis. That is a similar picture to the one of two years ago, but it is no grounds for complacency, because the figures are still worryingly high. However, it is important to put the issue in context.

Many young people who are offered drugs choose to decline. The Health Education Authority commissioned a survey of 5,000 young people in the autumn of 1995 and found that, while 70 per cent., reported that they had been offered drugs at some time in their lives, only 45 per cent. had actually taken them. That is a hopeful sign that young people are capable of making informed choices. It underlines the importance of our powerful health education and health promotion messages about the risks of drug taking.

I shall now deal with the impact of drug taking and its link to crime. Another aspect of drug misuse that many choose to overlook is that, as well as its effect on the person who takes drugs, it has wide-ranging effects on the society in which we live. Many people are damaged. Estimates for the level of drug-related crime vary. They include one by West Yorkshire police that up to 70 per cent. of acquisitive crime is drug-related. I am sure that my hon. Friends would testify to that from their constituency experience. We all know that crimes have victims. They may be those whose homes are burgled, and businesses also experience loss due to crime. Every one of those victims would be only too willing to testify to the damage caused to society by the effects of drug misuse.

Then there is the fear of crime—its unquantifiable effect on many people, rendering elderly people, in particular, prisoners in their own homes. Reducing drug-related crime is a key objective for police forces in the coming year. The Government will pilot a drug testing and treatment order to enable courts to impose treatment for seriously addicted offenders, and we shall make widely available what we learn from the work of local projects in implementing and evaluating drug interventions at different points in the criminal justice system and in different parts of the United Kingdom.

In that context, I strongly endorse the comments of my hon. Friend the Member for Edgbaston about the importance of proceeding on the basis of evidence, understanding what works and acting on the basis of what we know to be effective.

Hon. Members may be aware that, at the end of October, I announced that health authorities would receive more than £41 million next year for drug treatment services. That is an extra £3 million, and represents a real-terms increase of 8 per cent. over the 1997–98 figure. It will allow the national health service to continue the development of effective treatment services for drug misusers. It will also enable health authorities to build on their existing services and to develop them on the lines of carefully tested guidance sent out by the Department earlier this year on purchasing effective treatment and care for drug misusers, again concentrating heavily on building on good practice.

I take on board the concern that my hon. Friend the Member for Bolton, South-East raised about young people in clubs who may have taken Ecstasy and have to buy water, rather than be able to drink it from the tap. That is a dangerous practice on which we want to take action. It is another example of a specific step that must be taken as part of a comprehensive approach to tackling drugs. My right hon. Friend the Leader of the House will give the whole drugs programme high priority during our presidency of the European Union next year.

[Ms Tessa Jowell]

My hon. Friend the Member for Edgbaston talked about the long-term effects of Ecstasy, referring to research, reported in the *New Scientist*, at the university of Baltimore. She suggested that Ecstasy use permanently damaged brain function. Although we have yet to study the detail of that research, its conclusions are broadly in line with existing knowledge about Ecstasy's dangers. It causes massive release of serotonin and inhibits the brain nerve cells' ability to absorb the serotonin, so that the drug's effect is both increased and prolonged. It gives a boost well outside the range of normal emotions, accounting for the intense empathy and mood change while under the influence of the drug.

Of course we know that those short-term mood changes can have long-term, damaging persistent effects. We need to make that clear in ways that they will accept to young people who choose to risk taking Ecstasy; they need to understand that we are on their side.

The Government are funding a three-year campaign by the Health Education Authority to inform young people of the risks of drug misuse. I make it clear that we insist that all materials are tested for effectiveness with young people. If the messages are anodyne, suitable for grown-ups and lost on young people, the message will be ineffective and will fail the important test that my hon. Friend the Member for Edgbaston offered: measures should be proved to be effective.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Ten o'clock.

House of Commons

Thursday 20 November 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DEPARTMENT OF TRADE AND INDUSTRY

The President of the Board of Trade was asked—

Export Promotion

1. **Mr. Goggins:** What measures her Department is taking to support British companies in respect of export promotion. [15389]

7. **Mr. Barry Jones:** What new policies she will initiate to improve the prospects of those industries which export abroad. [15396]

The Minister for Small Firms, Trade and Industry (Mrs. Barbara Roche): Madam Speaker, I apologise for the absence of my right hon. Friend the President of the Board of Trade, who is currently fulfilling an important engagement in Australia, where she will open the "UK Now" exhibition and promote United Kingdom companies.

My right hon. Friend announced on 4 November the publication of the Export Forum's report, "Towards an Export Initiative". We welcome the thrust of the forum's recommendations, and are looking forward to responding positively in a number of areas identified by the report.

Mr. Goggins: An increasing number of small local companies are beginning to look abroad for markets for their products and services. LE-AL Furniture in my constituency recently fitted out the parliamentary buildings in Bratislava. What are the Government doing to support and encourage such companies?

Mrs. Roche: We very much encourage small companies. On behalf of the House, I warmly congratulate the company in my hon. Friend's constituency on its fine efforts. Such companies can truly win for Britain.

My recently launched "Vision for Business Links" should raise the quality of help and advice given to exporters, including first-time exporters. It will encourage all businesses to make contact with their local business link for expert help and advice.

Mr. Jones: Does my hon. Friend agree that, at £4 billion per annum, British Aerospace is a magnificent exporter? Does she also agree that £120 million launch aid investment in the proposed A340-600 project will add to British exporting success, create jobs and maintain our leadership in wing design over our German competitors? Even at this late stage, will she ensure that her Department seeks launch aid for that project, bearing it in mind that 2,800 of my constituents who make the Airbus wings deserve that vote of confidence?

Mrs. Roche: I know of the strong interest that my hon. Friend takes in this matter. He led a delegation from the Broughton site to a meeting on 30 October. The Minister for Science, Energy and Industry was impressed by the quality of the presentation given by that delegation. No final decision on the provision of launch aid has been made, and discussions between British Aerospace and the Government continue.

Mrs. May: Is the Minister happy with the current level of the exchange rate? What representations have she and other Ministers at the Department of Trade and Industry made on this issue to the Chancellor and the Prime Minister on behalf of British industry, especially British exporters? Is she aware that all the appearances under the sun by the Secretary of State for Trade and Industry at export exhibitions will not make up for the severe damage that is being done to United Kingdom exporters by the Government's exchange rate policy, and by the inordinate delay in granting export licences owing to problems in the DTI?

Mrs. Roche: The hon. Lady has asked me a number of questions. I shall be as courteous to her as I can, because she is that most important of parliamentary institutions, my pair.

We ascribe great value to our exporters, and our most important aim is long-term macro-economic stability. The Government are absolutely committed to helping exporters, as is illustrated by what we did in regard to trade fairs at the beginning of our administration. The best thing that we can do for our exporters is move away from the bust-and-boom policies of the last Government.

Mr. Swayne: May I point out to the Minister that the pairing system is not particularly valuable, given the shift system that appears to be in operation on the Government Benches and in her Department?

What action does the Department propose to defend British chocolate manufacturers against protectionism in Europe, and the activities of British Labour MEPs?

Mrs. Roche: This Government and this party are determined to bat for Britain in any way that we can. Let me also tell the hon. Gentleman that the party of which he is a member, and which formed the previous Government, did a great deal of harm to our business interests by taking the attitude that it took on Europe. We are now reversing that, and making sure that we put British interests at the top of our agenda in order to help British business.

Mr. Mackinlay: Will my hon. Friend raise with the President of the Board of Trade the urgent need for an initiative to attract British investment in Poland, Hungary, the Czech Republic, Slovakia and Slovenia? Compared with its German counterparts, United Kingdom Ltd. is very sluggish and tardy in investing in that market of some 60 million to 70 million people. Some leadership

and initiative from the Department would be welcome, and it would also pay enormous dividends if we could show the way and demonstrate that central Europe is not on the other side of the moon.

Mrs. Roche: I am grateful to my hon. Friend, who has made an important point. He will be pleased to learn that we have had meetings with our opposite numbers in some of those countries. We see great opportunities for British companies of all sizes there.

Formula One Racing

2. **Mr. Wilkinson:** What assessment she has made of the effect of participation by British companies in formula one motor racing on the capabilities of the motor manufacturing industry in the United Kingdom. [15390]

The Minister for Science, Energy and Industry (Mr. John Battle): Participation in formula one is of fundamental importance to the highly successful motor sport segment of the motor manufacturing industry in Britain. The motor sport segment also makes a valuable contribution to the technical capacity of the wider motor industry.

Mr. Wilkinson: If British participation in formula one was so important to the British motor manufacturing industry, why did the crucial meetings about the European Union directive that would have banned tobacco promotion at formula one events involve the Prime Minister, the Secretary of State for Health, Chancellor Kohl, the British ambassador in Brussels, representatives of the Cabinet Office and of the Department for Culture, Media and Sport, Mr. Ecclestone and Mr. Mosley—but not to my knowledge, and not according to press reports, any representatives from the Department of Trade and Industry? Could this be just another case of the phantom President in action—or rather, inaction?

Mr. Battle: This Government are rather more capable of joined-up thinking between Departments than the previous Government. The Department provided factual information about the motor sport industry and its vital contribution to the economy. Let me add that 50,000 people work full time in that sector, supporting some 30,000 who work in engineering.

Mr. Jim Marshall: Does my hon. Friend agree that the trade unions have also made a great contribution to the success of the British motor industry? Does he also agree that contributions to political parties from trade unions tend, on the whole, to be more benign than those from rich individuals?

Mr. Battle: Let me say first that formula one, and the whole motor sport industry, make a major contribution to Britain industrially. That involves suppliers in junior formulas, rally, training cars and carting—suppliers right through the supply chain. Their contribution is vital. Many people work in the sector. I would only add, in response to my hon. Friend's question, that I should like to see the Conservative party deciding now to join us in publishing donations that are above £5,000. Why cannot that be done so that we know where they stand?

Madam Speaker: Order. That does not relate at all to the question.

Mr. Townend: Did the Minister have time to read today's press reports, which show that Mr. Mills still has strong links with formula one racing? Should not that rule out any further involvement by the Minister for Public Health in those matters on the ground of conflict of interest?

Mr. Battle: I understand that the permanent secretary has confirmed that there are absolutely no problems. It is a bit rich for the Conservatives to raise matters in this way when they will not even publish annual accounts although they have been requested to do so by their party members.

Post Office Network

3. **Mr. Barnes:** What plans she has to strengthen the viability of the post office network; and if she will make a statement. [15391]

The Minister of State, Department of Trade and Industry (Mr. Ian McCartney): The future of the post office network is an issue which we are considering as part of our review of the Post Office.

Mr. Barnes: The review, which will extend commercial provisions in post offices, will be welcome, especially in many rural areas of my constituency. Would it not also help if more post offices could be agents for the Driver and Vehicle Licensing Agency? Post offices in my constituency, such as those in Ashover and Danesmoor, would find it valuable to be able to provide such a service instead of having to wait until an agency becomes available, which is how the present system operates.

Mr. McCartney: I thank my hon. Friend for his comments. I wrote to him on 18 August advising him that Post Office Counters Ltd. is the agent for the DVLA and that, for reasons of cost, that organisation limits the number of post offices providing its service to 4,000 nationally. Consequently, Post Office Counters Ltd. gives the best possible geographical coverage within the limits that are set for it by the DVLA. I can confirm to my hon. Friend that the Government are fully committed to maintaining a nationwide network of post offices. As a consequence of that, and as part of a review, we shall seek to find ways and means to secure additional business in a range of areas for post offices in rural areas in particular. That is unlike the previous Government, who just wanted to privatise the Post Office and close it down.

Mr. David Heath: Will the Minister look in particular at the interests of the small rural sub-post office? Will he perhaps go a little further than his answer suggested by seeking ways to extend the range of services that sub-post offices can provide? In particular, will he seek an

acceleration of the introduction of information technology systems in sub-post offices to enable them to participate in much wider provision for rural populations?

Mr. McCartney: Almost 60 per cent. of villages in the United Kingdom have a post office but only 5 per cent. have a bank. This week, a ground-breaking agreement was reached between the Post Office and the Co-operative bank which will give basic banking services to all post offices. I repeat that, as part of the review, we are keen to see the introduction of new services in post offices throughout the United Kingdom. My offer to the hon. Gentleman is that, when the review and the way in which we intend to take it forward are in the public domain, I shall welcome from all hon. Members ideas on how to encourage new businesses in rural areas. Post offices should be seen not simply from the narrow angle of post offices but as small businesses in their own right. We are committed to promoting that.

Mr. Prior: Given the Government's commitment to giving the Post Office greater commercial freedom and growing liberalisation in Europe, is the Minister considering the introduction of private capital to the Post Office?

Mr. McCartney: We have already introduced private capital. A few weeks ago, we gave permission for a joint venture involving the catering services company Quadrant. That will ensure the introduction of private capital into what will become one of the largest and, we hope, the most successful contract catering organisations in Europe, providing services not just to the Post Office but to a range of public and private sector companies which can take advantage of the change.

Working Time Directive

4. **Mr. Lock:** If the provisions of the working time directive will apply to British employees of private companies. [15392]

Mr. Ian McCartney: Yes. The directive covers all sectors of activity, both public and private, with the exception of those involved in the following activities or sectors of activity: air, rail, road, sea, inland waterway, lake transport, sea fishing, other work at sea, and doctors in training.

Mr. Lock: Does my hon. Friend agree that paid holiday is a basic right, which should be available to all civilised people in a civilised country, and that it is a scandal that the previous Government failed to bring that most basic right into United Kingdom domestic law, leaving 8 million people without paid holiday? Does he agree that the directive, which will bring paid holiday to 8 million low-paid workers, will be welcomed? Is it not a shame that the directive has not yet been introduced because the previous Government attempted instead a futile challenge in the European Court of Justice?

Mr. McCartney: My hon. Friend is right. The previous Government tried to turn Britain into sweatshop Europe, as a consequence of their inactivity. I give a commitment that we shall end the exploitation. It is time to end the imposition of long hours for low pay, and to ensure that workers have the right to minimum paid holidays and decent working conditions. That is one of the reasons why we are on the Government Benches and Conservative Members are on the Opposition Benches.

Mr. Ruffley: Do Ministers support European Commission proposals to extend the scope of the working time directive by ending exemptions from it?

Mr. McCartney: The hon. Gentleman knows full well that consultation is taking place—the European Commission has issued a consultation paper, to which we shall respond. At the end of the consultation, we shall ensure that the British Government put the case in relation to those sectors. One thing is absolutely certain: we have made a priority decision to end the previous Government's opt-out on the working time directive and the young workers directive and to make resources available. We shall participate in the consultation process in respect of those sectors that are excluded, to ensure that workers in Britain will be covered in the same way as workers in Europe.

Minimum Pay Rates

6. **Mr. Fabricant:** What consideration she has given to setting separate minimum pay rates for different regions of the United Kingdom; and if she will make a statement. [15394]

Mr. Ian McCartney: The Government intend to introduce a single national rate.

Mr. Fabricant: The Minister will be aware from his Department's figures that, if the minimum rate is not set quite low, as it is in the United States, it will cause wholesale unemployment, so does he agree with the recent recommendations of the Minister without Portfolio to the Chancellor of the Exchequer that there should be wholesale exemptions, by both industry and class of worker—or does he disagree?

Mr. McCartney: What a brass neck—a Conservative Member coming here and being an apologist for low pay. In the hon. Gentleman's constituency, 5,000 families earn so little that they have to rely on in-work benefits, and 100,000 people in the west midlands earn less than £2.50 a hour. We won the last general election on the principle of a national minimum wage, no separate sector rates and no derogations for companies. It will be a national minimum wage. Within 90 days of taking office, the Government created the Low Pay Commission and soon we shall publish the Bill implementing the national minimum wage. It is a priority policy on which we are proud to have fought the election.

Mr. Alan W. Williams: May I ask Ministers not to have any exemptions from the minimum wage? My constituency in Wales, north-east England and Northern Ireland have the lowest-paid workers—we are at the bottom of the pay league. The minimum wage will do a power of good to thousands of my constituents. We want a minimum wage with no exemptions, because exemptions create just loopholes for big and small business.

Mr. McCartney: My hon. Friend is absolutely right and that is why we fought and won the general election

on a policy of a national minimum wage. There will be no sectoral, regional or company derogations and it will be available from day one of employment. There will be a national minimum wage in this country. It is a priority policy of which the Labour Government can be proud. The 18 years of Tory government led to the largest differentiation between low-paid workers and those at the top. The Conservative party is the party of the few and we are the party of the many.

Mr. Fallon: In that same letter to the Chancellor, the Deputy Prime Minister wanted to exempt seamen, the Minister of Agriculture, Fisheries and Food wanted to exempt some fishermen and the Minister without Portfolio wanted variations by region, by size of business and by sector. Why does the hon. Gentleman think that a national minimum wage is workable when the rest of the Government do not? What is the point of setting up the Low Pay Commission when Ministers are secretly deciding those exemptions behind its back?

Mr. McCartney: Tory Members cannot accept that they lost a general election on this issue. The position is clear. There will be a national minimum wage with no regional, no sectoral and no company derogations and it will be available to workers from day one of employment. We established the Low Pay Commission within 90 days of taking office. It is independent and is responsible for giving advice to the Government about the starting rate of the minimum wage. We await its report, which we have asked it to produce by the end of May 1998. As a consequence of that, this country will have a national minimum wage. Only Tory Members still oppose a minimum wage. The Conservative party was the party of the fat cats. The Conservative Government drove down wages. We won the general election on the clear and simple premise that there would be a national minimum wage.

Mr. Pike: Does my hon. Friend agree that thousands of people in Burnley and east Lancashire who are on low pay or poverty pay will welcome what he has said and the fact that, for the first time for many years, they will get a fair day's pay for a fair day's work?

Mr. McCartney: My hon. Friend is correct. This is one of the most popular policies promoted by the Labour Government. That is why Tory Members are isolated. A large proportion of business in Britain now supports, in principle, the concept of a national minimum wage. Businesses throughout Britain are flooding the Low Pay Commission with evidence in support of a national minimum wage. The only people in Britain who are still apologists for poverty pay are Tory Members. I repeat that that is why they are in opposition and we are in government.

Low Pay Commission

8. **Mrs. Virginia Bottomley:** What representations she has received on the work of the Low Pay Commission. [15397]

Mr. Ian McCartney: I have received a number of representations on the work of the Low Pay Commission. It is well advanced on its programme of consultation to obtain views of employers, employees and other interested organisations and individuals on the national minimum wage through written evidence and by holding meetings.

Mrs. Bottomley: Does the hon. Gentleman agree with the President of the Board of Trade, who said that wide-ranging exemptions would be well nigh unworkable and inconsistent with the idea of a national minimum wage? When considering all the submissions from industry, would the Minister care to look at the response of the British Hospitality Association, which is responsible for 2 million jobs—one fifth of the new jobs—and which gives many young people an opportunity to work? That association talks about the dangers of a minimum wage.

Mr. McCartney: Having listened to the right hon. Lady's contribution, I can see why she was named the poorest Minister in the worst Government in living memory. I made it clear about 30 seconds ago, or less, that there will be a national minimum wage with no sectoral derogations and no opt-out for companies and it will be available from day one of employment.

The Low Pay Commission has already received over 350 individual items of evidence about the minimum wage. It is on a regional tour of England and will visit Scotland, Northern Ireland and Wales. There is consensus among its members to produce workable proposals for the establishment of a national minimum wage. The Low Pay Commission is a success. It shows that employers, working with employees, can come forward with proposals to end poverty pay.

Mr. Winnick: Does it not make my hon. Friend's blood boil—it certainly does mine—that the strenuous objections to a minimum wage come from Conservative Members who not only receive a parliamentary wage, but in almost every case get extra money from outside sources? How can they possibly justify denying fellow citizens a decent wage when so many people in this country, especially in the west midlands, earn a starvation wage? It is a scandal. Conservative Members should be thoroughly ashamed of wanting to deny those people justice when they earn so much money themselves.

Mr. McCartney: My hon. Friend is right. In fact, during the last Parliament, many Conservatives were part-time Members of Parliament. Some of them would not ask a question unless they were paid for doing so. The truth is that Conservative Members show double standards and hypocrisy. For 18 years, they drove down pay for the most vulnerable in the community. Now, this new Government intend to reverse that trend and introduce a national minimum wage, which will be a saviour for low-paid workers.

Rev. Martin Smyth: The Minister has included Northern Ireland in his remarks so, as an elected Northern Ireland Member, I do not think that I can be criticised for pressing the point. I trust that the Low Pay Commission will not be following our American cousins and recommending the lowest minimum wage.

Mr. McCartney: The Low Pay Commission was in Northern Ireland this week, taking evidence. Its task

is that, by the end of May next year, it must make proposals for the establishment of a national minimum wage. At that stage, we shall consider its proposals. Surely the most important point is that, within 90 days of the general election, we established the Low Pay Commission, which is now out in the country taking evidence and working with low-paid workers and employers to try to formulate proposals for the introduction of a minimum wage.

Radio Spectrum

9. **Mr. Ben Chapman:** If she will make a statement about her Department's policy towards maximising efficient use of the radio spectrum. [15398]

Mrs. Roche: The Government are committed to the efficient use of the radio spectrum resulting in the creation of wealth, competition, quality and choice, benefiting operators and consumers alike. The Wireless Telegraphy Bill currently before the House includes a number of new powers to improve spectrum efficiency.

Mr. Chapman: I thank my hon. Friend for her response. Does she agree that this is yet another example of practical action by the Government in new technology? Will not that action benefit the whole economy? Does not this Government's action contrast starkly with the view of the Opposition who, through indecisiveness and backsliding, have managed to take two different views on the matter, one when in government and the other when in opposition?

Mrs. Roche: I agree with my hon. Friend. The Bill will provide the spectrum management tools to keep the United Kingdom at the leading edge of the information revolution. Our action contrasts with that of the Opposition, who have made a number of reverses on the Bill. When they were in government, they introduced a White Paper and also included proposals for the Bill in their manifesto at the general election. When we introduced the Bill in the other place, they welcomed it—but when it came to Second Reading in this House, the right hon. Member for Wokingham (Mr. Redwood) denounced it and pledged vehemently to oppose it. However, in Committee last week, the hon. Member for Sevenoaks (Mr. Fallon) described it as a modest Bill and not of deep political controversy. I am looking forward to the Opposition's next U-turn on Third Reading.

Mr. Gray: Does the hon. Lady agree that, in reality, the Bill represents a tax increase of £1,500 million?

Mrs. Roche: Absolutely not. That is an incredible suggestion given that the proposals were not only in the Conservative party's manifesto—I assume that the hon. Gentleman stood on that manifesto—but were trumpeted by the former President of the Board of Trade. The Bill is not a tax-raising measure and it has been warmly welcomed by industry.

I understand that the hon. Gentleman has no stomach for the fight. On Second Reading, the right hon. Member for Wokingham said that the Opposition would keep us in Committee for months. I am glad to tell the House that the hon. Member for Sevenoaks gave up the fight after one week.

Private Shareholdings

10. **Mr. John M. Taylor:** If she will make a statement on the actions Ministers in her Department have taken to avoid conflicts of interest relating to private shareholdings. [15399]

Mr. Ian McCartney: Department of Trade and Industry Ministers have acted in accordance with guidance in paragraphs 109 to 123 of the ministerial code, which provide a number of alternative options for avoiding conflicts of interest relating to private shareholdings.

Mr. Taylor: Why does the Minister not just say what shareholdings Ministers hold or have recently held, so that we can conclude which of them are disqualified from what?

Mr. McCartney: Ministers have fully complied with the high standards set in the ministerial code. They have avoided conflicts of interest using options in the code. The difference between Labour Ministers and the Tories is a simple one: we are squeaky clean, but they are just squeaky.

Mr. Redwood: The Minister will not answer the questions today, and the President of the Board of Trade never answers them. She has had to go all the way to Australia to ensure that, today, she is not put under pressure on those questions—so breaking another rule of the ministerial code, which states that, when Parliament is in session, Ministers should not go abroad on Cabinet day. She is running scared down under. Why will the Minister not now tell us the answer to a very simple question: which companies, issues and industries each DTI Minister cannot handle because of a present or past shareholding, or a present or past prejudice? He should tell the House and the public the answer to that question, because they need to know who—if anyone—is conducting business in the DTI.

Mr. McCartney: True to form, the right hon. Gentleman is shooting from the lip. He has tabled 70 questions on all conceivable details of the positions held by Ministers—but he knows the position. Ministers have complied fully with the high standards set in the ministerial code.

Mr. Redwood: Answer.

Mr. McCartney: I am answering. Ministers have avoided conflicts of interest by using options in the code. The shadow Minister has failed comprehensively to get running an allegation and scare story that is completely out of order. Lord Simon, for example, has at all times behaved with complete propriety. That was confirmed by Sir Robin Butler, the Cabinet Secretary. The Minister for Competition and Consumer Affairs, my hon. Friend the Member for Edinburgh, South (Mr. Griffiths), has a small shareholding because of a tragic accident, in which his father died. [HON. MEMBERS: "A pathetic answer."] It is absolutely correct. Consequently, my hon. Friend has acted with propriety.

When the shadow Secretary of State was Secretary of State for Wales, his wife was secretary of British Airways. He declared an interest when she, on behalf of that

company, was involved in a £100 million investment programme in Wales. He acted in the same way in which Ministers have acted. He has made no case to answer. How much further will he stoop to get a story going that does not exist?

Rolls-Royce

11. **Mr. Nicholas Winterton:** If she will make a statement on her Department's policy on the ownership of the Rolls-Royce motor car company. [15400]

Mr. Battle: The sale of the Rolls-Royce motor car company is a commercial matter for Vickers. If the sale proceeds, it will fall to be considered by the appropriate regulatory authorities.

Mr. Winterton: I am sure that the Minister is well aware of my deep commitment to manufacturing industry in the United Kingdom and the contribution that it makes to our economy and to employment. Is he not concerned that the last prestige United Kingdom car company could well pass into foreign hands, and that, if it does, decisions relating to its future expansion and employment might be affected by European regulation? Both manufacturing and employment could be taken out of the United Kingdom—out of my county, and out of the constituency represented by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). Will he take a very positive interest in the matter, to try to protect British manufacturing industry and British jobs?

Mr. Battle: I appreciate that the hon. Gentleman has expressed a passionate concern for manufacturing during his time in the House; we acknowledge that and hope he knows that we share his concern. It is not yet clear whether anyone has made a firm offer. We believe that the company is an example of engineering excellence in Britain, and we hope that that will continue to be so, whoever becomes the owner.

We are not opposed to inward investment per se, but we want the excellence of that company and its contribution to the automotive industry to continue. We are keen that any investors should maintain and develop the company's product range and safeguard the long-term interests of the work force. We shall have to wait until a serious bid is made to know whether it will have to be referred to the European Commission's merger body or whether our regulatory authorities can handle it.

Mrs. Dunwoody: Is it not a total disgrace, however, that the last remaining wholly British-owned car firm is now at risk of being taken over by German manufacturers who may or may not choose to keep that manufacturing unit in my constituency? The largest employer of the most high-quality engineers is now put at risk because of the greed and voraciousness of Vickers, which has walked away with millions of pounds of taxpayers' money without a thought for the future of manufacturing in this country and without taking any responsibility for this high-quality product.

Mr. Battle: To some extent, I agree with my hon. Friend. It is fair to say that the UK does not have an automotive industry, but there is a large car industry in Britain—it includes the whole of the supply chain and engineering excellence, and it employs many people. I can only repeat what I said to the hon. Member for Macclesfield (Mr. Winterton): no bid has yet been made for the company, although there are rumours of a bid. At the appropriate time, consideration will be given to whether to refer it to the European Commission's regulatory authorities or whether it can be dealt with here.

The story outlined by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) is the story of what has been going on for the past 20 years—restructuring. However, I would hope that the quality and excellence of our companies means that they can hold their own in the wider world.

Coal Industry

12. **Mr. Skinner:** What representations she has received about maintaining the size of the coal industry; and if she will make a statement. [15401]

Mr. Battle: We have received a wide range of representations about the future of the coal industry. Our objective is to have secure, diverse and environmentally sustainable supplies of energy at competitive prices. Deep-mined coal has a part to play in meeting this objective. Since taking office, we have taken several strategic steps to create a more level playing field for the industry to try to ensure that coal is not priced out because we remain convinced of the importance of the coal industry, which still makes a significant contribution to local economies and to the economy as a whole.

Mr. Skinner: Does my hon. Friend agree that in the three short years since privatisation, it has become apparent to all who work in the industry and many associated with it that privatisation has failed and that if we are to rescue what remains of it, it should be taken back into public ownership? In the meantime, as the Government are not likely to take that path, will they take three other steps: first, will they curb imports dramatically; secondly, will they get rid of the nuclear subsidy in its entirety; and thirdly, will they stop opencast mining and change the planning considerations that allow it? If the Government do some of these things, they will help those miners who are still hanging on to their jobs, some of whom have been threatened with the sack because they have the audacity to report accidents that happen half a mile underground. Whatever else the Minister does, if any money is going directly or indirectly to Budge, he should take a stake in the industry.

Mr. Battle: It was not just the coal industry that was privatised by the Conservatives, but the power stations, the grid system and even the means of buying electricity. In other words, the whole of the energy industry was fragmented, which is partly what caused the havoc that resulted. My hon. Friend asked what we can do—we are already doing it. In our six months in office, we have taken action by passing the Fossil Fuel Levy Bill through this place precisely to remove the advantages enjoyed by nuclear power and to tackle the import of nuclear energy from France via the interconnector. We have taken strong action to challenge the European Commission on subsidies for German and Spanish coal. I have asked for a review of the electricity pool to ensure that the playing field is not tilted against coal. We are also challenging the

gas contracts, asking the regulator to investigate whether coal is disadvantaged in that respect. We are also working hard and making a practical commitment on trying to find a way to develop clean coal technology, which would guarantee a future for deep-mined coal in Britain. Opencast is a matter for the Department of the Environment, Transport and the Regions.

Mr. Paterson: In 1992, the right hon. Member for Livingston (Mr. Cook) said that, as part of Labour's policy for coal, no more licences would be issued for gas-fired power stations. Why has BP recently been issued with a licence for a substantial gas-fired power station?

Mr. Battle: A number of power station application consents were under consideration at the time of the general election. There were 25 close to completion. Some have been granted; others are still in the pipeline. The Conservative Government let through 44 gas-fired power stations. The policy was that each should be decided on its merits, after consultation with local communities. That remains our policy. There was no preferential treatment for BP. Some companies are complaining that we are not processing the rest fast enough.

Mr. Tipping: Did not the previous Government privatise the coal industry and the electricity industry? If there are difficulties with the new contracts expiring on 31 March, is not the problem the fact that the whole industry is in the private sector and the Minister has very limited opportunities to intervene to save the coal industry?

Hon. Members: Buy it back.

Mr. Battle: Conservative Members shout, "Buy it back." At the time, they were shouting, "Sell it." The hon. Member for Sevenoaks (Mr. Fallon), who sits on the Opposition Front Bench, was once the parliamentary private secretary to the Secretary of State for Energy. He has said on television, "With hindsight, we privatised things in the wrong order. Perhaps we ought to have privatised the coal industry first. It should be run like a business and I wish we would hand it over to a great mining company in this country like RTZ. It is all about going out and finding the cheapest source of power, not about employing people in mines." How can the Conservatives complain about employment in the industry?

My hon. Friend the Member for Sherwood (Mr. Tipping) is right. I am not party to the discussions between the private companies and the power stations. I encourage them to get on with those discussions. I understand that there has been more encouraging news in recent weeks, despite the talk in the press. RJB is negotiating with Eastern Electricity and National Power. I wish the company well in its negotiations with PowerGen. I hope that those power stations will buy deep-mined coal from RJB and ensure the continuation of Britain's deep-mined coal industry.

Mr. Redwood: Will the Minister give a clearer answer on his policy on the dash for gas? In opposition, Labour said that it would stop the policy to protect the British coal industry. How much capacity will he licence? How many pits will that destroy? Is it not true that the only major plant that he has licensed is the BP plant and that at least 25 others are awaiting a decision? Why the different treatment?

Mr. Battle: There is no different treatment. Others have been accepted. The BP application was one of the first ready for a decision after the election. Seven applications have been determined since the general election, one of which involved the use of orimulsion in Pembroke. We referred that to a public inquiry because we did not think that it should go forward without one. The company then withdrew the application. There is no set timetable for completing consideration of the applications. Each one is considered on its merits against the background of section 36 and section 37 consents. In assessing those applications, we have to address local issues and ensure consistency with our wider objectives of secure, diverse and sustainable supplies.

Mr. Redwood: How many are there?

Mr. Battle: There are another 27 in the pipeline. I am prepared to read the right hon. Gentleman the whole list. His allegation that the BP application was the only one accepted is not true.

We are trying to encourage applicants to consider combined heat and power schemes so that we can have more thermo-efficient energy generation. That is one difference from the Conservatives' policy that we have decided on in order to conserve energy.

European Structural Funds

13. **Mr. Andrew George:** What progress is being made in the designation of United Kingdom regions for the latest round of European objective 1 aid. [15402]

Mrs. Roche: On 16 July, the European Commission published some suggestions for the future of structural funds after 1999 in its communication "Agenda 2000". We expect the Commission to publish detailed proposals next year, which will then need to be negotiated in the Council of Ministers and approved by the European Parliament. The final regulations will determine how individual regions and areas become eligible for structural funds.

Mr. George: I thank the Minister for that helpful reply. What assurances can she give the people of Cornwall and other regions with economic and structural difficulties that negotiations on the designation of NUTS—nomenclature of units for territorial statistics—level II regions will be brought to a speedy conclusion? Is she prepared to prioritise potential objective 1 regions on the basis of need? Is she prepared to recognise that the future of economies such as Cornwall's, which has suffered a great deal, very much depends on a speedy and effective conclusion to the negotiations?

Mrs. Roche: I recognise the hon. Gentleman's concern and I recognise that Cornwall, like many other UK areas, faces specific economic and social issues. The Government's statistical service examined United Kingdom boundaries used for European regional statistics because of recent local government changes and made

proposals to Eurostat for changes during the summer. One proposal was to separate Cornwall from Devon at NUTS II level. The Government's statistical service is still in discussion with Eurostat. The hon. Gentleman will also be interested to know that the United Kingdom is pushing the Commission to take into account gross domestic product in assessing eligibility for structural funds.

Mr. O'Neill: I am grateful to my hon. Friend for the clarity with which she has expressed the Government's concerns. Will she go beyond the issue of the map and tell us whether there is any prospect of the sums involved in attracting industries into the United Kingdom being reviewed? I understand that they have not been looked at since the 1980s. It has been suggested that the figures—£17,000 for objective 1 areas and £6,000 for objective 2 areas—are out of date and put us at a disadvantage compared with other parts of the European Union. Will the Minister look at the sums involved, as well as the map, because they are important in influencing where companies invest?

Mrs. Roche: I assure my hon. Friend that the United Kingdom is looking for fairness and equality in the process. We also want to ensure that the procedures are as fair and as simple as possible so that there can be a clear understanding of the policies.

Competition

14. **Mr. Hanson:** What measures her Department is taking to promote competition. [15403]

The Minister for Competition and Consumer Affairs (Mr. Nigel Griffiths): The Government's commitment to competition is demonstrated by the introduction of the competition Bill, with new laws to focus on genuinely anti-competitive behaviour. It will remove the current bureaucratic laws on cartels. The Confederation of British Industry has welcomed our broad approach.

Mr. Hanson: Does my hon. Friend agree that the competition Bill will ensure that companies that face anti-competitive behaviour will have a stronger hand in tackling the problem? Will he confirm that the Bill will bring us into line with our European partners? What do consumer groups feel about the Bill? I am sure that they, too, will welcome it.

Mr. Griffiths: I can give my hon. Friend the assurance that he seeks. We have received more than 160 responses to our consultation document. Our approach has attracted broad support across the spectrum from businesses, from consumer organisations and from competition practitioners. The Bill will create the right conditions for the success of British businesses in the global marketplace.

Mr. Bercow: Will the Minister give the House a guarantee that he will protect local pubs, petrol stations and newsagents from the threat to their trading that the competition Bill poses?

Mr. Griffiths: I think that we all noted that a note was passed to the hon. Gentleman by the right hon. Member for Wokingham (Mr. Redwood). The hon. Gentleman would have done well to have read the Bill and followed its proceedings in the Lords. If he had, he would know that he has just raised a red herring.

Mr. Bercow: Answer.

Mr. Griffiths: I am answering. This is part of the clear smear that the Conservatives have mounted to frighten small businesses and others. There is no truth in his allegation.

Mr. Prosser: I welcome yesterday's announcement by the President of the Board of Trade of the decision to allow the setting up of a merged ferry company, which will provide better opportunities for ferries sailing from my home port of Dover to compete with the channel tunnel. Is my hon. Friend aware that, if the proposals had been rejected, it would have caused far more redundancies than the 1,000 faced by my constituents? Does he understand the anger felt by people in Dover when they see a bankrupt channel tunnel, with £8 billion-worth of debt around its neck, continuing to steal trade from the successful ferry fleet and destroy jobs in Dover?

Mr. Griffiths: I shall of course pass my hon. Friend's welcoming comments to my right hon. Friend the President of the Board of Trade.

Mr. Breed: Will the Minister consider introducing measures similar to those in other European countries which would prevent retailers from selling their goods below a certain level in order to protect and enforce fair competition?

Mr. Griffiths: We have no plans at the moment to introduce such measures. We are guided by the key principle that competition should be fair and should be seen to be fair.

Mr. Gardiner: I am grateful for my hon. Friend's remarks about promoting competition, and especially about the way in which small and medium-sized enterprises should be supported as opposed to larger public companies. Will he investigate a contract which I understand is being tendered this week for the DTI export sales leads service? Will he particularly examine the way in which his Department has dealt with the Cequel Link consortium in my constituency, which has tendered for the project but seems to have been met on most occasions by civil servants who were keen to question the capacity of a consortium comprising small and medium-sized enterprises to run the service, rather than to consider the substantive nature of the positive aspects of the bid? This is an extremely important matter to my constituency.

Mr. Griffiths: I have listened with care to my hon. Friend. My colleagues and I will certainly give careful consideration to any further evidence that he cares to submit.

Mrs. Gillan: Given that when considering competition issues the President of the Board of Trade should listen

to all sides of the case before reaching a conclusion, why did the Minister for Competition and Consumer Affairs tell the *Sunday Mirror* on 31 August that he was going to slash the prices of electrical goods more than two weeks before the consultation period on electrical retailing was completed, thereby prejudging any outcome? Has he not totally undermined the President's obligation impartially to consider all representations on competition matters and totally destroyed the industry's confidence in that impartiality? The Minister has already stood aside from three competition inquiries. Will he now stand down from all competition matters to save any further embarrassment?

Mr. Griffiths: It is a shame that we spend a great deal of time ensuring that the hon. Lady gets copies of DTI press releases. If she had read my right hon. Friend's welcoming comments about the inquiry, she would know that the usual procedures were followed in full and that my right hon. Friend will be considering the matter objectively, as ever. It was interesting to note that the hon. Lady contacted officials at the Department of Trade and Industry twice this week to find out how the procedures worked. I should have thought that someone of her experience—a senior Front-Bench spokesperson—would have known that. Perhaps she should come in for a seminar. I offer her the opportunity.

Exporters

15. **Ms Keeble:** What measures her Department is taking to support British exporters. [15405]

Mr. Nigel Griffiths: As well as the measures that my hon. Friend the Minister for Small Firms, Trade and Industry described earlier, the Department of Trade and Industry sponsors the overseas trade services, export development counsellors and a range of other pro-business measures.

Ms Keeble: I thank my hon. Friend for that answer. What is he doing to encourage small firms, especially those that do not currently export—which includes about 85 per cent. of the firms in Northamptonshire? Is he prepared to encourage closer links between the overseas trade services of the Department and business links, which have become well established in Northamptonshire and had some success in gaining export orders?

Mr. Griffiths: My hon. Friend is an ambassador for business links. The Department of Trade and Industry has funded export counsellors and 75 are in place in business links. The one in Northamptonshire works with a strong international team and benefits from invaluable expertise from the chamber of commerce.

Home Detention Curfew

3.30 pm

The Secretary of State for the Home Department (Mr. Jack Straw): With permission, Madam Speaker, I should like to make a statement about an extension of the electronic monitoring—or tagging—of offenders.

On 30 July, I announced to the House a number of measures, building on our manifesto commitments, to protect the public and to establish a criminal justice system that is fair, swift and effective in tackling crime and disorder. Many of the measures—including new community punishments—will be provided by the crime and disorder Bill that will come before Parliament shortly. Others, such as automatic life sentences for second-time serious sexual and violent offenders and seven-year mandatory minimum sentences for drug traffickers, were brought into force on 1 October. Work is also in hand to bring the Prison Service and the probation service closer together.

The Government are pledged to be tough on crime and tough on the causes of crime. Ex-prisoners are plainly much less likely to reoffend if they have settled into work or if they are actively looking for a job or have a clear prospect of a job. The welfare-to-work programme will guarantee every young person who has been out of work for more than six months the opportunity to work or train. I have ensured that ex-offenders are targeted as a special group within the welfare-to-work programme.

Protecting the public and maintaining public confidence in the criminal justice system are my primary goals. Prison must be used for serious and persistent offenders. That is why I discharged our manifesto commitment to audit the resources of the Prison Service. As a result, I have provided an extra £43 million to help with the additional population pressures that we inherited and which were not adequately funded by the previous Administration. Since May, the prison population has risen by more than 3,400 to 63,000, an increase more than double the April 1997 predictions of my predecessor. To cope with that increase, I have authorised the building of four new prisons to provide an additional 2,400 places.

We must also give the courts a wider range of options on tough community punishments in which they—and the public—have confidence. Those can now involve greater deprivation of liberty by the use of new technology. Therefore, I am setting out today, to the House and to the public, new action that I am proposing in the use of tagging.

It may be helpful if I give some of the background information. Over the past 10 years, there has been much interest in the use of electronic tagging to provide 24-hour supervision of offenders who have been curfewed. The first trials, in 1989, which were of curfews imposed as a condition of bail—not a sentence—were not a success. The equipment simply did not work as intended.

The Criminal Justice Act 1991 provided for a new penalty of a curfew order enforced by electronic tagging. The previous Government delayed the implementation of those provisions until 1995, and then only introduced them in three trial areas—Norfolk, Greater Manchester and Berkshire.

On Tuesday, I published the report of the second year of the trials. To begin with, sentencers were very cautious about using their new powers, and only 83 orders were made in the first year. However, as it became clear that the equipment really did work, and that the orders were effective, more and more use was made of them. In the second year, 375 orders were made. In the last four and a half months alone, a further 269 orders have been made.

There are three reasons for the increase in sentencers' confidence in tagging. First, the equipment has proved absolutely reliable. When an offender is tagged, it really is possible to tell, second by second, whether he or she is complying with the curfew. Not only are absences instantly noted, but any attempt to tamper with the equipment is detected immediately.

Secondly, the two contractors have performed well. Every violation of the curfew conditions is followed up by properly trained and managed staff.

Thirdly, sentencers are using tagging as a high-level penalty, in many cases for offenders who might otherwise have been sent to custody.

Therefore, it is clear that the technology can offer substantial benefits for victims and the public. The trial areas for curfew orders made under the provisions of the Criminal Justice Act 1991 are now being extended into four new areas: West Yorkshire, Cambridgeshire, Suffolk and the Middlesex probation area, which covers the London boroughs of Barnet, Brent, Ealing, Enfield, Haringey, Harrow, Hillingdon and Hounslow. In addition, from January 1998, in the pilot areas of Greater Manchester and Norfolk, the courts will be able to impose a curfew order, enforced by tagging, as a community punishment on 10 to 15-year-olds, on fine defaulters who would otherwise be sent to prison, and on persistent petty offenders.

I turn to how I propose to use electronic tagging in respect of those who have been in prison and are very near to the end of their sentences. Those who are sentenced to prison typically have lived disordered, irresponsible lives. They are poor at making sensible decisions about their own futures or those of their families. In prison, of course, they do not have to. However, the moment prisoners come out of prison, they have to make critical decisions about what they do with every moment of the day; whether they drift back into crime, and into the company of their criminal associates, or whether they try to bring order into their lives.

Tagging has a key role to play here. If prisoners who are serving short-term sentences are tagged towards the end of the custodial period of their nominal sentence, they can be given the opportunity to structure their lives more effectively and be swiftly brought back to prison if they breach the tagging conditions.

The research into the first year of the trials showed that offenders see curfews enforced by tagging as a very severe restriction of liberty—just as magistrates and judges do. Some offenders have said that they found that the self-discipline required to complete such a curfew order made it harder than prison. Tagging also provides opportunities for offenders to take proper responsibility for working or looking for work, for keeping their families together and for maintaining self-control.

The case for introducing an element of tagging into the last part of a short-term prison sentence is very strong in any event, but it has been reinforced by the recent rise in the prison population. No one wants to see an unnecessarily overcrowded prison system, and it would be the height of irresponsibility not to take advantage of

modern technology to help prevent that. The alternatives are bound to be at the expense of constructive prison regimes, and at the expense of improving the prisoners' prospects for resettlement—in other words, at the expense of the law-abiding public.

Therefore, I have decided to seek Parliament's approval to impose electronic monitoring on selected short-term prisoners in the last two months of their sentence. The orders will be called home detention curfews, and the relevant powers will be sought in the forthcoming crime and disorder Bill.

Home detention curfews will be available for prisoners who have received sentences of more than three months' but less than four years' imprisonment. They will be tagged for between two weeks and two months, according to the length of their original sentence. Currently, under the Criminal Justice Act 1991, such prisoners are automatically released at the halfway point of their sentence. All those prisoners will in any event shortly be back in the community.

There will be no automatic entitlement to tagging. The Prison Service will in each case conduct a risk assessment. If the prisoner fails it, he or she will continue to serve the sentence in prison until its halfway point, as now. The prison governor will set the place and times of curfew, in consultation, where needed, with the probation service. It will usually be 12 hours a day and could be more, but will in no case be less than nine hours a day.

That will enable the prisoner to have a specified period each day in which he or she can adjust to living in the community, while still facing a restriction on liberty for a major part of the same day. The curfew conditions will be in addition to the supervision requirements with which anyone with a nominal sentence of 12 months or more must comply.

If a prisoner breaches the conditions of the home detention curfew, he or she can immediately be returned to custody. As with the present trials of curfew orders enforced by tagging, the monitoring will be provided by private sector contractors, and there will be an invitation to tender in due course. Our aim is for the scheme to be operational in 1999.

At the heart of all my policies as Home Secretary is my commitment to provide better protection for the public and for the victims of crime. I am ready to use every measure at my disposal to honour that commitment. We now have a real opportunity to use modern technology to provide a much better transition for carefully selected prisoners from prison into the community. With the support of Parliament, I intend to take that opportunity.

Sir Brian Mawhinney (North–West Cambridgeshire): I thank the Home Secretary for his courtesy in letting me have an early view of his statement.

Seldom has the House listened to more verbiage to disguise such a massive U-turn in Government policy. I want to apologise to the Home Secretary, because in our debate on policing in London last Friday I suggested that he was only part owner of his job and that he shared it with the Chancellor of the Exchequer; I was wrong: the Chancellor now sets Home Office policy by himself, and the Home Secretary simply does what he is told.

"Tough on crime" never meant anything, given the Labour party's record in opposition; now its meaning is clear: it means soft on criminals. New Labour's language means anything that it decides that it will mean. According to the Home Secretary's statement, being tough on crime means being willing to put the public at risk in order to save money.

I welcome the Government's conversion to the importance of tagging. Why is the Home Secretary now in favour of tagging, when only a few years ago his party said that tagging was

"a dangerous and irrelevant concept . . . wrong in principle. It has enormous implications for civil liberties".—[*Official Report, Standing Committee A*, 18 December 1990; c. 274.]?

Will he confirm that this is another U-turn by his party and that tagging was an initiative of the previous Government in the context of sentences imposed by the courts?

How many prisoners does the Home Secretary expect to be freed each year if his proposals are enacted? How much saving in public expenditure does he expect to achieve? Will he confirm that that money will be clawed back by the Treasury? He mentioned victims, in passing, only twice, brazenly suggesting that this move would add to their protection. How exactly will victims feel more reassured and safer after the early release of offenders from prison?

In this country, courts decide sentences in individual cases. Will the Home Secretary confirm that he plans to breach that principle by substituting governors' judgments for those of the courts? If the Home Secretary wishes to assist criminals to re-enter society—that is a laudable wish shared by both sides of the House—why has he decided to release them two months early with tagging, rather than amend the law to require that they are tagged for the first two months after their release? We all know the answer—the Chancellor of the Exchequer has told him to save money.

The Home Secretary says that the Prison Service will conduct a risk assessment in each case. Who is the Prison Service in this context? Is it prison officers? Is it their union? Is it governors? Is it bureaucrats? Is it Mr. Tilt? Is it the Prisons Minister? Who is it? Who will be responsible to the House when the curfews are broken?

Given the limited nature of the tagging pilots thus far, and of those proposed, how will the Home Secretary reassure people throughout the country that they can have confidence in an untested scheme?

The Home Secretary has consistently refused to put in place mandatory minimum sentences of three years for career multiple burglars. Will he confirm that such criminals will be eligible to take part in the scheme, providing, of course, they have not been sentenced to more than four years? Will he confirm that violent and sexual offenders sentenced to four years or less will also be eligible to take part in the early release scheme?

Will the Home Secretary also confirm that most people sentenced to six months—who would usually serve only three months—by the courts, will, with time on remand and this scheme, effectively be able to walk free from the court, despite its decision that they should serve six months? How does he believe that that will reassure the public? Indeed, will he confirm that he does not believe in honesty in sentencing?

Today, we have seen a significant shift in this country's penal policy—from the victim to the criminal—and all to save the Chancellor of the Exchequer some money.

[Sir Brian Mawhinney]

We will not take any more moral lectures from the Home Secretary or the Prime Minister. We will recall the Home Secretary's complacency in the face of crime rates, which are a continuing worry, as he himself said only the other day. Crime rates are coming down as prison numbers are going up—a trend which he is determined to reverse, not because he believes in it, because I do not believe that he does, but because he has been told to get up and say so by the Chancellor of the Exchequer. I tell him now that when this bit of the crime and disorder Bill comes before the House, we will resist it.

Mr. Straw: The right hon. Gentleman asked me whether I believe in honesty in sentencing. The answer is yes, but he obviously believes in confusion in response. There has rarely been a more muddled response to any statement in the House since I have been a Member.

The right hon. Gentleman said that crime rates are a continuing worry. One might put that much stronger: in 18 years of a Conservative Administration, of which he was an adornment, we saw crime double. Despite the welcome modest falls in crime, his Government's record made crime victimisation levels in England and Wales the worst of any of 18 industrialised countries. Britain became a very much less safe place when his Government were in office.

I shall do my best to answer the few coherent questions that the right hon. Gentleman asked. He asked me about the numbers likely to be affected. That depends on a number of assumptions, especially about the risk assessments made by prison governors, which relates to his fifth question to which I shall come in a moment. If about half of those who would be eligible for this arrangement are granted home detention orders, the effect on the prison population in a year will be about 3,000. I shall be happy to provide him with further details if he wishes.

The right hon. Gentleman asked about savings in public spending. I have already pointed out that the public spending plans for the Prison Service, which he endorsed as a member of the previous Cabinet, did not provide sufficient funds even for prisoners entering the service on 1 May. As a result of that, I have had to arrange for an additional £43 million—resources which his Government never found—to pay for additional places, as well as order four new prisons. Waffling rhetoric about protecting the public or empty prison places sounds extremely hollow when set against the fact that his Administration, had they remained in office, would not have provided the prison places that I am providing. That is the truth—that is the reality written down in his own public spending plans.

The right hon. Gentleman asked about the additional protection that will be given to victims. I should point out that we are acting very differently from his Administration, who—contrary to what he said—suddenly in 1987 decided to change the parole rules and thereby secured the release of many thousands of prisoners, without any protection for the public. There is a world of difference between a prisoner being released on to the streets and a prisoner who is subject to curfew in the last two months of his sentence. Lord Hurd, a former Home Secretary, said in a lecture yesterday:

"Virtually all prisoners come out of prison. The public safety is put at risk if on release they are even less qualified to get a job and lead a law-abiding life than when they were convicted . . . Security is not just a matter of walls and wires."

That is something which the right hon. Gentleman should remember.

The right hon. Gentleman asked whether this is a breach of the principle of the court deciding. It is not, and I have already referred to the decision taken by his predecessor in 1987. By the way, some of us remember that last summer—before the right hon. Gentleman moved to home affairs—his predecessor let out 500 prisoners, simply by mistake. There was no decision taken—not by the court or even by the Home Secretary.

The right hon. Gentleman asked who would provide the assessment. I have made it clear that it will be made by the governor. He asked who will be responsible for that—an interesting question, given the years of evasion about who was responsible for the Prison Service. The first decision that I took in respect of the Prison Service was that I would be responsible. I am responsible and I shall be not only answerable to the House, but responsible if the scheme goes wrong. I have confidence in the scheme—it is not untested.

The right hon. Gentleman asks about time on remand. Again, we need no lectures about the length of time prisoners spend on remand. Thanks to the huge delays that his Administration built into the system, many prisoners spend not two or three months, but six months, nine months, a year, or more, on remand. We are making arrangements for the scheme not to apply where a prisoner has been on remand and is given a sentence by the court that would amount to his immediate release.

Lastly, I ask the right hon. Gentleman to read a tract about the Conservative record by his hon. Friend the Member for Havant (Mr. Willetts), a shadow employment spokesman, who wrote:

"The criminal justice system"—

that is, the Conservatives' criminal justice system—

"too often operates like a classic bad parent".

That is exactly how it operates—by the way, the title of the tract, published since the election, is "Is Conservatism Dead?"

Mr. Ross Cranston (Dudley, North): I welcome my right hon. Friend's statement and regret the response of the right hon. Member for North–West Cambridgeshire (Sir B. Mawhinney). My right hon. Friend will know that the Select Committee on Home Affairs is shortly to begin an inquiry into making community sentences more effective. Will he explain his views on making punishment in the community a more effective method of sentencing?

Mr. Straw: I am grateful to my hon. Friend. Making community punishments more effective and increasing public confidence in them is of critical importance if such sentences are to command public confidence and greater use is to be made of them. Tagging is one way of improving confidence in community sentences. A second way is for us to secure a better organisation of the probation service and I spelled out the detail of that in a speech to the national probation conference a week ago.

The probation service is set national standards, and some services abide by them, but the overall standard of performance is not as good as it should be. Probation services are supposed to produce pre-sentence reports in 15 days, but they do not: it takes them three weeks. In my

first two weeks in office, I came across an outrageous situation in the Uxbridge area, where community sentences were not being carried out. That was exposed by the *News of the World*. I instituted an immediate inquiry into that service, and effective disciplinary action has been taken.

We should construct effective community punishments. We should call them what they are, because "community service" is a confusing title. We must ensure that they are effectively enforced, and there is no doubt that tagging can play an important role in ensuring their full enforcement.

Mr. A. J. Beith (Berwick-upon-Tweed): Is the Home Secretary aware that electronic tagging is not a magic cure for criminality? It is merely a useful way of backing up community supervision. The probation service must have the means to provide that supervision for it to be of any value. Does he recognise that, as virtually all prisoners are ultimately released, what matters for public protection is that the regime inside the prison and any subsequent supervision are effective and lead to a prisoner's rehabilitation? That is not possible with the present vastly overcrowded prisons and the limitations that that places on the service's ability to do the job properly. Is the Home Secretary aware that the previous Government sought to give the impression that they would protect the public by locking up a record number of people for a record length of time, yet they never provided the resources for prison places on the incredible scale that that required? Will he make no effort at all to follow that dreadful example?

Mr. Straw: We all recognise that some people must be locked up, albeit for a short time, as a exemplary punishment, some must be locked up for a very long time to protect the public, and others must be locked up for the whole of their lives. Most offenders are released from prison within a short time. That is why it is extremely important to ensure that the transition from prison into the community is more effective than it is at present.

The right hon. Gentleman is right to say that if regimes are heavily overcrowded, they are less likely to be constructive. Evidence shows that the reoffending rate is higher in those circumstances, so victims are less protected.

I hope that the right hon. Gentleman will study some of the clear research evidence. An increase in the reoffending rate as a result of locking people up is not a sensible way to protect the public, even though I accept, and always have, that a significant proportion of criminals must be locked up.

The right hon. Gentleman asked whether I accept that tagging is not a magic cure. Of course, I accept that, but there is no doubt that it is an effective system and is working well. The trials in Greater Manchester had a failure rate of 17 per cent.—an 83 per cent. success rate. The failure rate in Norfolk was even less: the success rate was about 90 per cent., which is higher than the success rate of many probation orders.

The right hon. Gentleman asked me to agree that I would not provide any more resources for the Prison Service. I am providing additional resources because of the huge backlog of criminality and offending over which the previous Government presided. More serious criminals are coming before the courts, and they must be sentenced. Some of them will be sent to prison, so the prison population will continue to rise. I have provided £43 million in extra resources for this year and next year to cope with that, and have ensured that many prisons have additional accommodation. I have also ordered four new prisons.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that, like many people, we had strong reservations about this scheme when it was first mentioned in the House? Never in my wildest dreams did I imagine that there would be a pilot scheme involving 400 Labour Members running about with pagers. I think it works.

Mr. Straw: My right hon. Friend—I am sorry, I mean my hon. Friend; I do not want to elevate him at this stage—is absolutely right. The success of the electronic media goes well beyond the treatment and care of offenders. *[Interruption.]* There is no doubt about that.

I will arrange for my hon. Friend the Member for Bolsover (Mr. Skinner) to be given a pager on a trial basis.

Mr. Skinner: No, no!

Mr. Straw: My hon. Friend will be returned whence he came if he breaks the trial.

That gives me a cue to reply to a question that the shadow Home Secretary asked me, to which I omitted to reply. The right hon. Gentleman asked about our previous position. We were sceptical about tagging when it started—as were plenty of others—and, what is more, we were right to be sceptical, because the original trial failed comprehensively. Let me make it clear, however, that we supported the scheme when we were in opposition. During our consideration of the Crime (Sentences) Bill last year, the right hon. Member for Penrith and The Border (Mr. Maclean) thanked the Under-Secretary of State for the Home Department, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), for agreeing that

"electronic tagging, although not a panacea, has a part to play."—[*Official Report, Standing Committee A*, 28 November 1996; c. 223.]

Mr. Graham Brady (Altrincham and Sale, West): I trust that electronic tagging of Labour Members will contribute to their early release.

On a serious note, does the Home Secretary agree that if someone is robbed in the street, a woman is raped or a child is abused, it makes no difference whether the attacker is tagged or not? Will the right hon. Gentleman reassure the House and the public that no violent or sexual offender will be released early because he has taken part in the electronic tagging scheme?

Mr. Straw: I understand the hon. Gentleman's point. The evidence suggests, however, that the tagging system, which will involve a curfew of at least nine hours during the period when people are most likely to commit criminal offences—in the evening and at night; the period is typically 12 hours, but in some cases it is longer—can be very effective. It has been used effectively in respect of some serious sexual offenders on their release from prison.

[Mr. Straw]

The arrangement will apply only to short-term prisoners. I accept that some may be in the categories that the hon. Gentleman mentioned, but there will be a risk assessment in every case. If an individual has a clear propensity towards violence or the commission of sexual offences, it is very unlikely that he will be released on those terms.

An important part of the scheme, which I think will make it much more enforceable than it would be otherwise, is that not only will an offender who breaks the tag face the immediate prospect—not only the risk—of being taken straight back to prison, but, when he gets there, he will be at the basic entry level to prison regimes, rather than at the enhanced level at which he would typically qualify for risk assessment.

Ms Hazel Blears (Salford): As I represent one of the areas in which new prisons are likely to be built, I obviously have a great interest in trying to reduce pressure on overcrowded prisons. The people of Salford would welcome a reassurance from my right hon. Friend that his proposals will not result in the release of dangerous prisoners into the community, and that there will be intense supervision of those who are subject to the proposed measures. Will he give that reassurance? Local people need to be reassured that their communities will continue to be safe.

Mr. Straw: My hon. Friend is exactly right: the measures will not result in the release of dangerous offenders. They may result—I hope that they will—in more prisoners who are released going straight, getting jobs and finding a way of leading more orderly lives.

Let me also tell my hon. Friend, whose constituency I know well, that Salford has been ravaged by crime, particularly crime committed by youngsters who are out of control. I believe that the introduction of tagging in the other contexts that I have mentioned—as part of a sentence—will make a big difference in assisting the community in Salford, and helping the police to ensure that curfews that are imposed either as a condition of bail or as a result of a court sentence are enforced effectively.

Mr. Ian Cawsey (Brigg and Goole): I welcome the statement. As one who spent the last four years chairing Humberside police authority, I know that police authorities, as well as probation services and prisons, will also welcome it, although they will be a little saddened—if not surprised—by the Conservatives' hostility. They will not be surprised, because of the way in which earlier Governments have treated them during the past few years.

Does my right hon. Friend agree that tagging is a positive step for the reintegration of offenders and an effective tool for dealing with anti-social behaviour, which blights the lives of thousands of people and was completely ignored by the previous Government? Does he further agree that tagging is an effective way to get people early release from prison and a much more effective policy than that of the previous Government which, if I recall it right, was pre-senile dementia?

Mr. Straw: My hon. Friend is right. Tagging is a positive measure and an effective tool for anti-social behaviour. One of the issues that frustrate the police most about offenders who have been given custodial sentences is not knowing where they are at particular times of the day or night. Tagging ensures that the police and the contractors can track their behaviour. Above all, it should ensure, as many offenders now acknowledge, that offenders can begin to lead orderly lives in the community. Prison is necessary, but the problem is that it does not teach decision making for the kind of decisions that offenders have to take when they come out.

Mr. Owen Paterson (North Shropshire): Having boldly stated his full responsibility for the Prison Service, will the right hon. Gentleman assure the House that he will resign if any criminal who has been convicted of a serious violent crime escapes from prison or breaks his tag?

Mr. Straw: I am going to decline the invitation. I do not think that any prisoner who has been convicted of a serious sexual offence will in any sense be a candidate for this kind of system.

Mr. Tony McNulty (Harrow, East): I welcome the statement. Will my right hon. Friend ensure that public confidence-building measures, which are crucial to all effective community sentences, are in place? Does he agree that we might be better served by far by the Conservative party—[HON. MEMBERS: "Reading."] What am I reading? The floor? *[Interruption.]* I shall continue when the children have settled down. We might be better served if, rather than indulging in the politics of the gutter, the Conservative party helped us in the fight against crime in those confidence-building measures to ensure that we benefit the entire society and that tagging is a success.

Mr. Straw: My hon. Friend is more optimistic about the quality of the Opposition than I am. I do not see much prospect of the Conservative party becoming constructive. There is an obvious answer to the question that was posed by the hon. Member for Havant in that excellent tract which I recommend to all Conservative Members, "Is Conservatism Dead?" The answer, as we have seen from today's episode 15 of the serial, is yes.

It is crucial that public confidence in community punishments is increased. One of the ways by which we aim to increase it is by the use of demonstration projects, one of which is being undertaken in Shropshire. They aim to provide the sentencers, magistrates and Crown court judges with far better information about the effectiveness of community punishments than they currently receive.

One of the major problems at all levels of the criminal justice system is that it operates in self-contained, hermetically sealed compartments with insufficient information being transmitted from one part to another.

Ms Beverley Hughes (Stretford and Urmston): Does my right hon. Friend share my disappointment at the response of Conservative Members which does not seem to be based on the findings of the research into trial areas? Among other things, they showed a high degree of control of offenders who were subject to electronic monitoring. Moreover, they showed a great deal of confidence by sentencers in using the system as an alternative to custody.

Does my right hon. Friend expect, as I do, that the proposal may show itself to be a much more effective transition from prison to the community and that it will

enable people to avoid offending in future? Is he aware that I understand that all Conservative Members are also to be issued with electronic monitoring equipment? Can he arrange a risk assessment for each of them?

Mr. Straw: On the last point, I take what my hon. Friend says as true. The only difference between our system and the Conservative party's system is that ours works—the Conservatives' will not.

My hon. Friend comes to this issue with much professional experience in dealing with offenders, and her wisdom needs carefully to be listened to. If we are to make this country safer, the crucial thing is, first, to punish offenders, but, secondly, to do our best to ensure that they lead more orderly lives. One way—it is only one—in which we can do that is to secure for short-term offenders a better transition between prison and life outside through electronic tagging.

Business of the House

4.10 pm

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): With permission, Madam Speaker, I wish to make a statement about the business for next week.

MONDAY 24 NOVEMBER—Conclusion of consideration in Committee of the Greater London Authority (Referendum) Bill.

TUESDAY 25 NOVEMBER—Second Reading of the European Parliamentary Elections Bill.

WEDNESDAY 26 NOVEMBER—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Until about 7 pm, Third Reading of the Greater London Authority (Referendum) Bill.

Remaining stages of the Special Immigration Appeals Commission Bill *[Lords]*.

Consideration of Lords amendments to the Plant Varieties Bill.

THURSDAY 27 NOVEMBER—Consideration in Committee of the European Communities (Amendment) Bill [First Day].

FRIDAY 28 NOVEMBER—Private Members' Bills.

The provisional business for the following week will be as follows.

MONDAY 1 DECEMBER—Opposition Day [5th allotted day].

There will be a debate on an Opposition motion, subject to be announced.

TUESDAY 2 DECEMBER—Consideration in Committee of the European Communities (Amendment) Bill [Second Day].

WEDNESDAY 3 DECEMBER—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Consideration in Committee of the European Communities (Amendment) Bill [Third Day].

THURSDAY 4 DECEMBER—Debate on the European Union on a motion for the Adjournment of the House.

FRIDAY 5 DECEMBER—Debate on welfare to work on a motion for the Adjournment of the House.

The House will also wish to know that on Tuesday 25 November there will be a debate on biotechnological inventions in European Standing Committee B.

On Wednesday 26 November there will a debate on food law in European Standing Committee A, and a debate on harmful tax competition in European Standing Committee B.

The House will also wish to know that it is proposed that on Tuesday 2 December there will be a debate on tobacco advertising in European Standing Committee B, and on Wednesday 3 December there will be a debate on part-time work, European works councils and parental leave in European Standing Committee B.

Details of the relevant documents will be given in the *Official Report*.

I do not usually announce in advance that there will be statements in the House, but it might be for the convenience of the House if I confirm that the Chancellor of the Exchequer will make a statement on his pre-Budget report on Tuesday next week.

[*Tuesday 25 November:*

European Standing Committee B—Relevant European Community document: 10510/97, Biotechnological Inventions. Relevant European Legislation Committee report: HC 155-v (1997–98).

Wednesday 26 November:

European Standing Committee A—Relevant European Community documents: 8150/97, Food Law; 8386/97, Consumer Health and Food Safety. Relevant European Legislation Committee reports: HC 155-ii (1997–98) and HC 1550-v (1997–98).

European Standing Committee B—Relevant European Community documents: COM(97)564 and 10427/97, Harmful Tax Competition. Relevant European Legislation Committee report: HC 155-viii (1997–98).

Tuesday 2 December:

European Standing Committee B—Relevant European Community documents: 6294/97 and Unnumbered, Tobacco Advertising. Relevant European Legislation Committee report: HC 155-vii (1997–98).

Wednesday 3 December:

European Standing Committee B—Relevant European Community documents: 10230/97, Part-Time Work; 10975/97, European Works Councils; 10975/97, Parental Leave. Relevant European Legislation Committee report: HC 155-vi (1997–98).]

Mrs. Gillian Shephard (South-West Norfolk): I thank the right hon. Lady for her statement. As I said last week, it is greatly for the convenience of the House to have the draft business for the second week. I thank her also for giving information about the European Standing Committees and, in particular, the advance notice of the Chancellor's statement. That is very helpful for the House.

As the right hon. Lady may recall, last week, I expressed disappointment that the Minister without Portfolio had appeared before the House only once in the past six months and then only for five minutes. Will she please arrange for another and early occasion for the Minister to make a statement to the House, to explain his extraordinary speech yesterday to a Post Office and Civil Service College conference? Commenting on the Government's handling of what we have learnt to call the Bernie crisis, he said:

"We acted against our own principles—that honesty is the first principle of good communications".

The right hon. Lady will readily realise that such a statement was either an admission or an accusation of dishonesty on the Minister's part. Which was it? I think that we should be told.

As Leader of the House, the right hon. Lady must be aware of the extraordinary treatment of the House by the President of the Board of Trade. The right hon. Lady has not appeared in the House for a debate since June and was even absent from her Department's oral questions today, which means that she will not have answered a question in the House between July and December. Will the Leader of the House arrange for her right hon. Friend to appear in the House next week, first, to reassure us of her continued existence and, secondly, to answer questions on the duties of Ministers in the Department of Trade and Industry and to explain the issues and industries that they can and cannot handle, given their interests? Such an occasion will enable the President of the Board of Trade to explain to the House when the Minister for Trade and Competitiveness in Europe sold his shares in BP and to which charities the shares were given.

Will the right hon. Lady tell us whether there is any authority or body that can prevent a member of the House from carrying out parliamentary duties on behalf of his or her constituents? If there is not, why have we not seen the hon. Members for Glasgow, Govan (Mr. Sarwar) and for West Renfrewshire (Mr. Graham) recently? Can the right hon. Lady tell us when they were last here and explain to the House what are the rights of constituents who elected them to represent their interests in the House? In the absence from the House of their elected Members, how are those rights being safeguarded?

Will the right hon. Lady comment on the almost incredible bill—some £330,000—casually run up by the Lord Chancellor for the redecoration of his apartments? The new wallpaper alone—we must call it the people's wallpaper—cost £60,000. Is not that the world's most expensive former fat-cat basket?

Mrs. Taylor: I thank the right hon. Lady for her comments about the extra information that I have been able to give. I shall endeavour to give the House as much forward information as possible, but I hope that the right hon. Lady and others will realise that it may not be possible on all occasions.

In respect of the comments of my hon. Friend the Minister without Portfolio, I would say that I wish that Conservative Members had been as open about their funding position as Labour Members have been. Over the years, that would have saved us a great deal of trouble.

My right hon. Friend the President of the Board of Trade was absent from parliamentary questions today because she was fulfilling an engagement, the date of which was set by the previous Government, which involved opening a trade fair in Australia. The date could not be changed because the preparations had been made so far in advance. On the duties of other Ministers, it was made clear again at Question Time that there are no problems with the interests of any of the Ministers in the Department of Trade and Industry, which is what we would expect.

The right hon. Lady asked about the attendance of hon. Members in the House. I believe that that is a matter between them and their constituents.

The right hon. Lady asked about the Lord Chancellor's official residence. I think that you, Madam Speaker, will be particularly aware that only two residential apartments in the Palace of Westminster have been preserved and renovated to the standard that we would expect. The Lord Chancellor's accommodation is being changed in a way that was approved some time ago by the House of Lords Administration and Works Sub-Committee. It is a new arrangement that part of that apartment will be open to the public. We would expect work done within the Palace of Westminster to be of a high standard.

Mr. Gordon Prentice (Pendle): Is my right hon. Friend aware that on Tuesday this week the British Medical Association published a report calling for the legalisation of cannabis derivatives for medical use? The BMA described that as a landmark statement. Is not there a case for Health Ministers or Home Office Ministers to come

to the House at an early stage to tell us about the Government's response to that important BMA document?

Mrs. Taylor: I do not think that there is any reason for a statement on that matter in the near future. My hon. Friend will be aware that procedures are laid down for the testing of any potential medicine. It is always open to drug companies or others to apply for licences, and that can be done for cannabis derivatives. I think that derivatives called cannabinoids have been tested, but there have not been the proper clinical trials to support a hasty decision.

Mr. Paul Tyler (North Cornwall): Are the Government examining the various expressions of unease since the debate on Monday evening on the report of the Select Committee on Standards and Privileges—not about the verdict in that particular case, but about the methodology used? Many hon. Members think that there is an urgent need for a review.

I draw the right hon. Lady's attention to the comments of the right hon. Member for Maidstone and The Weald (Miss Widdecombe), who has suggested that a Speaker's Conference of all parties should address the issue. I am sure that the Leader of the House will accept that, in the light of the debate, hon. Members on both sides of the House are uneasy about the process of self-regulation.

Will we have an early opportunity to debate the benefit cuts that will be introduced by statutory instrument No. 1841? Has the right hon. Lady seen early-day motion 451, which has been signed by hon. Members from all parties and shows the considerable concern in the House about the matter?

[*That an humble Address be presented to Her Majesty, praying that the Council Tax Benefit (General) Amendment Regulations 1997 (S.I., 1997, No. 1841), dated 28th July 1997, a copy of which was laid before this House on 30th July be annulled.*]

Was the right hon. Lady involved in any way in the consultations with the management of the BBC on the scheduling of the Radio 4 programme "Week in Westminster", which is highly regarded by hon. Members and by opinion formers throughout the country? I draw her attention to early-day motion 458, which again, has been signed by senior Members from all parties.

Has there been any progress on the statement that we were expecting some weeks ago, and to which I referred during business questions two weeks ago, on bovine spongiform encephalopathy? The right hon. Lady will recall that my party asked the Government to set up a judicial inquiry into the shambles that occurred under the previous Government. We had hoped for an announcement by now.

Mrs. Taylor: On the hon. Gentleman's first point about the Standards and Privileges Committee, I am glad to have his endorsement of the decision that the House made on Monday night, which I felt was the right decision. I sat through the whole of the debate, so I am aware that there is unease about the methodology. However, there is also some concern, which I share, that we should not rip up the progress that we have made so far on the basis of one case, which, as I said on Monday night, I hope is the worst case with which the House has to deal.

In the first instance, it is up to the Standards and Privileges Committee to consider any changes that it may wish to recommend to the House in respect of its procedures, so we should await any conclusions that the Committee reaches.

On the hon. Gentleman's point about the early-day motion and the social security regulations, discussions will take place through the usual channels in the usual way.

In respect of the BBC, representations were made some time ago. Concern was expressed not only by hon. Members on both sides of the House, but by Madam Speaker, who tried to make progress on that matter.

On BSE, the hon. Gentleman is aware of what we have said and he knows where the blame lies for the problems that we have inherited. I shall bring his further comments to the attention of my right hon. Friend the Minister of Agriculture, Fisheries and Food.

Mr. David Watts (St. Helens, North): Can my right hon. Friend explain why the first meeting of the Deregulation Committee has not taken place? Can she say when it will meet?

Mrs. Taylor: There has been a problem with the first meeting of the Deregulation Committee. It is the practice of the House for the most senior member of the Committee to call its first meeting. Although that has not happened yet, I can tell my hon. Friend that agreement was reached this afternoon, and I think that the first meeting will be called for Monday.

Mr. Eric Forth (Bromley and Chislehurst): May we have an early debate—it might be entitled, "The Terracotta Army"—arising from the remarks made in the House last night by the hon. Member for Brent, East (Mr. Livingstone)? He said:

"I would, in the more liberal times that prevailed in my party before the election, have joined the Liberal Democrats in the Lobby in support of their amendment, which comes closest to my own views but, as Labour Members know, shortly before the election, the standing orders of the Labour party were changed so that to vote against a Labour Government is now an offence against those standing orders and leads to withdrawal of the Whip and debarment from further candidature."—[*Official Report*, 19 November 1997; Vol. 301, c. 398.]

Surely that statement raises issues of the most profound parliamentary and constitutional weight. After those remarks, surely it must be time for the House to take an interest in the matter and attempt to liberate hon. Members of all parties from the tyranny that now seems to prevail in the Labour party.

Mrs. Taylor: I do not think that my hon. Friends need liberation with the help of the right hon. Gentleman.

Ms Helen Southworth (Warrington, South): May we have an early debate or statement on the effectiveness of the summer literacy scheme, which today's report from the Qualifications and National Curriculum Authority states has demonstrably raised young people's motivation and enthusiasm for school and for reading? May we debate extending the scheme—so that it might benefit my constituency?

Mrs. Taylor: My hon. Friend raises an issue that is very dear to my heart, not least because Earlsheaton high

[Mrs. Taylor]

school in Dewsbury ran one of the pilot projects. I saw for myself the benefit that the project brought to many children—not only, as she says, in motivation, but in reading ability. The Government have said that we wish to extend the scheme and allow other children to benefit from it. Although I do not think that a statement on the scheme's success is necessary, I am sure that hon. Members on both sides of the House will want to press for schemes next year in their constituencies.

Mr. Nicholas Soames (Mid-Sussex): Last week, the right hon. Lady answered in a most dismissive manner an important question that I asked her, saying that she needed no lessons from the Conservative party. I was not trying to teach her a lesson in any sense, and I should be grateful if she answered my question in a reasonable manner. Does she not agree that for the Government to spend £750 million on the millennium dome without the sanction of or debate in the House is a monstrous, contemptible mistreatment of Parliament?

Mrs. Taylor: The hon. Gentleman should remember some basic facts, and I shall remind him of two. The first is that that type of expenditure will be audited. The second, very basic fact is that the expenditure was started under the previous Government.

Dr. Liam Fox (Woodspring): Will the Leader of the House arrange for an early debate on the workings of the Highways Agency—thereby not only allowing hon. Members to bring to light some of the problems with the M5 widening, which has caused many difficulties for hon. Members representing the south-west, but giving us a chance to investigate why the agency has allowed two years' work and £50 million of public money more for the contract than the independent consultants recommended? Important questions must be answered, as many hon. Members believe that all with that Highways Agency contract is not as it seems.

Mrs. Taylor: I am not aware of the problems with the contract or the scheme that the hon. Gentleman mentioned. He may wish to apply for an Adjournment debate or something of that type. I shall certainly bring his remarks to the attention of my right hon. Friend the Minister of Transport, because I cannot find time for a debate in the very near future.

Sir David Madel (South-West Bedfordshire): Will the right hon. Lady re-examine the exchanges on 17 November, when the Government said that they could not introduce plans to reform and improve the Child Support Agency until next year? In my constituency, public confidence in the CSA is sliding again. Moreover, as we come near to Christmas, earnings rise because of bonuses and extra overtime, providing the CSA with another opportunity to get its calculations wrong. We simply cannot go on with the agency as it is. It has had chance after chance to get it right. Cannot the Government, after nearly seven months in office, produce something before Christmas to improve it?

Mrs. Taylor: I do not know whether the hon. Gentleman was present during business questions a couple of weeks ago, when there were several requests from Labour Members for a debate on the Child Support Agency and when I expressed my own dismay at the workings of the CSA. It is something of a cheek for Conservative Members to say that we should put right in seven months the problems created by the previous Government over many years. However, my right hon. Friend the Secretary of State for Social Security is attempting to make progress on the matter and, of course, we had a debate on the problems surrounding the CSA some time ago.

Mr. Brian Jenkins (Tamworth): Will the Leader of the House find time for an early debate on reports that members of the Conservative party are to be given psychological and psychometric tests to ensure that they are appropriate candidates for Parliament? Could not that involve us in some large-scale expenditure, in view of the redundancy payments necessary for many Conservative Members?

Mrs. Taylor: My hon. Friend makes a good point. It is tempting to follow his line of thought and consider what the outcome might be, but I think it would be better if I said that the internal arrangements for the selection of candidates are a matter for the Conservative party.

Mr. Andrew Robathan (Blaby): Will the Leader of the House make time in the very near future for a debate on the purpose of the Register of Members' Interests? Given that in 1995 the now Deputy Prime Minister went to Silverstone and declared his visit, and that in 1996 the now Paymaster General went to Silverstone with his family and declared his visit, would not the Prime Minister relish the opportunity to explain why he believes that he is above the rules of the House, according to the advice that I am given, and failed to declare his visit in 1996? Would it not also give the Prime Minister the opportunity to declare the involvement of one David Ward, a professional lobbyist working on behalf of the FIA, and explain why a professional lobbyist wanted him to go to Silverstone?

Mrs. Taylor: I would hope that the purpose of the Register of Members' Interests was clear to all hon. Members. Of course, we now have a code of conduct, which should help to guide hon. Members on such matters. On the hon. Gentleman's wider point, I admitted last week that I thought that it was tempting to arrange a general debate on the funding of both political parties, and it is still very tempting.

Mr. Graham Brady (Altrincham and Sale, West): Given the Government's recent decision to refuse to hold a public inquiry into Manchester United's plans to build on 100 acres of farmland at Carrington Moss, will the Leader of the House call the Deputy Prime Minister to the House to explain the Government's new policy of not protecting green-belt land?

Mrs. Taylor: I do not think that there is scope for a debate on that matter in the near future. As I said last week, the Government are committed to their green-belt policy but, under this Government, as under the previous Government, every decision has to be considered on its merits.

Mr. Michael Fabricant (Lichfield): Will the right hon. Lady confirm her commitment to the Select

Committee system? Does she agree that Select Committees have an important role to play, on behalf of Parliament, in investigating the activities of the Executive? In that connection, will she initiate an early debate on the role of Select Committees and undertake to read the transcript of yesterday afternoon's meeting of the Select Committee on European Legislation, when the Chairman tried to gag the three Conservative Members on that Committee and prevent them from asking questions which were in order and very, very pertinent?

Mrs. Taylor: I can confirm that I think that Select Committees are extremely important. I do not think that we need a debate on their role at the moment but, of course, the Select Committee on Modernisation of the House of the Commons intends to consider how best to use the talents of hon. Members, especially on Select Committees. As for what happened yesterday, if the hon. Gentleman is saying that his colleagues were capable of being gagged, it is a remarkable admission. I do not believe that the Chairman of any Committee of the House would deliberately seek to gag hon. Members.

Mr. Phil Hope (Corby): My right hon. Friend will be aware that the Government have announced a working party to develop citizenship education in schools. Will she allow parliamentary time for a debate on the importance of promoting that, in both formal and informal education? Many young people are alienated and disillusioned and do not feel connected to the political world that we inhabit. Is it not important to encourage, wherever possible, the involvement of young people, so that they have a greater say in decisions that affect their lives?

Mrs. Taylor: I am glad that my hon. Friend welcomes the establishment of the working party. I hope that all hon. Members agree that citizenship education is an important objective for schools. I cannot find Government time for a debate in the near future, but it might be possible to debate that, along with many other issues, when we consider forthcoming education legislation. Many hon. Members might be interested in contributing to the debate on how best to deliver such education. Perhaps my hon. Friend could apply for an Adjournment debate.

Mr. John Bercow (Buckingham): Will the right hon. Lady find time next week for a statement by the President of the Board of Trade? Following the press conference earlier this year by the Minister for Trade and Competitiveness in Europe, Lord Simon, it is vital that we should be told whether he has sold all his BP shares, when he did so, what profit he made from them and to which charity or charities that profit has been donated.

Mrs. Taylor: There is no need for a statement. It is striking how obsessive the Conservatives are on that issue, mainly because they cannot come to terms with the fact that senior business men support the Labour party.

Mr. Oliver Letwin (West Dorset): Further to that question, what does the Leader of the House regard as a reasonable attitude from Ministers to questions asked in the House? Some Conservative Members have been asking for some months for clear, simple details about the timing of the sale of certain shares. Those are matters of great public import. Will the Leader of the House give us and her colleagues some guidance on the standards that should be maintained in answering such questions?

Mrs. Taylor: If questions relate to matters covered by the code of guidance to Ministers, and the permanent secretary and the Cabinet Secretary are satisfied with the procedures that Ministers have adopted, there is no need for further questions.

Mr. Desmond Swayne (New Forest, West): In an interview at the weekend, the Prime Minister expressed dissatisfaction that he could be thought capable of any wrongdoing. Will the Leader of the House provide time for a debate, so that the representatives of the people can express their apology to the dear leader and so that he might have the opportunity to explain why he alone among his co-religionists has escaped taint of original sin? Has he become a Pelagian?

Mrs. Taylor: I hardly think that that is worthy of an answer.

Mr. Owen Paterson (North Shropshire): As a new Member, I understand that my main role is to ask the Executive pertinent questions. Since May, I have been astonished by the Government's refusal to answer questions. We had an appalling example yesterday, when the Prime Minister slapped down my hon. Friend the Member for Buckingham (Mr. Bercow). At Trade and Industry questions today, time after time questions were not answered. Could we have a full debate on the role of Question Time?

Mrs. Taylor: We have had a question at last. The answer is no.

Mr. Paul Burstow (Sutton and Cheam): Will the Leader of the House find time next week for hon. Members to debate disability living allowance and the review of disability benefits? Hon. Members have shown their interest in the issue by signing early-day motion 448.

[*That this House is gravely concerned by the implementation of the benefit integrity project which is resulting in apparently arbitrary and superficial decisions currently being made to withdraw disability living allowance and associated benefits from many people with severe disabilities, some of whom had been awarded the benefit for life; and accordingly asks the Government to take urgent action to ensure that persons suffering from disabilities which prevent them from taking employment are treated sympathetically and that benefits are not withdrawn without proper reasons.*]

Hon. Members have also signed early-day motion 483. They are clearly concerned on behalf of their constituents about the way in which the benefit integrity programme is proceeding and the fact that it is leading to the withdrawal of disability living allowance. They are concerned about current Government reviews, which could lead to cuts in the benefits or their removal. May we have a debate so that those matters can be aired and we can find out the Government's true intentions?

Mrs. Taylor: We had Social Security questions earlier this week, and I do not know whether the hon. Gentleman

[Mrs. Taylor]

asked a question then. We have, of course, a duty to the taxpayer to ensure that all benefit payments are made correctly. The hon. Gentleman will be aware that there is a comprehensive spending review, and benefits for disabled people are part of that. There is nothing that we can usefully add at this stage.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that if she acceded to requests for a debate on Ministers not answering questions in this House, I would be able to point out that Lady Thatcher's Government had a Secretary of State for Trade and Industry who did not answer a single question in this House, the reason being that he was not a Member of this House, but a Member of the House of Lords?

As I am in a helpful mood, will my right hon. Friend pass on to the Chancellor of the Exchequer before next Tuesday's statement the thought that as tax income has risen by about £10 billion in the first nine months of this financial year and as the lone parent premium costs only £65 million, the premium could be kept quite easily?

Mrs. Taylor: As my hon. Friend is in such a helpful mood, I guarantee that I shall pass his comments to the Chancellor who, I am sure, will deal with those matters on Tuesday.

Mr. Nick Hawkins (Surrey Heath): On a point of order, Madam Speaker. Following from what my hon. Friend the Member for North Shropshire (Mr. Paterson) said, we now have a point of order for your consideration. The Leader of the House has repeatedly refused to answer the questions put by my right hon. Friend the Member for South–West Norfolk (Mrs. Shephard) and by other Conservative Members. Should we not be given proper answers, especially to questions about the role of the Minister without Portfolio, the Secretary of State for Health and the Prime Minister? There has been no statement on the many unanswered questions arising from the Bernie affair and we have simply had refusals to answer at Prime Minister's Question Time. Is it not clear that the Government have entirely ignored their role, which is to answer questions and not to meet them with other questions or to be dismissive?

Madam Speaker: The hon. Gentleman is trying to extend business questions. I do not think that he tried to catch my eye to put a question to the Leader of the House. As he and the House know, Ministers answer questions. They are responsible for their comments, which are nothing to do with the Chair. They are responsible for what they say in the House.

Public Accounts

4.42 pm

Mr. David Davis (Haltemprice and Howden): I beg to move,

That this House takes note of the First to Twenty-fifth Reports of the Committee of Public Accounts of Session 1996–97 and of the relevant Treasury Minutes (Cm 3559, 3577 and 3714), with particular reference to the following Reports:

Second, Progress in Completing the New British Library (HC 38);

Fifth, Highways Agency: The Bridge Programme (HC 83);

Eighth, Information Technology Services Agency: Outsourcing the Service Delivery Operations (HC 98);

Thirteenth, HM Treasury: The Second Sale of Shares in National Power and PowerGen (HC 151);

Sixteenth, The Work of the Directors General of Telecommunications, Gas Supply, Water Services and Electricity Supply (HC 89);

Twenty-second, British Rail Maintenance Ltd.: The Sale of Maintenance Depots (HC 168).

This is a unique occasion in that it is the first time in the history of the modern Public Accounts Committee that the motion has been moved by anybody other than my predecessor, the right hon. Member for Ashton-under-Lyne (Mr. Sheldon). It will become apparent that I hold the right hon. Gentleman in great esteem, admiration and affection. He held the post of Chairman of the Public Accounts Committee for a record 14 years, during which he presided over the publication of almost 600 reports, all of them unanimous.

The right hon. Gentleman developed a formidable reputation based on hard work, good judgment and fearless tenacity in pursuing public officials who wasted or mis-spent taxpayers' money. All his reports made a significant contribution to better government and better service for the taxpayer. If I have to pick out one report, it is the seminal eighth report of 1994. It investigated the standards of conduct in public life and set out the measures needed to uphold integrity and competence. I look to that report as a benchmark for the future.

As the only Chairman since the National Audit Act 1983, my predecessor has been the man most responsible for the power and effectiveness of the Public Accounts Committee in its modern form and for the respect in which the Committee is held today. I shall consider myself successful if I can even approach the standard the right hon. Member for Ashton-under-Lyne has set. All in the House will join me in thanking him for his sterling work over many years.

I am fortunate in several other regards. First, the Committee has the formidable asset of the National Audit Office under the capable command of the Comptroller and Auditor General. The NAO does an extremely effective if somewhat unsung task in scrutinising the Government's accounts. The Comptroller and Auditor General, Sir John Bourn, has done a first-class job in enhancing the professionalism and the professional recognition of the NAO in recent years. The Northern Ireland Comptroller and Auditor-General, John Dowdall, and his staff in the Northern Ireland Audit Office have also done a very good job in the uniquely difficult conditions in Northern Ireland today.

The Committee is very fortunate in its excellent Clerk, Mr. Ken Brown, who has steered the neophytes of the Committee, including me, through the ocean of documents that the Committee receives. We are all very grateful for his skill and patience.

Judging by the first few meetings, I am also fortunate to have an outstandingly capable Committee—terrifyingly so, sometimes. My only concern is that the members are so good that I shall lose rather a lot of them to Front-Bench posts before long. I must tell the hon. Member for Leeds, East (Mr. Mudie), who is the Whip today, that given their interrogation skills some of them may end up in the Government Whips Office.

I welcome the Financial Secretary to the Treasury as an ex officio member of our Committee. I do not think that I am speaking out of turn when I tell her that she has been described in many ways in the Committee already. She has been referred to as our fairy godmother at the Treasury and, on a rather more aggressive note, as someone who might give a new meaning to the phrase "dawn raid". We shall see.

The Public Accounts Committee has existed since 1861, when it was created by Gladstone who was then Chancellor of the Exchequer. Throughout its history, it has been a powerful and effective force for good in British public life. It has been no small contributor to the outstanding international reputation for integrity and competence that has, rightly, long been held by British public servants.

What the Committee stands for is still highly relevant today. First, it stands for propriety and integrity in the administration of public affairs. The importance of that barely needs restating in modern times. Secondly, it stands for keeping tight control over the expenditure of taxpayers' money. In an era in which most political parties recognise the importance of low taxes, that is a vital function. Thirdly, the Committee stands for value for money in service delivery. That has been at the centre of a huge amount of policy innovation in many countries, including the United States, New Zealand and, in recent years, the United Kingdom. The 1983 Act was ahead of its time in that it recognised the importance of the measurement of service delivery—the efficiency and effectiveness criteria. I expect the new Committee, as was true of the previous Committee, to deal with a growing proportion of cases that deal with how well the Government deliver public services.

The previous annual debate on the subject took place on 16 October 1996 when the motion encompassed 48 reports and the associated Government replies. This year's motion covers 25 reports agreed by the previous Committee before the general election and the replies are those of the previous Administration.

The sheer number and technical complexity of the reports can make drawing useful lessons difficult; it is easy to lose sight of the wood for the trees. It is a little simpler if we divide the Government's public service delivery into three stages or phases. The first is the acquisition of assets and services, the second is the operation and delivery of those public services and the third is the redeployment and/or disposal of those assets and services.

The first phase includes project management, the acquisition of buildings and major equipment, the procurement of supplies and services, the contracting out and outsourcing of public sector activities and private finance projects. The second phase involves an emphasis on service for the customer, including the timely and effective delivery of services, the regulation of service providers, management and control processes, target setting and performance measurement. The third phase—asset redeployment and disposal—covers the effective use of assets, the disposal of surplus assets and property, and privatisation.

Those phases cover the full cycle of how Her Majesty's Government acquire assets, employ them to provide public services, and analyse, redeploy or otherwise dispose of them. Each phase can lead to a different type of problem and a different lesson to be learnt. In each phase, we in the PAC look for good practice to encourage and disseminate, bad practice to discourage and eliminate and improper practice to condemn and punish. In short, in each phase we look for the good, the bad and the ugly aspects of public service.

I shall start with the acquisition of assets and services. The best example of good practice that the Committee considered last year has not progressed to a public report, so I cannot properly debate it at length. I can however direct the House to the National Audit Office report on the management of utilities by the Ministry of Defence, which demonstrated the advantages of procuring services competitively. It demonstrated millions of pounds of savings in the procurement of electricity and the proposal to extend such competitive processes to other service acquisitions, particularly gas. The Committee's report on this subject will be published shortly.

The report in this area that has been published is that on the outsourcing of service delivery operations by the Information Technology Service Agency—the eighth report. It shows the potential financial benefits of outsourcing the activities of public bodies and the need for strong contractual provisions to allow effective monitoring and control of contractors' performance.

The service delivery operations of the Department of Social Security's Information Technology Service Agency mainly cover the operation of computers on which social security benefits are calculated and administered and which produce giro cheques and order books. The contracts are worth £577 million over 10 years and were placed in 1995 with three separate firms. The Department estimated that it would save £399 million through outsourcing those services.

The Committee was surprised at the difference of £399 million between the agency's costs over 10 years and the contractors' price and concluded that there must have been substantial inefficiencies in the agency prior to outsourcing. I suspect that many permanent secretaries around Whitehall see a PAC inquiry as a no-win game. Perhaps they think that the PAC always sees a half-full glass as half empty. I have some sympathy with them in this case, but a £399 million saving is just that: a £399 million saving. That is why I list it as a good example.

That being said, the Committee agreed with the Comptroller and Auditor General that the agency needed to monitor the contractors' performance closely and make full use of contractual provisions to control price increases. There were already potential increases in the pipeline of £74 million as a result of increases in volume of business and changes of specification. There was a need for control and monitoring and the agency accepted that.

The Committee was also surprised—rightly—that the agency was not able to tell it what safeguards contractors had in place to prevent the use of benefit claimants'

[Mr. David Davis]

records for financial gain and recommended that the agency seek specific information and assurances from contractors in that regard. Again, the agency has done that.

The bad example under the heading of acquisition of assets—the example to avoid—is in the Committee's second report, "Progress in Completing the New British Library". The report illustrates the dangers of failing to define adequately responsibilities for major procurement projects. The Committee observed that it was unacceptable that responsibility for the construction of the library was not vested in a single Department until 1992 and that the project management arrangements had been far too complicated so that responsibilities could not be clearly attributed to individuals.

The effect of those errors contributed to unacceptable delays of more than four years before the building could be opened to the public. They also led to a reduction in the scale of the completed building and a cost increase of £115 million in the first phase of the project. There is little better way to summarise that than to quote the Committee's report, where it says that the new British library

"could be used as a model of how not to manage a major construction project".

Now to the ugly aspects. The clearest issue of propriety was raised by the Committee's 12th report, "Overseas Development Administration Turkish Universities Equipment Project". It demonstrated the importance of proper controls and effective monitoring of bodies involved in public sector transactions to protect against potential conflicts of interest which could lead to impropriety.

In 1991, the ODA agreed to provide £23 million in support of a contract between the Turkish higher Education Council and a United Kingdom company, TecQuipment, for the supply of facilities to engineering faculties in 28 Turkish universities. A number of conflicts of interest arose. TecQuipment was not only the project manager but the supplier of equipment and the adviser to the Turkish Higher Education Council. Fisons assisted TecQuipment to secure a bank guarantee and bid to supply equipment. Another company, Sangari International, acted for TecQuipment as well as for a number of other suppliers to supply goods.

The Committee was—not surprisingly—disturbed that so many conflicts of interest had arisen in one project. It was especially concerned that TecQuipment had significant overlapping roles in the project and was therefore potentially in a position to influence the placing of contracts in its favour. The Committee commented:

"such conflict gave rise to potential dangers for the taxpayer, not only in terms of value for money but of propriety in the use of public money."

It acknowledged that the ODA had learnt a number of lessons from the project and that action had been taken to implement them, but it was disturbed that such basic lessons had to be learnt by a Department that has so much experience in administering aid projects. I agree with that conclusion.

I come now to the operation and supply of public services. The first good example in this area is in the Committee's 16th report, "The Work of the Directors General of Telecommunications, Gas Supply, Water Services and Electricity Supply" which demonstrates the importance of effective regulation of privatised industries to protect the interests of customers. The report covered four directors general responsible for regulating the telecoms, gas, water and electricity industries, which between them use assets valued at £240 billion. In 1994-95, they had a combined turnover of £51 billion. The regulators were appointed due to the limited competition in the industries.

The Committee noted that all the directors general were taking action to promote competition in their respective industries and expected competition to provide customers with greater choice, better service and increased value for money. It welcomed the reductions in prices in real terms that had occurred in the telecoms, gas and electricity industries, but noted that, in the five years immediately after privatisation, before current regulation arrangements were in place, the water companies made profits totalling £7.4 billion. The Committee also noted that average water and sewerage bills increased in real terms by 40 per cent. and 37 per cent. respectively and that the Director General of Water Services attributed increases to the need for investment to improve water quality while expressing concern over future profit levels.

The Committee recommended that the directors general impress on companies the risk that they faced through loss of public confidence and trust if they paid excessive emoluments to top executives. The directors general recognised the widespread public concern about the level of executive remuneration.

The example of bad practice in the supply of services is best seen in the fifth report, "Highways Agency: The Bridge Programme". The Committee expressed concern at the slippage in the programme for assessing and, where necessary, strengthening bridges to meet the European directive to carry 40-tonne lorries from January 1999. The slippage in the programme, which the National Audit Office brought to light, has meant that the UK will comply with the European directive only by using temporary measures to strengthen some bridges. That is likely to result in traffic restrictions on some bridges and inconvenience and congestion for road users. It may lead to extra costs in temporarily propping bridges until such time as they can be permanently strengthened.

The Committee also highlighted failures in programme management, including a shortfall in the number of bridge inspections, failure to compare the costs of doing similar work across the country and a lack of accurate national information on the condition of bridges and the progress of the programme. All contributed to the failure to keep costs and progress under closer control and, therefore, gave a serious lesson in bad management and programme control for the rest of the Government.

The ugly issue of service supply is the question of propriety that arose in the 14th report on "Financial Control of Payments Made Under the Training For Work and Youth Training Programmes". It demonstrated the importance of ensuring that strong financial controls operate in the bodies funded by Government Departments to provide public services. The training programmes are managed by 74 training and enterprise councils, which are private companies operating under contract to the Department for Education and Employment.

For the most part, TECs subcontract the provision of training to training providers, including local authorities, voluntary bodies and private companies. The Committee examined the handling by the Department for Education and Employment of allegations of irregular payments, the financial control of payments to TECs and training providers and the steps taken to secure value for money from the programme. The Committee was concerned that £150,000 had been overpaid by the Department to Cumbria TEC because of irregular claims from a training provider and that overpayments of £231,000 were made to Durham TEC in respect of claims made by another provider. It found deplorable the fact that money that should have been spent on equipping people with skills for work had been siphoned out of the system in this way. It is hard to disagree. The Committee expressed concern that as many as 71 cases of suspected and alleged irregularity had been recorded by the Department for Education and Employment since 1995, of which 41 had been investigated and only one referred to the police.

On the public accountability framework in which the Department and the TECs operate, the Committee asked the Comptroller and Auditor General whether he would be prepared to be the external auditor of TECs, which derive most of their income from public funds. The Committee welcomed his positive response and I will return to that subject when I deal with the issue of access.

The third phase of Government activity is asset redeployment and disposal. The best example of that is described in the Committee's 13th report on "The Second Sale of Shares in National Power and PowerGen" and it provided an example of a well-managed sale of Government assets by the Treasury. It demonstrated the significant advantages that can be gained by selling public utilities in stages if the market is uncertain at the time of privatisation. The Committee welcomed the fact that additional proceeds of some £2.3 billion were raised by not selling all the shares in 1991. That was consistent with the Committee's long-held belief that when the market value of the shares was uncertain it could be advantageous to the public purse to conduct such sales in stages. That was what was done and it was a very good example to the Treasury for future privatisations.

The bad example in this category is described in the 22nd report on "British Rail Maintenance Ltd. The Sale of Maintenance Depots", which demonstrates the need to undertake proper valuations of assets prior to disposal and to ensure the extraction of cash before the sale to maximise the return to the taxpayer. The Committee expressed regret that the then Department of Transport did not ensure that the comprehensive valuations of maintenance depots were carried out and strongly recommended that vendors carry out valuations in advance of sales. The Committee was also concerned that cash was not extracted prior to sale, allowing £13 million to accrue to the purchasers. Both those points are straightforward and should automatically apply to every such sale throughout government.

I have described only a few of the past reports and achievements of the Public Accounts Committee. My predecessor and his team did an excellent job promoting the good, highlighting the bad and exposing the ugly. The new Committee has every intention of following in their footsteps, but I would especially like the Committee to pursue the efficiency and effectiveness criteria and seek out ways to enhance the Government's delivery of high levels of public service at the best possible value for money to the taxpayer. There is still work to be done to enhance further our capabilities as a Committee to that end. That brings me to the question of access.

It may surprise the House to learn that the Comptroller and Auditor General does not have automatic access to all areas of Government expenditure. To achieve what we are setting out to do, we need to improve the Comptroller and Auditor General's access powers to all bodies that spend public money and deliver public services. For example, for some large and important bodies such as the Legal Aid Board—which does not have that brilliant a record and which spends more than £1.3 billion of public funds a year—the auditor is appointed by the Lord Chancellor. The Comptroller and Auditor General has to rely on inspection rights to report to Parliament.

Other bodies, such as housing associations—which spend £1.8 billion a year—appoint their own auditors and the Comptroller and Auditor General has to negotiate to obtain access on a case-by-case basis. At the worst end of the spectrum, some important public services are under contract to private firms. Camelot is the biggest and has the highest profile of such bodies, but the Comptroller and Auditor General has been refused the access he needs to confirm that its systems are operating properly and that the income to the national lottery distribution funds is complete.

We should deal with the problem of access and I shall discuss how that can be done. First, the so-called executive non-departmental public bodies—I hope that the House will forgive me for spelling that out, but they are normally known as quangos—should be dealt with by making the Comptroller and Auditor General responsible for the audit in all cases. That would include the Legal Aid Board, the Housing Corporation and 140 other bodies covering some hundreds of millions of pounds. Secondly, we should deal with so-called local spending bodies by providing independently guaranteed rights to the Comptroller and Auditor General. That would cover TECs and housing associations.

Thirdly, the functions provided by contractors should be covered by providing independently guaranteed rights in all cases to the Comptroller and Auditor General that are at least equivalent to the powers of the European Court of Auditors. Some £6 billion of public money is spent through contractors already and it is a serious anomaly that the Comptroller and Auditor General of the House is not in at least as good a position as the European Court of Auditors. The private finance initiative, for which I understand the Government have great plans, will make that issue even more important.

Finally, for publicly owned companies—companies owned by public bodies or the state in large part or in total—we should allow the Comptroller and Auditor General to undertake the audit. Some 200 such companies have been set up in the past few years and the Companies Acts preclude the Comptroller and Auditor General from auditing them. We will need legislation, when we next have a Companies Bill, to correct that.

Those are general issues, but I wish to address another, perhaps more controversial, aspect of access. Our predecessors examined the estate management of the royal palaces in occupation, including Buckingham palace, Windsor castle, Kensington palace and St. James's palace, originally as a result of the public funding of the repair

[Mr. David Davis]

of damage caused by the fire—five years ago today—at Windsor castle. The Committee received reports from the Comptroller and Auditor General on that and related matters, based on examination by the National Audit Office of the Department of National Heritage's monitoring records and related correspondence. The reports were not based on a direct examination of the books and records of the royal household because the Comptroller and Auditor General has no right of access to them. That said, to be fair to the royal household, it did assist the Comptroller's study and supplied information and statistics to staff of the NAO. In addition, the director of finance attended the Committee's meetings, but this is insufficient.

It is a principle of audit and of parliamentary Supply that Parliament's auditor, the Comptroller and Auditor General, should have direct access to papers and people, rather than have to depend on the willingness of those whom he is auditing and the papers they choose to make available. That cannot be right.

The Government often provide for access to funding bodies outside, but they do not have to and can, as in this case, decide not to. We are not talking here about the private matters of Her Majesty the Queen and, as a confirmed and committed monarchist, I would not countenance such an idea in any event. I must say, en passant, that I got as much pleasure as everyone else from the pictures in today's newspapers and, for once, I agreed with the Prime Minister's words. The royal family is making great efforts to increase transparency and openness in its affairs. Those efforts will strengthen public support for the monarchy and we can all applaud them. Our proposals go entirely with the grain of those efforts.

We are talking about a departmental grant in aid of £20.4 million of taxpayers' money in 1995–96, given to the royal household to run the functions of the monarchy, including the maintenance of properties and gardens that form part of Britain's heritage, grace and favour residences and their rents and remuneration for public servants who work for the Queen. Wherever these are financed from public money, it is in the interests of Her Majesty the Queen and Parliament that the usual principles of access for the Comptroller and Auditor General should apply.

The consideration of this matter was not concluded by our predecessors and my colleagues and I must consider it and associated issues, including the civil list, where the Comptroller and Auditor General, and hence the PAC, is excluded.

Taken together, the general increases in access would allow the Comptroller and Auditor General to follow public money wherever it goes and to report to Parliament whether that money has been used as intended and in line with the proper conduct of public business. That does not mean that there would be a greater burden of audit and regulation; indeed, it would reduce the total audit burden on quangos or executive non-departmental public bodies. Elsewhere, it would rationalise unnecessary bureaucracy.

A series of critical questions are posed by the Government's devolution measures. It is important that devolution does not diminish the PAC's oversight of the £21 billion a year that is to be granted to the Scottish Parliament and the Welsh Assembly. Effective audit and accountability arrangements are needed to ensure robust practices for financial management and accountability. Audit arrangements should provide for independence without the mushrooming of auditors and regulators.

The Committee needs to be able to consider issues involved in the administration of the new Parliament and Assembly; for example where a breakdown in financial control occurs. The Comptroller and Auditor General will need continued access to support the Committee in considering these issues.

In recent years, there has been some concern at the proliferation of regulators, inspectors and auditors of public services. I have some sympathy with that view. Oversight bodies such as the PAC and the NAO must continually justify their existence. To that end, I shall finish with a short review of the impact of the work of the previous Committee. Over the past year, 92 per cent. of the recommendations made by the PAC have been accepted by the Government. In 1996, audited bodies made around 2,600 significant changes to their systems and procedures as a result of recommendations in the reports of the PAC and the NAO.

As a result, the PAC and the NAO saved the taxpayer more than £900 million in the past three years—more than £7 for every pound spent on running the NAO. Beyond that, advice and guidance on good practice provided by the reports of the Committee and the NAO have a further impact that it is not possible to quantify, but provide long-lasting savings as well as benefits to the quality of service and the governance of public bodies.

Perhaps I may finish as I began: all of this arose as a direct result of the excellent work done by my predecessor as Chairman, the right hon. Member for Ashton-under-Lyne, and his Committee and from the excellent relationship they maintained with the Treasury. I look forward, as I am sure do my colleagues on the Committee, to equally hard work and, I hope, an equally good relationship with the present Financial Secretary.

5.15 pm

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): I would like to begin by echoing the words of the new Chairman of the Public Accounts Committee, the right hon. Member for Haltemprice and Howden (Mr. Davis), in paying tribute to the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), whose distinguished 14-year-long chairmanship gave the Committee a degree of solidity and a reputation for assiduity in its supervision of the public expenditure of the previous Administration.

The Committee that the right hon. Member for Haltemprice and Howden has the honour of chairing has acquired its reputation in no small part because of its traditional ability to reach consensus and produce unanimous reports; it is the Committee least scarred of any by cross-party tensions. I value that, and it must be the way in which the Committee continues in the future.

In wishing the right hon. Member for Haltemprice and Howden all success in the discharge of his new job, I express a little wry internal amusement that someone who conducted himself in the Foreign Office—perhaps the least contentious Department—with a degree of combativeness that was not characteristic of Ministers in that Department may find the ambience of the PAC somewhat different, although no doubt challenging.

The right hon. Gentleman comes to his new job with the good wishes of all who serve with him, and I have been greatly encouraged by his opening remarks this afternoon. He homed in on the critical questions of policy: how the work of the Committee should be conducted; how it should be valued; and how the audit of public spending should be conducted. I particularly agree with his concluding remarks about access, a point repeatedly made by the previous Chairman and members of the Committee, on which I had the honour of serving for a number of years.

It is right that the National Audit Office should follow public money wherever it goes. That broad principle is one that I hope will inform the Government in their review of the work of quangos, initiated in a recent consultation paper. It must be right to start, as the Chairman of the Committee suggested, with the scrutiny of the spending of the executive non-departmental public bodies. However, I think that the Committee could go beyond that to look at some of the advisory bodies, which involve a considerable expenditure of public funds.

I am happy, too, that the right hon. Member for Haltemprice and Howden referred to the oversight of expenditure on the upkeep of royal palaces. He made the point, in a wholly non-partisan and appropriate way, that it cannot but be in the interests of the sovereign to have public moneys voted for that purpose brought under the scrutiny of the House.

The question is often asked: how effective is the Public Accounts Committee? It is difficult to evaluate that, but the right hon. Gentleman has done so by making projections of possible savings. We can legitimately try to make such claims, although they are sometimes difficult to carry through.

Given the sheer number of reports undertaken by the Committee, it is a virtual certainty that all senior civil servants will fairly frequently be subject to its scrutiny. They and those close to them know that they will be treated fairly but with considerable probing. That, I believe, affects their view of their role as accounting officers; it is not a remote role, but one that exposes them directly to democratic accountability to the House.

It is sometimes asked, when a large phalanx of people troop in to the hearings behind the accounting officer, whether that is really necessary—whether it takes so many people to answer the questions. The answer is almost certainly no, but there is a certain educative effect on civil servants, which most people would consider extremely valuable. It makes them realise that, although under the Armstrong memorandum they have formerly been regarded as primarily—Lord Armstrong of Ilminster would have said solely, and I believe that he errs constitutionally in that—accountable to the Government of the day, they must also answer to the House of Commons on some important matters.

How does one construct a debate logically, sensibly and coherently around such a proliferation of interesting reports? It can be done thematically or by illustration, and the right hon. Member for Haltemprice and Howden chose both approaches. I intend to duck out of those approaches and simply refer briefly to a few reports that raise points in which I am personally interested, not because I think that they are more important than the other reports, but because they caught my fancy and illustrate something of the way in which the Committee works.

The right hon. Gentleman referred to the second report, "Progress in Completing the New British Library". If he had not already quoted its conclusion at paragraph 68, I would have done so. The saga of mismanagement goes back a long way. The single most important lesson is that the Treasury should have insisted at a much earlier stage that the project be overseen by a single Government Department. The Department of National Heritage must take some of the blame for that.

The story of the mishaps became all too familiar, and I will not rehearse again the losses incurred. As is clear from the report and from the evidence given to the Committee, we have less than we bargained for as a result of the mismanagement: we have a library which is smaller than was envisaged and which will be full by 2003. That is a serious consequence for the country. As we have already spent so much money, the Government should now secure enough money to ensure that the new library operates effectively.

Budgetary evidence that has become available since the report's publication shows that the Government have cut the library's grant in aid by £1.7 million from their own planning figures, which is worrying given the plague of technical problems that has afflicted the building. The story of the project has been of people not knowing when to cancel aspects of the development and admit that money has been wasted, or not taking the decision to bite the bullet and build it as it should be.

I hope that the use of the four acres of land to the north of the site to enable the library to expand, to deal with the problems of space and access to electronic media, will be authorised, and that the necessary money will be made available. It is not satisfactory if the library cannot be run effectively and cannot continue to buy books internationally and conserve those that it has. There is already a backlog of items awaiting conservation that will not grow any smaller if the grant in aid is cut.

I candidly admit that I have gone beyond the Committee's recommendations, but that we should be in this position today is due to the inefficiencies—to put it as moderately as one can—in the expenditure of the vast sums of money already dedicated to the project.

Like the right hon. Member for Haltemprice and Howden, I alighted on the 20th report, "Payments to the National Lottery Distribution Fund", which was published on 17 March 1997. The Committee noted that the director general of Oflot had been unable to levy a fine on Camelot, despite a serious breach of its licence agreement.

In the Treasury minute of July 1997, the Government agreed with the Committee's point and said that they would consider the necessary legislative change. We anticipate that legislation will be introduced before Christmas and I hope that it will deal fully with that point.

The Committee expressed concern that the National Audit Office

"were only able to satisfy themselves that all payments recorded as due to the Distribution Fund had been made punctually and in full. They were not able to express an opinion on whether the sums recorded as due were correct."

Again, I agree wholly with the right hon. Member for Haltemprice and Howden about the nature of audit and that the Committee and the National Audit Office should have the power of direct access that was denied in this case.

[Mr. Robert Maclennan]

In its 17th report, "Health of the Nation: a Progress Report", published on 15 March 1997, the Committee expressed concern that

"a working definition of severe mental illness has not yet been agreed, and at the length of time it is taking to gather data on the incidence and severity of mental illness."

That may be thought a narrow point, but it has attracted a not entirely satisfactory response in the Treasury minute. I do not expect the Minister to allude to it, because it is a matter for the Department of Health. I confess that the point flows from a certain lack of tautness of expression in the Committee's original recommendation.

The Treasury minute response to our report referred to a national survey on mental health that was undertaken three years ago, for which much is claimed. No doubt that historical survey is of value, but it appears to lack a continuing collection of current statistical information about severe mental illness on an agreed national basis. The minute referred to a current pilot study which it is hoped will be completed by the autumn of next year, with implementation, if the study is deemed satisfactory, one or two years later. That does not support the view that the allocation of resources to mental health today rests on a firmly based evaluation of need. As mental illness apparently accounts for about 14 per cent. of national health service in-patient costs, 23 per cent. of pharmaceutical expenditure and 14 per cent. of certificated absence from work, it is astonishing how little effort has been made, or is being made, on the incidence and definition of severe mental illness and the needs of those suffering from it.

The Treasury minute, rather than simply accepting our Committee's call for a working definition of severe mental illness, apparently encourages what it calls

"the development of appropriate local definitions, taking into account the diverse nature of services and local population's needs."

I candidly confess that I do not understand the point that the Department is making. The measurement of medical need cannot, surely, depend on the availability of particular medical services.

My interest in this issue is not merely academic. Mental illness not only has an impact on the purse of society but can cause acute distress to sufferers and their families and can sometimes result in anti-social behaviour. In certain sectors of the community, as the Committee found, specific therapeutic interventions may be necessary. We noted the need for measures to prevent deliberate self-harm among farmers and among women of Asian descent—two groups on which we heard evidence about the high levels of suicide.

Perhaps the Committee's use of the words "working definition" of severe mental illness allowed the Department to interpret our concerns as being the problems of clinicians and carers. Their problems of diagnosis are not made difficult by a lack of statistics; their problems flow from inadequate or unsuitable resources for treatment, which in turn flow from failures to measure need. It is extremely important that such a survey is carried out and that severe mental illness is defined so that proper allocation of resources can be made in future.

The reason why our Committee's recommendations seem to carry weight is that they focus not on policy—in some cases not even inferentially—but on experience of administration and actions. They may flow from policy, but we are interested in the outturn when assessing whether the country has had value for money. That is the Committee's distinctive role. We come in after the event. Our Committee's reports cast long shadows, and can—and do—result in better administration in this country. The Committee's work is one of the most effective areas of the work of the House of Commons. I hope that it will long remain so.

5.33 pm

Mr. Christopher Leslie (Shipley): I am grateful to have the opportunity to speak in this debate, particularly as new Member of Parliament.

As a Back Bencher I want to play a role not only in scrutinising legislation, but, equally important, in checking the Executive and ensuring that the functions of Government are monitored rigorously. I am enormously privileged to have been placed on the Public Accounts Committee so early in my parliamentary career. We should emphasise more often than we do that the Committee monitors Government expenditure—the expenditure of taxpayers' money—and works in conjunction with the National Audit Office to ensure efficiency, effectiveness and value for money. Those are the aspects that I particularly value. All Back Benchers, regardless of party, need to keep an eye on those aspects of our role—not that it is for me to lecture hon. Members, who are always more senior than me.

I was interested to join the Public Accounts Committee not only because of its role in acting as a check on the Executive, but because of the circular way in which the accountability mechanism has developed over time. To me, the history of the Public Accounts Committee is fascinating. Representatives from Departments can be subpoenaed and witnesses cross-examined. The Committee makes its recommendations, to which the Treasury responds, and then we debate them annually, as we are doing today.

I should emphasise that accountability is a good mechanism for government. It is one of the best ways in which the Committees of the House of Commons work. I join other hon. Members in paying tribute to the staff of the Public Accounts Committee, to the Comptroller and Auditor General and to the National Audit Office, as well as to the Committee's former Chairman, my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon), and to its current Chairman, the right hon. Member for Haltemprice and Howden (Mr. Davis), who has been doing sterling work so far. I am sure that that work will continue.

I have been a local councillor in Bradford for the past four years. Perhaps it is a small amount, but Bradford council spends £400 million annually. Councillors have a great deal of hands-on involvement in deciding how money is spent, especially when budgets are tight and resources are decreasing. They go through local government expenditure line by line, scrutinising exactly where the money is spent.

Members of Parliament have a different experience, partly because most spending decisions are taken by Ministers, which makes it much more difficult for Back Benchers to scrutinise the way in which every penny is spent. We need to make a special effort to ensure, through the Public Accounts Committee and similar institutions, that we scrutinise Government expenditure more closely.

Although I was not a member of the Public Accounts Committee in the year that we are debating, I have read through all 25 reports—at least trying to skim through the summaries—and I can see that it has done excellent work in uncovering not only waste but incompetence and mis-spent money. I shall point out a few examples that highlight those aspects.

The activities highlighted in the 19th report on the former Yorkshire regional health authority, which merged and became the North Yorkshire health authority in 1994, will be of great interest to my constituents. The report highlights crucial issues of corporate governance, which need to be monitored and implemented more rigorously throughout all Government Departments. What stood out most was the way in which relocation expenses were paid to managers, board members and consultants. Some £447,000 was paid to members of staff. We learn from the report that only £143,000 is ever likely to be repaid. An astounding amount was spent on dinners and functions—£695,000—between April 1992 and March 1994. That is an appalling amount. I get very angry when I think how that money could have been spent far more effectively and to the benefit of my constituents. Yet it seems that there is little that the Government can do to recover that money. That is also a theme I detect throughout the PAC reports and Treasury responses. There is great need to look at individual responsibility for mis-spending and to ensure that we chase up those individuals and bring them to justice if there has been wrongdoing.

The report on the Yorkshire health authority details severance payments and specialist payments made without necessary approvals and describes how a personnel manager awarded contracts worth £43,000 to her husband's company without declaring an interest. Yorkshire health authority entered into a long-term contract—15 years—with Yorkshire Water for clinical waste disposal, which involved £7.2 million expenditure; yet the contract was awarded without competitive tendering. It seems obvious today that competitive tendering in the awarding of Government contracts is vital and we need to ensure that Government Departments never again operate as the former Yorkshire health authority did.

The second theme that I want to highlight comes in the 16th report: "The Work of the Directors General of Telecommunications, Gas Supply, Water Services and Electricity Supply". The report shows the good work done by the directors general, but also highlights other failures of general Government expenditure. For example, in 1989, proceeds from privatisation totalled £3.6 billion, yet now the replacement value of the companies involved is estimated to be £138 billion. That is an enormous amount of money. The fact that those companies were sold off at such a low price is a scandal to which the PAC rightly drew attention.

My third theme can be seen in the 23rd report on: "Ministry of Defence Management of the Military Operations in the Former Yugoslavia". There were massive failures and weaknesses in accounting for stores, assets and ammunition, examples of which include £1.3 million-worth of ammunition with no supporting documentation and £4.1 million-worth of untraced ammunition. To me, the outstanding example of the need for greater concentration on accounting for the way in which the Ministry spends its money is the matter of vehicles that were either refurbished or written off. The estimate of the cost of that has risen from £20 million to £134 million—an astonishing figure and a lot of vehicles.

A further theme running through the reports is that—unlike the arrangements obtaining in local government, where there is personal surcharging—there is no real holding of individuals to account for such failures. That is why the PAC calling witnesses and cross-examining them is the vital link in the chain, and I am glad to play my part in that. However, there are several other matters that the PAC should promote and persuade the Treasury to implement as soon as possible.

To highlight more effectively mis-spending of Government money where it occurs and to throw a spotlight on inefficiency, we need to ensure that resource accounting is implemented across more Government Departments, more speedily, because that way of presenting departmental finances helps to show which areas are more questionable than others. I urge Ministers to consider the way in which resource accounting mechanisms are being implemented throughout Government and to ensure that the process is accelerated.

I agree with the comments of the right hon. Member for Haltemprice and Howden about access. It is anomalous for the PAC to have access to some areas of Government expenditure but not others. The Committee is limited in respect of publicly owned corporations, recipients of grants and contractors. Representatives from the National Audit Office should have access to training and enterprise councils, so that they can examine how money is spent. TECs are required to hold only one public meeting a year, which provides nowhere near enough accountability to the public, never mind to the other arms of Government or to Parliament. There are other areas of Government spending—housing associations, Railtrack, Camelot, the royal palaces and so on—that need to be opened up to access by the PAC and the NAO so that we can ensure greater rigour in the scrutiny of their expenditure.

I would also suggest that there is a need for greater co-operation between the Treasury and other Departments, not least because, too often, when the Treasury can be held to account for certain aspects of expenditure and the Department for others, certain matters slip through the net. Progress has been made in recent years, but I urge my hon. Friend the Minister to seek to create a system of government that works across the divides and artificial boundaries between Departments. Then we can look at Government expenditure as a whole and highlight general areas of policy and expenditure, which should be reviewed.

In conclusion, I emphasise that, when we are talking about rigorous monitoring of Government expenditure, we are talking about taxpayers' money. I become angry when I read through the reports and see how much money is wasted, goes missing or is unaccounted for. One way of quenching that anger has been to become a member of the PAC, because there is no greater pleasure than to haul some of those guys in front of us and put them on the spot. That should be done more often. All the matters I have raised have been touched on before by the PAC and the NAO and I hope that, in the coming year, we can be equally rigorous in our examination of public expenditure.

5.46 pm

Mr. Richard Page (South–West Hertfordshire): It is quite like old times to return to the annual Public Accounts Committee debate after an enforced absence of two or three years. As I look around, I see that little has changed: only a small number of hon. Members are attending, despite the wealth of ammunition and the excitement that our reports can produce. Year after year, I keep hoping that the debate will be better attended, because of the enormous amount of valuable work that should be given better public examination and see more of the light of day.

Before turning to the reports, I add my thanks to those already expressed to the previous Chairman, the right hon. Member for Ashton–under–Lyne (Mr. Sheldon). He guided our Committee for some 14 years quietly and without histrionics, although the opportunity for drama certainly presented itself. With quiet determination, he put greater emphasis and underscored more strongly the importance of our reports when they emerged. I wish the same success to his successor, my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis). I shall watch with interest to see what profile he stamps on the chairmanship as the weeks and months unroll.

At the end of his speech, my right hon. Friend the Member for Haltemprice and Howden was right to flag up the importance of the NAO's role in following taxpayers' money. There should be no bar to finding out how the money has been spent: it comes out of our people's pockets and is spent via the various systems of government, so it is absolutely right that we look carefully and closely at that expenditure. I want to flag up well in advance my belief that the role of the National Audit Office should not be diminished because of the results of the referendums in Scotland and Wales. It might be different if Scotland and Wales were financially self-sustaining, but as each receives a substantial amount of money per head of population under the Barnett formula, the role of the NAO and the PAC should continue undiminished.

In fact, I should like to take that argument even further and extend into European financial affairs the work of the NAO in examining where our money goes. I suspect that the NAO might be slightly more rigorous than some other bodies in tracing where the money goes, finding out how it is spent and ensuring that we get value for money. That concern was taken up in the Committee's sixth report. Paragraph 16 of its conclusions says:

"We are pleased to note the extensive co-operation between the Court and the National Audit Office on the audit of the Community's transactions. However, we are concerned that the scope for such co-operation is restricted in that, unlike the Court, the Comptroller and Auditor General does not always have access to the final recipients of European monies."

That includes some of our money.

The report continues:

"We expressed our concerns over this limitation in the Comptroller and Auditor General's powers in our 10th Report of Session 1995-96, and we recommended that his powers be brought in line with those of the Court and the Commission."

I look to the Minister to bring about a change. It goes on:

"We are therefore disappointed that, in the Treasury Minute of 22 May 1996, the Government rejected our recommendation on the grounds that the Comptroller and Auditor General does not need to perform work carried out in areas covered by the Court in order to report fully and effectively to the House."

We should reconsider the National Audit Office's remit so that the Committee can monitor how our money is spent in Europe.

When I first served on the Committee, more years ago than I care to remember, I looked through the catalogue of horrors and thought to myself, "Good heavens, the Departments will realise their mistakes and these disasters will dry up." Then I thought, "Hang on, the Public Accounts Committee has been going for a hundred years, so it is unlikely that matters will dramatically improve just because Richard Page is on it," and thus it has proved.

The pile of reports is equally as impressive as it was when I was on the Committee two or three years ago. One or two old friends have come back to greet me, such as the new British library and the various excitements in a health authority. Two hon. Members have commented on the new British library. I query the word "new", because it was started in 1982, and it will not seem new when it eventually opens—I am tempted to say "if" it eventually opens, but let us travel in hope.

The second report refers to the PAC's examination in 1990. I took part in that examination and in the critical report. Quite frankly, we wasted our time seven years ago. We need not have bothered. We hear about the power of the PAC, but it did not work very well on that occasion. At that time, we were told that

"the new British Library would be completed in 1996 within a cash limit of £450 million."

Is it open now? No. Is it within the £450 million limit? No. The report says that

"the building will be on a scale less than was envisaged at the outset; the building will not be fully open to the public until 1999; and the cash limit has increased to £511.1 million".

I queried the word "new", because technology has moved on. The report says that there will be only 12 per cent. more reader seats. With the advent of new technology, that is unacceptable: in fact, it is a disaster. I knew that it would be a disaster, because I visited the site 10 years ago. I asked the gentleman who was showing me round, "What will go in this big hole in the ground?" and he said, "All the books will go in there." I asked him what sort of books, and he said, "All sorts of books." I said to him tongue in cheek, "Will you have the assembled works of Lord Archer?" and he said "Yes." I then knew that the British library would not travel smoothly towards its completion.

Information technology has not been used correctly. The British library has another site in Boston, so a good fibre-optic cable and more automatic readers should be the way forward.

My right hon. Friend the Member for Haltemprice and Howden summed up the general lessons to be learnt. The report says:

"In our view the new British Library could be used as a model of how not to manage a major construction project."

I emphasise that comment. The Committee examined this matter seven years ago, and there is precious little to show for it.

The 19th report dealt with the former Yorkshire regional health authority, which the hon. Member for Shipley (Mr. Leslie) touched on. I can do no better than to quote my close friend the late Sir Michael Shersby, who took evidence from Mr. Langlands. Sir Michael said:

"I must say that when I read this report I came to the conclusion that it was really one of the worst cases that I have had the misfortune to consider since I joined this Committee in 1983."

He was absolutely right. It is unacceptable that the personnel director of the former authority was awarding contracts worth £43,000, one of which she was intending to manage when she retired. She did not declare any of them.

The former local authority spent £695,000 on luncheons, functions and dinners at hotels, including £10,000 on two "Super Sleuth" weekends, which may have been exciting and interesting, but did not significantly advance the general health care of people in Yorkshire.

I could go through the report and refer to the failures and errors one by one. The £447,000 relocation expenses were paid after the employees had relocated: they were not paid in advance to enable them to move. It would be interesting to know to what extent health care in Yorkshire has suffered as a result of those vast relocation expenses and the sums that were spent on "Super Sleuth" weekends and grand dinners. As I said at the beginning of my speech, it is as though I had never been away.

5.58 pm

Mr. Marsha Singh (Bradford, West): Mr. Deputy Speaker, I thank you for allowing me this opportunity to make my maiden speech. I freely confess that accounts are not one of my strong points, even though I began my professional career in banking. I am grateful to my hon. Friend the Member for Shipley (Mr. Leslie) who, with his enthusiasm for this topic, almost persuaded me that it was exciting. Scrutiny of accounts is essential for good and prudent government. We must never forget that we are merely the custodians of the people's money.

Before I come to the main body of my speech, I should like to pay tribute to my predecessor, Max Madden, who served Bradford, West from 1983. He will be remembered as a hard-working and conscientious Member of Parliament. I am proud to have been the chair of his constituency party for many years. Max had a distinguished parliamentary career, which included service on the Front Bench. He will be remembered as a man of principle: a man who was not afraid to speak his mind, and a man who stuck to his guns. Max was not a man who courted popularity at the expense of principle, and although he did not seek unpopularity he never shirked difficult issues. It is an honour and a privilege to follow in his footsteps.

I feel that it is also appropriate to pay tribute to another past Member of Parliament for Bradford, West. I refer to the hon. Member for Ruislip-Northwood (Mr. Wilkinson), who represented the constituency in the early 1970s. He is still well remembered and respected for his services to my constituency.

It gladdens my heart to see the strong connection between the House and Bradford, not only on Government Benches but on the Opposition Benches. I refer to the hon. Member for Brentwood and Ongar (Mr. Pickles), a former leader of Bradford city council. I thank him for the warm welcome that he gave to me on my arrival in the House.

Before talking about my constituency, I should like to refer to the identity crisis that I am undergoing. None other than *The Times* referred to me as the first Asian woman Member of Parliament. I was even invited to the first meeting of the parliamentary Labour party women's group, which I found delightful. I have also been congratulated on my success by women's groups throughout the country, for which I am grateful.

I must tell hon. Members the truth: I am not the first Asian woman to enter the House. I am not even a woman Member of Parliament. I am not one of Blair's babes—although I hope that that is not too much of a disadvantage at the outset of my parliamentary career. I also hope, Mr. Deputy Speaker, not to make the mistake that others have made in addressing you as Madam Speaker.

Other sections of the media have sought to pigeonhole me as an Asian Member of Parliament, an Indian Member of Parliament or a black Member of Parliament. I do not seek to deny my Asian background—I am proud of my cultural heritage—but I state emphatically that I am a Labour Member of Parliament, a Bradford Member of Parliament, a Yorkshire Member of Parliament and a British Member of Parliament, and I will represent all my constituents irrespective of colour, creed or religion.

I am a product not only of my parents' culture, but of Britain's many cultures. In today's multicultural Britain, I and others like me are the presagers of the truly multicultural person. I believe that that will be a positive strength not only for my city, but for my country.

I have lived in Bradford all my life, and I have lived in my constituency for well over 20 years. I was educated at Midland Road nursery school and at Green Lane primary school—which, incidentally, was the first school in the country to introduce school meals, and one of whose headmasters was the father of J. B. Priestley. I then went to Frizinghall junior high school and to Belle Vue boys' school. Belle Vue had the distinction of having taught J. B. Priestley himself.

One of the great things about Britain is that although privilege bestows advantages—as we know—a lack of privilege is not necessarily a bar to progress and ambition. If I am proud of anything, it is precisely that—the fact that, from the streets of inner-city Manningham, a working-class lad can reach the House of Commons. If I have a message for youngsters in Bradford schools today, it is this: with education, hard work and commitment, the only limits on their ambition will be the limits of their own imagination.

My constituency comprises the wards of Heaton, Toller, Little Horton, University, Thornton and Clayton, and Fairweather Green, the ward in which I live. There is a mixed population, with a large community of Asian origin. The constituency contains some of the poorest areas of Bradford, as well as some of the best residential neighbourhoods in the city—but its problems are all too real. Nearly a third of the population of working age are unemployed, and the constituency ranks 14th in England and Wales in that regard. Overcrowding is three times the national average, and Bradford, West ranks as number eight in that table of shame. More than 43 per cent. of households lack central heating.

I give the House those few statistics only to highlight the problems faced by my constituents. Unemployment, overcrowding and poverty have led to increased levels of crime. I am particularly concerned about the problem of drugs, especially heroin. I know that my constituency is not alone in that regard, and I know that the House will agree with me that the peddlers of heroin are particularly loathsome and evil. First they kill their victims' will, then they poison their character, and finally they destroy

[Mr. Marsha Singh]

their lives. The police cannot tackle that evil alone; the courage, commitment and vigilance of communities themselves, in partnership with the police, are required to stamp out that evil and wickedness.

I am also concerned about educational achievement. I praise the efforts of teachers in my constituency who often work with insufficient resources, in poor buildings and in difficult circumstances. I believe that we must have the highest possible expectation of every child, and that no child should be allowed to see school as a soft option. The primacy and mastery of English is paramount. English is the essential currency of our society, and without a high degree of literacy and numeracy school leavers will be left behind in the competitive world of the modern job market.

A considerable percentage of my constituents are of Kashmiri origin. I share their concern, distress and anger at the continued human rights abuses in Indian-held Kashmir. That dispute is the historical legacy of partition and British rule and I hope that the House shares my sense of responsibility for the present situation. The dispute continues to destabilise the region and frequently threatens to cause the outbreak of a disastrous war. A continuing military build-up and an arms race between India and Pakistan are not in the interests of either the Indian or the Pakistani people, and certainly not in the interests of the Kashmiri people.

I am sure that the money that is spent on arms would be better spent on education, health, jobs and homes. Internal repression cannot be a solution, short, medium or long term. Repression cannot be a substitute for dialogue and conflict resolution. Self-determination is not a privilege: it is a right, and I will continue to support the aspirations of my Kashmiri constituents for self-determination in Kashmir.

I love Bradford. Bradford is the most tolerant city in the world, and Bradford people are the best people in the world. However, love should never blind us to unpalatable truths. The American author Bill Bryson visited Bradford three years ago and wrote in his book "Notes from a Small Island":

> "Bradford seems steeped in a perilous and irreversible decline. Nearly everything suffers from well intentioned but misguided meddling by planners. You would never guess that Bradford had ever known greatness."

A natural Bradford reaction would be to tell him to shove off, but every Bradfordian knows the truth of his words, and the effects of what has happened to our city in the past 20 years.

So what went wrong? Recessions were largely to blame, but no one took Bradford by the scruff of its neck. I lay part of the blame at the door of Bradford's leading organisation, the local authority, which has in the past lacked collective leadership and long-term vision. There is no doubt in my mind that many fiddled while Bradford declined.

I genuinely believe, however, that Bradford has turned the corner. We now have a chance to grow. My message to the city's fathers and mothers is that this is not a time for political machinations—it is a time for vision and dynamic leadership, but we need real achievements and not pipe dreams. I well remember the 3D development project, which was meant to be a spectacular regeneration of Bradford's west end. The council was led by the nose for more than a decade, but nothing happened—so please let us have no more pipe dreams.

There is much to be optimistic about, however. I welcome the council's new regeneration committee, which should be a flagship committee. I welcome the economic strategy for Bradford and district which has been produced by the Bradford congress. I welcome the new commitment to co-ordination, partnership and leadership. But we need to do more. We need to involve Bradford's entrepreneurs and captains of industry far more than we ever have. We need to tap into the imagination, energy and experience of entrepreneurs such as the late Jonathan Silver who single-handedly transformed Salts mill into a gallery containing the world's largest collection of David Hockney paintings and a high-tech factory containing Pace Electronics. That is a shining example of what regeneration is all about. We also need the Government's help, which is why a regional development agency is so important for Bradford.

Bradford has much to offer. It has an excellent communications network with access to the M1, M6, M62 and the A1. Leeds-Bradford airport is only half an hour away and Manchester international airport is a mere hour away. Bradford has a growing, young and vibrant work force. My constituency contains Bradford university and Bradford and Ilkley community college—two well-respected institutions with nearly 9,000 full-time students and providing employment for 4,000 people.

Grattons plc, Morrisons, Yorkshire Co-operative and Provident Financial are all key employers in my constituency, which also contains thriving businesses set up by Asian entrepreneurs, including Kashmir Crown bakeries, Mumtaz Paanhouse, Empire Electronics and Nirmal Razai mart.

My constituency also boasts the Alhambra theatre and the national museum of film and photography with the world's largest Imax cinerama screen.

Bradford is the gateway to Brontë country and the spectacular scenery of the dales. It also boasts the rugby league champions: the Bradford Bulls—the best rugby league team in the country. I congratulate the Bulls.

The Independent Labour party was founded in my constituency. Consequently, we in Bradford lay claim to the founding of the Labour party itself. I take this opportunity to invite the first Labour Prime Minister for over 18 years to come to Bradford and see the challenges and opportunities that face us in the lead-up to and into the next millennium. He will be made very welcome with traditional Bradford hospitality.

I am proud to represent Bradford, West and honoured to be elected in Bradford's centenary year. My electors have sent me here to bat for Bradford and that is exactly what I intend to do.

6.11 pm

Mr. Charles Wardle (Bexhill and Battle): I congratulate the hon. Member for Bradford, West (Mr. Singh) on his witty, entertaining and eloquent speech and on his enthusiastic account of his constituency. I am sure that he will turn the gender confusion that he has experienced to his advantage. I admire him for saying so unequivocally that he will represent all his constituents. No one who has heard him could have any doubt about that. As a son of Bradford, he said that he had much to do and I wish him well in that regard.

I join the hon. Gentleman in his tribute to his predecessor, Max Madden. When I was the Minister with responsibility for immigration, I saw a great deal of Max Madden from the Dispatch Box and in Committee, and when he presented case after case. I had the utmost admiration for his fearless integrity and his commitment to his constituents, now those of the hon. Gentleman. I appreciate his warm remarks about two of my hon. Friends who hail from his part of the world.

I join right hon. and hon. Members who have paid tribute to the previous Chairman of the Public Accounts Committee, the right hon. Member for Ashton–under–Lyne (Mr. Sheldon). When I joined the Committee in the final months of the previous Parliament I appreciated his hugely helpful advice and encouragement. I am sure that my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) will be a fitting successor. On this day of royal celebration, fainter hearts might have set aside what my right hon. Friend said about palaces. He has set an excellent example.

I have brief comments on two of the reports that are listed in the Treasury minute of October and then I shall make some general observations about the work of the National Audit Office and the Committee and about the response of senior officials from Departments to the Committee's questions. The way in which officials react to cross-examination by the Committee says a great deal about the weight that they attach not just to prudent financial controls on the use of taxpayers' money but to modern management methods.

My right hon. Friend the Member for Haltemprice and Howden alluded to the 12th report and I have a few comments about that and about the 18th report. They dealt with quite different operations—the 12th report with the Turkish universities equipment project, which was run by the Overseas Development Administration, now the Department for International Development, and the 18th report with National Savings financial reporting. They effectively illustrate how little financial acumen and practical management controls that would be taken for granted as routine disciplines in the private sector exist in some parts of Whitehall.

In the case of the Turkish universities equipment project, the ODA officials seem to have been completely ignorant of the financial standing of the UK company TecQuipment, which had been approved as the main agent for the project. The amount of taxpayers' money that was shelled out to TecQuipment was considerably more than that company's net worth and represented much more than the company had ever achieved in annual turnover. In the private sector, where one's own money or that of shareholders is at stake and there is not a bottomless pool of funds from the Exchequer, which some civil servants think it is their right to spend, it would be more than one's business life was worth not to run a credit check on a bidder or supplier. Most business men and business women know that small companies are at greatest risk in periods of rapid expansion, even when they are to receive money from the Exchequer.

There were disturbing examples in the Turkish universities equipment project of conflicts of interest in regard to a major supplier to the project that also stepped in as a financial guarantor of the agent, and there were serious questions about single tender bids whereby orders that were worth more than £23 million were placed without any vestige of competition.

Anxiety was also expressed about the role of Sangari International, the Turkish company which was contract adviser and negotiator for successful suppliers from other countries as well as for TecQuipment from this country. Sangari emerged with a commission of more than £6 million out of a total project value of £33 million. It is encouraging that the Department has accepted most of the criticism about this dubious set of arrangements under which taxpayers' money went to a very small opportunistic firm without any notion of the need for competitiveness or value for money. Large backhanders seem to have been paid to the Turkish middleman.

For British followers of our foreign aid programme who might have hoped that undiluted aid and trade were being directed for the good of Turkish universities and their students, the reality must have been a disappointment. The Department now says that its standing instructions to procurement agents deal with the correct handling of bids, but it is astonishing that such lapses could ever have occurred. It is even more disturbing that, during the Committee hearing, the ODA's senior civil servant at first seemed reluctant to grasp the import of the full and frank criticism that the 12th report prompted from many members of the Committee.

The 18th report, on National Savings, is another example of appalling omissions in the most rudimentary financial controls. In this case, the language used in the Committee's conclusions was as blunt as it was strong. The conclusions state:

> "We consider that the number and size of the discrepancies and unreconciled balances which have been shown to exist in National Savings financial accounting systems are unacceptable. The Agency's failure to tackle in a timely manner the serious weaknesses . . . point to a lack of competence on the part of those managing the Agency . . . the amount due from Post Office Counters Limited is some £12 million less than is shown . . . by the statements provided by Post Office Counters Limited . . . and . . . one of the Agency's accounts showed an amount owed by investors of £37 million, although depositors cannot owe money to the Agency".

That is because those depositors are creditors. The report referred to "seriously inadequate" financial accounting systems and to a failure to apply "basic accounting controls". This is a horrendous tale of neglect and it is made all the more disturbing by the thought of millions of small investors, thrifty and responsible people, putting their money and their complete faith in the hands of National Savings which either did not understand accounting and control procedures or could not be bothered and left the whole system wide open to the possibility of fraud and malpractice. The fact that the taxpayer would effectively indemnify any saver from losses is no excuse for this hopelessly bad performance.

It is encouraging that, following the NAO's exposé and the Committee's tough line, accounts are now to be produced for all National Savings products and to be audited by the NAO, but one is left wondering about the fate of the culprits in this saga of neglect. In the private sector, there can be no doubt that they would have faced the sack and a deservedly hard struggle to justify employment elsewhere. Under the protective umbrella of the civil service, however, the probability is that they will be given a sideways move—at worst, a spell of gardening leave until the storm blows over, and the prospect of a secure index-linked pension on retirement.

[Mr. Charles Wardle]

It is little wonder that there is such impatience in the private sector, whose wealth creation and taxes largely fund the salaries of officials, with the all too frequent failure of Government Departments to subject themselves to the rigours of modern management disciplines.

On those and other reports, the NAO's investigative work has thrown light on management shortcomings in many sectors of Whitehall. If taxpayers' money is to be deployed to best effect by the Government of the day, it stands to reason that the officials who are charged with responsibility for public expenditure and for the operations and services, whether delivered in-house or contracted out, should meet the highest possible management standards.

That is not always the case in Whitehall, where the prevailing culture among successive generations of mandarins, and all the people who aspire to succeed them, has for too long been all about policy rather than administrative excellence. Policy remains the great adventure in Whitehall for the ambitious career civil servant. The object is to influence policy, preferably to create it when Ministers do not even notice and to concentrate ministerial minds on the political rewards to be won by translating policy into legislation in Parliament and, more recently, in Brussels and Strasbourg. However, once a Bill makes it to the statute book and the next step is implementation of the new measure, official enthusiasm has been known to fade.

Without doubt, many executive and administrative officers—the backbone of the civil service—work tirelessly and impartially, coping with endless amendments to statutory authority in the day-to-day duties of public administration, but the higher echelons of officialdom, who should provide the cutting edge of modern management, have traditionally relegated management skills and judgment to a lower priority than policy formulation. That is a serious weakness when much of the rest of the United Kingdom has undergone a management revolution—and not before time—in which a new generation of computer-literate, market-aware and outward-looking executives and entrepreneurs have emerged in the private sector.

That is not yet true in Whitehall, where the initiative tests for would-be fast streamers—higher executive officer development staff—are years behind the times, and where senior officials scarcely know a lot of their own rank and file staff, and understand too little about the modernisation processes that have been thrust on them in attempts to introduce a more efficient, at times even commercial, sense of reality through contracting out, privatisation, market testing, agency status, the private finance initiative and so on.

As a result, the careers of too many people in middle management—executive officers and the grade 7s and grade 5s—remain undeveloped and unfulfilled. I hope that that will change. Perhaps it will, with the introduction of resource accounting and the use of corporate plans and budgets that genuinely involve officials down the management line, and facilitate the allocation of measurable tasks and challenges to junior staff, thereby enhancing job satisfaction.

If ministerial policy about the future transformation of Whitehall into a modern management machine is a matter for the Government, and perhaps for another debate, the measurement of current performance and the evaluation of departmental effectiveness in delivering the declared objectives are the responsibility of the NAO and the Committee.

In that context, I add my support to the concern of my right hon. Friend the Member for Haltemprice and Howden and of other hon. Members that, as things stand, the Comptroller and Auditor General does not have automatic access to significant sectors of public expenditure for audit purposes. If the CAG is to help the Committee and the House to hold the Government of the day fully accountable to Parliament, and if he is to demonstrate how inefficiencies can be remedied, taxpayers' money saved and public services improved, he needs greater access.

In particular, as the House has already heard, the CAG needs access to non-departmental public bodies that are audited by private firms appointed by the relevant Secretary of State, to local spending bodies, to public sector companies, to recipients of Government and European Union grants, to housing associations, to bodies operating under the auspices of the Office of Passenger Rail Franchising and the Office of the National Lottery, and to private sector contractors carrying out functions for the Government, at taxpayers' expense, under contract.

Central Government have contracted out work worth £6 billion to private sector companies and the PFI has already extended private sector involvement with orders worth £7 billion. If the CAG is to be able to follow public money wherever it goes, he needs access to those private sector contractors, to be in a position to audit the accounts of the recipient of the contract or grant, and to examine value for money in the work undertaken at the Government's behest.

The CAG has powers of access to the papers of audited Departments, but he cannot automatically lay his hands on the records of private firms working under Government contract, if such access has not been stipulated in the contract. Therefore, the CAG has to negotiate on a case-by-case basis the access that he should properly have. That allows the audited body to determine whether access to him should be allowed; there is evidence, as we have heard, that, on occasions, access may be refused or, at any rate, limited. It is essential, if genuine accountability to Parliament is to be maintained, that access is written into every contract as a standard clause, and made a standard condition for grants. That should be provided for in legislation.

To do that would merely put the CAG on an equal footing with the European Court of Auditors and the European audit and accounts commissions. It cannot be right that the CAG is at a disadvantage to his European counterparts in meeting his responsibilities to Parliament.

I shall conclude with two examples of where the CAG's access to the information he needs is unsatisfactory; my right hon. Friend the Member for Haltemprice and Howden has alluded to one. Camelot, the national lottery operator, has annual turnover of some £6.4 billion, of which £1.9 billion is payable to the national lottery distribution fund. The CAG does not have the access that he needs to be able to confirm whether the systems at Camelot operate correctly and to obtain assurance about the completeness of income to the distribution fund. The Committee's 20th report of 1996–97 said that he should have full access to Camelot's records relating to

the financial control of lottery activities. The matter is under review, but the CAG does not yet have the right to such access.

In 1996-97, the Office of Passenger Rail Franchising made payments of £1.8 billion to train operating companies, but the franchise agreements with those companies do not give the CAG a right of access to verify independently the Opraf data that are used to ensure that the franchisees have met their objectives, as they are required to do. The need for such access is generally agreed, but it is not yet available as a matter of right.

There can be no doubt that there is growing public interest in, and enthusiasm for, greater accountability on the part of the people who spend taxpayers' money. Nor is it in doubt that the demands on the Exchequer for public expenditure will continue to grow. That means that the pressure on Whitehall to achieve greater efficiency and to use up-to-date management techniques in public administration will inevitably increase. For the NAO and the Committee to be able to assure the House that the spotlight is fully on the providers of public operations and services in that regard, unfettered access for the CAG—wherever public money flows—must be an immediate priority.

6.29 pm

Mr. Mike Hall (Weaver Vale): I join the hon. Member for Bexhill and Battle (Mr. Wardle) in the fullest praise of my hon. Friend the Member for Bradford, West (Mr. Singh). I was delighted that my hon. Friend paid tribute to Max Madden, because those of us who class Max as a friend know that he was a strong and fine parliamentarian. My hon. Friend was right to praise him, and I hope that he follows in his footsteps during his time in the House. If his maiden speech is anything to go by, we can be assured of that.

My hon. Friend also gave a detailed account of his constituency. He was right to criticise the corrosive nature of drug abuse and to say that we need to tackle that in a firm and positive way. I join my hon. Friend in his condemnation of those who push drugs in our communities; we see daily the damage that they cause.

My hon. Friend talked positively about Bradford, and I view with great approval his reference to the Yorkshire Co-op. I have been a lifelong member of the Co-operative movement and value the benefits that it offers. Its presence in Bradford is a great sense of pride within the movement.

On a serious note, my hon. Friend referred to the multicultural nature of society today. His call for tolerance was a powerful message. Given events elsewhere this week, the demand for greater tolerance within the international community must be underlined, and his speech has done a great deal to promote that. It was an important part of a good speech.

My hon. Friend had the temerity to remind us about the success of Bradford Northern, or should I say Bradford Bulls. I am a member of the all-party rugby league group and a supporter of Warrington—the Wire. My hon. Friend is right to say that the Bradford Bulls is the best team in the super league now—but not for long, we hope.

My hon. Friend made an eloquent speech, full of insight. He said that it is polite in Bradford to tell people to, "Shove off." I can reassure him that when he next speaks in the House he will be listened to with great interest because of the quality of his maiden speech and we will certainly not invite him to shove off.

My hon. Friend also referred to the confusion over his gender. I know that at one time he was down to be a member of Emily's List. I was envious of the fact that he was invited to join the photocall with the Prime Minister after the first meeting of the parliamentary Labour party. There would have then been 101 women and two men, not one. We look forward to many contributions from him in the future. If they are anything like his speech today, they will be absolutely fantastic and well worth listening to.

I join other hon. Members, particularly the new Chairman of the Public Accounts Committee, the right hon. Member for Haltemprice and Howden (Mr. Davis), in their praise for the outgoing Chairman of that Committee, my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon). I nearly referred to him as Bob because, when I was growing up in Ashton-under-Lyne, my right hon. Friend was my Member of Parliament. I have a great deal of respect for him. He has been a close friend of my family over the years and has done a terrific job as Chairman of the Public Accounts Committee. I am sure that that had nothing to do with the fact that I was appointed to that Committee on 9 June 1992 when a vacancy occurred at short notice.

It was a great pleasure to be a member of the PAC. It taught me a great deal about what goes on in the Departments. As an Opposition Back Bencher at that time, it gave me great insight and enabled me to come close to the workings of government. Membership of that Committee is of great benefit to Opposition Back Benchers.

My right hon. Friend the Member for Ashton-under-Lyne always used to tell us that the Public Accounts Committee was the hardest-working Select Committee in the House. When one looks at the volume of work that it gets through and the number of reports produced, one can see that that is not just a boast but a statement of fact.

We are considering 25 reports from 1996–97. We must remember that we are looking at only half a year and that there are still 22 outstanding reports from that year. I hope that they will be published, because they are important pieces of work that need to be drawn to the Government's attention. We need to learn the lessons in government of some of the mistakes that have been made in the past.

I offer full praise to the Comptroller and Auditor General and his staff for the work they do behind the scenes on the Public Accounts Committee. Their value-for-money audits and full financial audits mean that when a report appears before the Committee, it is no trivial matter. The National Audit Office and the Comptroller and Auditor General deserve fullest praise from the House for the work that they do on financial probity and protecting taxpayers' money.

The current Chairman of the Committee was right to draw attention to the national lottery and to the lack of access that the Comptroller and Auditor General has to Camelot's books. That has concerned the Committee greatly since the inception of the national lottery. It is an apposite reference at this time when Camelot has just disclosed its six-monthly pre-tax profits at something short of £34 million, which means that it wins £1 million

[Mr. Mike Hall]

on the national lottery every week. Personally, I would like to see the lottery run by an organisation that is not involved in making profit. I am sure that that will happen at some time, and I look forward to it.

The seminal report of the PAC—the eighth report, published on 17 January 1994—has already been mentioned. The opening paragraph of that report is still relevant to the problems that the Committee addresses. I make no apology for repeating it in this debate as I have done in previous years. It says:

"In recent years we have seen and reported on a number of serious failures in the administrative and financial systems and controls within departments and other public bodies, which have led to money being wasted or otherwise improperly spent. These failings represent a departure from the standards of public conduct which have mainly been established during the past 140 years. This was the period following the publication of the Northcote and Trevelyan Report which condemned the nepotism, the incompetence and other defects of the Civil Service and brought about fundamental change. It is from that period that we acquired the principles and the standards which have come to be copied by some countries and admired by many more. It is our task to retain those standards."

Paragraph 6 of the report makes some important comments, particularly in the light of the 25 reports before the House today. It says:

"We emphasise that we are not calling for any more detailed rules. Almost every case we have examined involved breaches of existing rules or guidance."

I can say with confidence that, when we consider the reports before us, that paragraph still applies. If the proper rules of accountability had been applied in the subjects considered in the reports, we would be debating a far better state of affairs from the 1996–97 series of PAC reports.

The first report to which I wish to refer in detail is the 12th report on the Overseas Development Administration and the Turkish universities computer equipment project. It is an astonishing project. A total of £23.36 million of aid has gone to support a total project worth £66.7 million. It was managed by a United Kingdom company called TecQuipment Ltd.

The first mistake made by the ODA was that it did not award the contract after competitive tender, which was a breach of the existing rules. The project involves the provision of technical equipment to support undergraduates and postgraduates in 29 Turkish universities.

The PAC found that TecQuipment had significantly overlapping roles in the aid project. I think that that is a slight understatement, because TQ was the project manager, it supplied the equipment procured with the ODA aid and advised the Turkish Higher Education Council on the tender evaluation. TecQuipment was involved in every stage of the project: no Chinese walls, no declarations of interest and no avoidance of any pecuniary interest by the organisations involved in the bid. Therefore, TQ was in a powerful and pivotal position to influence the contracts awarded. It was not surprising to note that TQ received orders worth £5.8 million, with £3.3 million of that coming from one bid.

TecQuipment had only small financial assets and, before entertaining the idea of its working on the project, the ODA demanded a bank guarantee. TecQuipment went to Fisons for a guarantee. Coincidentally, Fisons underwrote its guarantee for £10 million and the House will not be surprised to know that Fisons won a bid for the project totalling £10 million. The coincidence is too obvious to miss.

This sorry and sleazy affair is topped by the involvement of a company called Sangari International, which acted for TQ in managing the project. It also acted for companies bidding to supply the equipment and—guess what?—it advised the Turkish Higher Education Council on placing the contracts.

The House will not be surprised to hear that Sangari International secured £33 million of business on the project for the companies that it was advising. There is a lack of value for money, there is a threat to financial probity, and taxpayers' money has not been properly used. Sangari received £6 million for its share of the action, as well as undisclosed management fees. The new Chairman of the PAC was right to draw attention to that sorry state of affairs.

The second report to which I want to refer has already been referred to by my hon. Friend the Member for Shipley (Mr. Leslie). It is closer to home for him than it is for me. It is the 19th report into the former Yorkshire regional health authority. It was to the credit of Alan Langlands, the chief executive of the national health service, that he commissioned an inquiry into what happened in that region before 1 April 1994. The inquiry uncovered abuse, unlawful payments, tax avoidance, financial conflicts of interest, fundamental management failure, complacency over accounting of public money, breaches of financial controls, abuse of authority, dodgy land deals and money borrowed for one purpose and spent on another. That refers to the money given to secure loans for people who had moved house. They borrowed the money under a deal that had not been approved by the Treasury and then spent it on something else.

The health authority also took advance payments, a practice completely outside Treasury rules. I believe that in the days before the abolition of the health authority, the rule book had been thrown away.

I want to pick out three aspects of what was going on. The first is minor, but lessons were learned from it. Before the merger, Yorkshire regional health authority provided the chair of the trust with a Range Rover. That was outside Treasury guidance. When it was sold, it cost the taxpayer £10,000. It also provided a car for another member of staff, but the report does not say how much that cost the taxpayer. The NHS executive then issued guidance to all trusts stating that it was not appropriate for trusts to spend money on providing Crown cars for the chairs of regional health authorities, health authorities or trusts. That guidance has generally been followed, although there are at least two examples of action having to be taken after the guidance had been issued.

Secondly, the health authority joined with Yorkshire Water to provide a clinical waste incinerator. It was a capital investment cost of £7.2 million, with a guarantee of £2 million a year for 15 years for the incineration of clinical waste. Again, that contract was not let subject to competition. The contract was far too long as it stretched over 15 years—and, more important, it did not receive the necessary approval of the NHS executive. Health authorities and trusts now have to write any corporate projects into their business plans. When they need to borrow money and get involved in such deals, they need the approval of the NHS executive. That is another lesson learned from this very sorry affair.

The third issue, which has already been referred to by a number of hon. Members, was the authority spending £695,000 on functions and dinners between April 1992 and March 1994. The report records that it must have bought some very expensive wine. As has already been mentioned, the functions included two "Super Sleuth" weekends in a hotel, costing £10,000. We do not need to be super sleuths to work out that that sort of expenditure on hospitality is wholly unacceptable.

The PAC was right to demand that health authorities and trusts should have a clear responsibility to ensure that the funds that they are given for health care are spent on health care and not wasted in the way outlined in the report.

The seventh report, on the hospital information support systems initiative, is rightly critical of the NHS executive, for two main reasons. First, in 1992–93 the Committee, in its 63rd report, on the Wessex regional health authority regional information systems, made severe criticisms about the lack of management, a lack of planning, the lack of a corporate approach to computer purchasing and the lack of proper project management. It was very critical.

The seventh report shows that the same problems have repeated themselves. For example, it found that the day-to-day project management was slow to deliver the benefits of improved patient care. There were delays of between eight months and three years in the six pilot projects referred to in the report. The initial project cost was £47 million, but that rose to £61 million. The report records that the extra £14 million had to be found from other budgets, with a consequential impact on patient care in the hospitals involved. When we tried to draw comparisons with the Wessex report some years previously, Alan Langlands disputed that there was any connection. Despite his protestations, the PAC recorded extreme disappointment that some of the Wessex problems had been repeated.

There was all the more cause for concern when I read Ceefax yesterday and noted that the Audit Commission has reported that there is

"no good central information about the effectiveness of drugs and treatment"

within the NHS. We have two critical reports from the PAC about the need to co-ordinate information to improve patient care, yet in 1997, the Audit Commission has drawn attention to the fact that there is no central information about the effectiveness of drugs and treatment within the NHS. I hope that Ministers in the Department of Health with take heed of that report and act swiftly to ensure that we get the sort of information that we need in the NHS to ensure that all patients receive the care to which they are entitled.

One report that has not been referred to so far is the third report, into the mining operations of British Coal. I shall refresh the memory of those who do not remember the details of the sale of British Coal. The Government sold British Coal in December 1994 for the reported sum of £926 million. However, the PAC drew attention to the fact that the Government, in preparing British Coal for privatisation, had spent £37 million specifically on those preparations. They had spent another £582 million on minor redundancies. A post-sale adjustment to the price reduced it by £6.4 million. Another £136 million was deferred. Logic and mathematics show that the Government received only £212 million in cash for the whole of the British coal industry.

That is not the full story. Before the Government sold British Coal, they wrote off £2 billion of debt and, at the point of the sale, they wrote off another £1.6 billion. The class IV vote for 1994–95 shows that in that year the taxpayer was receiving £112 million per anum from British Coal in interest payments. The Government had only to keep British Coal in public ownership for another three years and we would have had more money in the public purse than they received for selling it—unless we take into account the fact that, because British Coal was sold, the Government were able to reclaim £2 billion from the surplus in the British Coal pension fund. Even taking that into account, by my reckoning the taxpayer is still £1 billion out of pocket. Only this month, we have heard of the problems now besetting the privatised British coal fields.

I am very concerned about the role of Rothschild in that privatisation. It was awarded a £9.1 million contract to advise British Coal on the sale. Initially, firms were invited to tender for the provision of advice on the preliminary sale. Rothschild was the preferred bidder for the preliminary work, but it was then appointed, without further competition, to advise on the whole sale. The decision was taken by the then Secretary of State for Energy, now Lord Wakeham. It was contrary to the guidelines set out in the PAC's eighth report in 1993 about open competition for Government business. It was probably also outside European guidelines. What concerns me most is that on 20 May 1996, when we took evidence on the sale of British Coal, we were told that Lord Wakeham was then working for Rothschild.

The report on the completion of the new British library has been referred to by many hon. Members. When I cross-examined the permanent secretary at the Department of National Heritage, I referred him to the story in "Yes, Minister" when Jim Hacker said to his permanent secretary at the Department of Administrative Affairs, "It takes longer to get planning permission for a bungalow than it took to build the pyramids." I put that to Mr. Hayden Phillips, and he said that he did not consider the project in those terms. He had looked back in history and found a better comparison. It took 939 years to build Prague cathedral, whereas it took only 22 years to build the new British library.

The British library project was started in 1988 and was estimated to cost £300 million. By the time that the PAC took evidence on it, in June 1996, the estimated cost had risen to £511 million. I made a note saying that the British taxpayer would probably be charged an additional £61 million in settling construction work charges.

As we have been told, once the library fully opens, it will not be long before it is filled to capacity. We were told that we will be provided with only 12 extra reading rooms, which is a 25 per cent. capacity increase over the previous location. We were told also that, when the building construction work at the new library was inspected, 230,000 items—dealing with shelving, cabling and fire protection—required correction.

Laing was involved in the project, for the benefit of the British taxpayer. It was given the job—at a cost to the taxpayer of £38 million—of supervising the works. It was responsible for ensuring that the works were completed to standard specifications, for maintenance and for quality control.

[Mr. Mike Hall]

Laing did not achieve what it had been paid to do. The House will therefore be surprised to learn that the supervision contract, when it was renegotiated in 1991, was awarded to Laing. That beggars belief. Although the British library project was never a contender for the best civil service project of the year award, the British taxpayer certainly did not get value for money.

The Committee's sixth report, which was encouraging, deals with the European Court of Auditors. The Chairman and some of the members of the PAC went to Luxembourg to observe how the court operated. Some reports in the press this weekend stated that the European Union has been found to have lost in waste and fraud 5.4 per cent. of its £52 billion budget for 1996. I hope that the sixth report will help to enable the European Court of Auditors to do the same work for the European Union that the Public Accounts Committee does on behalf of the British taxpayer.

I am reassured that the Amsterdam treaty changes have strengthened the powers of the European Court of Auditors, and that they will make it easier for the European Union to agree legislation to deal with fraud in the EU budget. I am even more encouraged that—in the first half of next year, under the British presidency of the European Union—one of our Labour Government's first priorities will be to propose an active agenda to deal with waste and fraud.

6.52 pm

Maria Eagle (Liverpool, Garston): Thank you, Mr. Deputy Speaker, for giving me an opportunity to speak in the debate.

I congratulate the right hon. Member for Haltemprice and Howden (Mr. Davis) on his elevation to the chairmanship of the Public Accounts Committee. It is a momentous occasion, because it is the first time since 1983 that the chairmanship of that important Committee has changed. I hope that he will not think that I am making a partisan point if I wish him as long and successful a tenure in the position as that enjoyed by his predecessor.

I should like to add my voice to those paying tribute to my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) for his tenure and success in carrying the flag, since 1983, for the Public Accounts Committee. Although 14 years seems a long time, it soon becomes apparent—once one sniffs around a bit—that his interest in the Committee's workings and in the subject of Government audit goes back much further. He was first appointed to the Committee in 1965, and he was writing Fabian pamphlets about auditing Government accounts in 1973. His interest, understanding and experience are therefore about as long as any other hon. Member's.

My right hon. Friend the Member for Ashton-under-Lyne may also be credited with having shaped the Government audit regime since the advent of the National Audit Act 1983. The right hon. Member for Haltemprice and Howden will have a hard act to follow, but I am sure that he will do so with great flair.

I should like to echo briefly the tributes paid to the Comptroller and Auditor General and his staff at the National Audit Office. It is apparent, even in my extremely short time in the House and on the Committee, that it would be impossible for us to do our job were it not for the work that they do. I am constantly amazed not only by the speed with which we manage to deal with issues, but by the amount of good work that we must get through every week to do our job. I add my appreciation to that of other hon. Members who have seen at first hand the extent of good work done by the Comptroller and Auditor General and the National Audit Office.

It would not be possible for the Committee to work well without the efficiency and effectiveness of the Clerk to the Committee and his staff.

I was not a member of the Committee or an hon. Member when the reports that we are debating were considered by the Public Accounts Committee. I have therefore decided to take a rather wider look, through the eyes of a new hon. Member, at the work that we try to do.

The Committee operates at the very centre of one of the traditional roles of the House—to scrutinise the Executive. For many hundreds of years, it has been difficult for the House to get that task right. Such scrutiny was even an underlying and serious cause of civil war and regicide. With the maturing of our democracy and the passage of years, however, we have managed to become at least a little more civilised in performing it. It now seems to come down to a close examination of how money granted to the Executive by Parliament is spent.

Over the years, hon. Members and other parliamentarians have wrestled with the issue of how to perform that role, which is one of the House's most difficult jobs. Until the end of the 19th century, Supply was examined on the Floor of the House, when each Department would bring to the House its estimates. There would be a Committee of the whole House, and hon. Members were able to examine—line by line, as some people in local government still do—the estimates, to suggest amendments and occasionally even to win votes on amendments. These days, however, such consideration is no longer practical—if it ever was.

In 1905, in the first debate when the Public Accounts Committee's work was submitted to the House, Mr. Winston Churchill examined the effectiveness of how things were done in those days, when there was a Committee of Supply and Supply days. On the Committee of Supply, he said that

"the value of Supply days as occasions for raising grievances and discussing questions of policy"

was evident,

"but so far as any systematic and scientific examination of the expenditure of the country was concerned, they were a series of farces from beginning to end."

Mr. Churchill also suggested that it was not possible for any human being

"not possessed of expert information or access to official documents"

to

"possibly bring any effective criticism—except by accident—to bear upon the details of expenditure in Committee of Supply."

On proceedings on the Floor of the House, he said that

"It was absurd to suggest that a system under which 670 Members, dominated by partisanship and Party feeling, strolled in and out on Supply days, and voted without having heard the debates, involved any definite, methodical, and scientific examination of the expenditure of the country."—[*Official Report*, 26 July 1905; Vol. 150, c. 443.]

The issues that Mr. Churchill was dealing with on that day are still with us—to the same if not to a greater extent, because we deal with much more Government money, and the Government undertake a much wider range of activities. The issues that he raised are as serious now as they were then.

How can the House scrutinise seriously and effectively the spending of public money by the Executive? These days, we do it slightly differently. We have reached a compromise in the sense that the PAC itself will formally examine appropriation accounts but, in reality, will concentrate on issues flagged up in the reports of the Comptroller and Auditor General. As has been said, the PAC also does a great deal more work on value for money, which is a good thing. I do not think that it is possible to scrutinise the vast amount of public expenditure any more sensibly than we do already. However, it is important that the PAC retains a reputation for being a formidable body, especially in respect of its hearings.

It is appropriate that accounting officers who come before the PAC should quake in their boots a little before they come through the door. I shall certainly do my bit to ensure that they continue to do so. I know that some accounting officers have complained about the confrontational way in which members of the PAC take evidence. I make no apologies for that; it is important that it continues. Last year, when my right hon. Friend the Member for Swansea, West (Mr. Williams) questioned the accounting officer for the Office of the National Lottery in a confrontational way, he found that it was possible to discover by cross-examination things which even the National Audit Office had not uncovered. That is an important contribution that hon. Members without accountancy skills can make.

It is clear, even to a new Member of Parliament like me, that the Executive do not enjoy being scrutinised, and that has been true for centuries. The 22nd report of the PAC deals with British Rail Maintenance Ltd. and the sale of its maintenance depots. Referring to the Department of Transport, one of the report's conclusions states:

"We welcome the Department's decision to abandon the 'Not for NAO Eyes' convention".

Government Departments and elements of the Executive developed their own ways of dealing with the challenges of external audit and tried to keep things covered up. One of them was the convention of writing on the top of papers, "Not for National Audit Office eyes". I, for one, am glad that the Department in that case has agreed to abandon that convention, but it is a warning to us all: while we enjoy a cosy relationship with the Treasury and the Executive, and while the Financial Secretary to the Treasury is a member of the PAC, it is still possible for the Executive and Government Departments to take steps to try to avoid our scrutiny. It is important that those of us participating in the scrutiny do not get taken in, but retain our critical faculties.

In my brief experience, I have found that there are one or two issues of general concern and faults in the way in which we do things. I do not yet have the answers, but I shall certainly be thinking about them in the coming months and years.

It seems that the accounting officers who come before the PAC are often not the people who have made the decisions that they are having to defend to us. They are accounting officers, and, in that sense, have to account for decisions that are made, but I wonder whether dragging along a chairman or two, especially those of non-departmental public bodies, might make some of the people who do take the decisions think a little more carefully before doing so.

Despite the general feeling that the PAC and its proceedings are well covered by the media, I do not think that the media make enough of what we dig up. The green reports prepared by the NAO are well covered when they are published, but that is less so in respect of oral evidence and PAC reports. The media may like to take a closer look at all stages of the scrutiny process.

Despite the fact that 92 per cent. of recommendations are accepted by the Government and the Treasury, those recommendations are not always acted on. The hon. Member for South-West Hertfordshire (Mr. Page) and some Labour Members expressed dissatisfaction with the action taken following the reports. All we can do as members of the PAC is return to a subject and produce another report—perhaps we ought to think of another way to ensure that recommendations are acted on.

In any event, I am grateful to have been appointed to the PAC, although I was somewhat surprised, being a new Member of Parliament. Who knows how the minds of those on the Committee of Selection work and on what basis I was appointed? I am grateful to have been appointed and look forward to participating in this debate in future years, when I shall know more of the detail of the reports being considered, as I shall have contributed to them.

7.5 pm

Mr. Alan Campbell (Tynemouth): I am grateful for the opportunity to make a brief contribution to the debate, albeit as a new member of the Public Accounts Committee commenting on reports of a previous Committee. Before I do that, I, too, pay tribute to the role of Sir John Bourn and his staff in providing support to Committee members. New members in particular benefited from that support. I also thank the Clerk to the Committee.

We have, quite rightly, heard a great deal about the need to scrutinise the Executive. In last year's debate, my right hon. Friend the Member for Swansea, West (Mr. Williams) spoke about the "redefining of ministerial accountability". I should like to comment on that against the background of enormous change in public service and, in particular, to say something about the growth in the number of public service regulators.

Regulators have become something of an industry in their own right. There are now some 134 regulators employing 14,000 staff, at a cost of about £766 million of taxpayers' money. Recent research by the London School of Economics stated:

"It is an industry which seems to have grown topsy-like with no overall rationalisation or consistent practice".

Furthermore, it would appear—I am not making a party political point—that the previous Government saw the increase in the number of regulators, but failed to ensure that the regulators themselves were properly regulated. Clearly, regulators cover diverse and often unrelated areas, but they are nevertheless linked by their obligation and duty to seek the highest possible standards for the public.

My comments refer almost exclusively to the 20th report, dated 17 March, on the workings of the Office of the National Lottery. The report contains

[Mr. Alan Campbell]

some serious criticisms of the role of Oflot and, in particular, of the role of the director general. Some of those criticisms arise from weaknesses in the original licence provisions and from confusion over whose role it was to intervene and to regulate.

For example, the report draws attention to several instances when interest from accounts went to Camelot rather than to the players' trust. It draws attention to the two-day delay in paying in receipts from retailers, which meant that £420,000 in interest went to Camelot rather than to the players' trust. Similarly, the interest paid from the annual prize shortfall, worth some £6 million in 1995, again went to Camelot rather than to the distribution fund. I understand that that was to be put right on 1 April this year, but it is interesting to note that that decision was taken only after a recommendation by the PAC.

The clear Treasury view is that such matters are the responsibility of the director general. If there is still confusion, it must be cleared up. There may be confusion in the original licensing provision, but the report makes further criticism of the director general and the way in which he sought to apply his powers. For example, he failed to give sufficient priority to the compliance programme, although I am again pleased to note that after the PAC's criticisms, work on most of the programmes is under way. The report comments on the director general's lack of vigour in ensuring that money was paid into the players' trust, which resulted in losses to the trust of £500,000. The trust's difficulties stem partly from the director general's decision not to get involved in the detail of the trust.

The report concludes that the director general's approach was

"less active and vigorous than that adopted by other regulators, such as the Directors General who regulate the electricity, gas, water and telecommunications services."

I hope that he takes that on board. I believe that there was a call in last year's debate for his resignation. If my comments fall short of that, I hope that he does not take it as a vote of confidence.

The most worrying aspect of the report has already been touched on by other right hon. and hon. Members—the lack of access for the National Audit Office to Camelot's records. The NAO was unable to satisfy itself that payments to the distribution fund had been correctly made. Unless the NAO can negotiate sufficient access to do its work, it cannot advise Parliament properly. That is unacceptable. I welcome the fact that the Government are considering ways of accessing Camelot's records.

The Committee notes that the lottery has raised substantial sums for good causes. We all acknowledge that. I hope that we shall get a sports hall development at Marden Bridge in my constituency, which will transform sport for schoolchildren there. However, that does not remove the need for vigorous examination and criticism, when warranted. It also does not excuse the lack of a more proactive and positive approach from the director general. He has an important role in facilitating parliamentary accountability. The report acknowledges his crucial role in maintaining the integrity of the lottery and reassuring the public.

I welcome the action of the Department for Culture, Media and Sport and its intention to transform the national lottery into the people's lottery. If it is to be a people's lottery, it must have public confidence. The public buy the tickets and keep the lottery going, and their interests must be paramount. The regulator must promote the public interest, not the operator's interest. There are lessons in that for all regulators. It may well mean making operations more transparent. If it means giving regulators more powers to be able to discharge their work better, so be it.

I welcome the report, as I welcome the lottery White Paper. In view of the serious concerns raised in the report, the Government's determination to carry out a significant overhaul of the system is fully justified.

7.13 pm

Mr. Phil Hope (Corby): I congratulate the right hon. Member for Haltemprice and Howden (Mr. Davis) on his elevation to Chairman of the Committee. I look forward to serving under his stewardship. As a new member of the Public Accounts Committee, I have found the first few meetings most enlightening, reinforcing the importance of democratic scrutiny of Government spending. I add my congratulations to all former members of the Committee on the determination and rigour with which they have exercised their duties. Preparing for and participating in the work of the Committee requires a good deal of time. The value of its work can be seen in the Committee's reports. I add my tribute to the former Chairman, my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon), for his superb leadership—an example that we all aspire to follow.

The reports show the vital role of the Comptroller and Auditor General and the Public Accounts Committee in holding the Government to account for their performance and ensuring value for money. I have chosen my top four reports from the 25 before us. I wish that I had been here to take part in those debates. My No. 1 was the second report, revealing incompetence in the delays and cost overruns in completing the British library—a tale of appalling mismanagement. The 16th report exposes the billions of pounds of excess profits made by water and electricity companies following privatisation. The 19th report reveals the intolerable irregular relocation payments made by the former Yorkshire regional health authority. The 22nd report shows that the failure to ensure comprehensive valuations of the British Rail maintenance depots before their sale resulted in a bad deal for the taxpayer.

I hope that the new Committee, with many new members, including me, will continue the excellent work that has been done in the past. In the four or five hearings so far, we have exposed gross inefficiency in the work of the Child Support Agency, revealing that 85 per cent. of its maintenance payment balances are wrong, causing great distress and misery. We have also uncovered some appalling judgments, such as the Inland Revenue's decision not to implement a £20,000 computer database scheme, leading directly to the loss of several millions of pounds—if not hundreds of millions—of tax revenue from employers.

Given the benefits to the public purse of past and current PAC scrutiny, I add my voice to those of other right hon. and hon. Members who have asked for increased access for the Comptroller and Auditor General—and therefore for the PAC and Parliament—to follow and scrutinise public money wherever it goes.

In particular, we should increase his powers over and access to executive non-departmental public bodies, such as the Housing Corporation and the Legal Aid Board.

All local public bodies funded at arm's length should be included in the Comptroller and Auditor General's remit. That includes the further and higher education institutions, training and enterprise councils and, in particular, housing associations. We should ensure that we can scrutinise the final recipients of Government and European Community grants, including farmers, companies and voluntary bodies. We need to scrutinise contractors when Government functions are under contract to the private sector. We need to ensure that Railtrack and the rail operating companies, which are regulated by the Office of Passenger Rail Franchising, are properly scrutinised by the Comptroller and Auditor General. As my hon. Friend the Member for Tynemouth (Mr. Campbell) said, we must ensure that Camelot, regulated by the Office of the National Lottery, is properly brought under parliamentary scrutiny.

Extending access in that way would increase the scope of the NAO to many more areas of public spending and extend the benefit to the taxpayer of its work, which recoups at least £7 for every £1 that it costs to run.

Every member of the PAC is committed to ensuring the best value for money from Government spending. Like our predecessors, we shall perform our duties with determination and rigour. Already in the new Parliament, our hearings have exposed inefficiency and ineffectiveness in the Child Support Agency and the Inland Revenue. I ask for the Comptroller and Auditor General and the Public Accounts Committee to be given the extra tools and powers that we need to pursue economy, efficiency and effectiveness wherever public money is spent.

7.19 pm

Mr. Andrew Love (Edmonton): I am pleased that my hon. Friend the Member for Bradford, West (Mr. Singh) has returned to the Chamber as I now have the opportunity to congratulate him on a witty and entertaining speech that will, I am sure, go down exceptionally well in his constituency.

I am a new member of the Public Accounts Committee and I am acutely aware of my lack of knowledge and experience of its work. In my brief period on the Committee, I have been overwhelmed not only by the diversity and complexity of the reports, but by the work load. I do not know whether there are any Whips in the Chamber at the moment. If there are, I suspect that they will be smiling. My hon. Friend the Member for Liverpool, Garston (Maria Eagle) said she did not know why she had been appointed to the PAC. I do not know either; I wonder whether the last laugh is with the Whips rather than with us.

I pay tribute to all the previous members of the Committee. They produced not only the 25 reports that we are considering, but another 22 that have come out in the past year. Much of the credit for that record must go to the National Audit Office and to the Comptroller and Auditor General, Sir John Bourn.

I thank Ken Brown, the Clerk to the PAC, and his staff for dealing efficiently with the bewildering array of papers that we are sent continually. I also thank them for their helpful attitude and their patience and forbearance in dealing with new Members such as me.

I join other hon. Members in paying tribute to the previous Chairman of the PAC, my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) and I welcome the new Chairman, the right hon. Member for Haltemprice and Howden (Mr. Davis). I wish him well in his duties during this Parliament.

When I became a member of the Committee, I was worried by the fact that it always reached a consensus—something that is very hard to achieve in politics—but having seen the Committee in operation over the past few weeks, I can understand the strength of the concept that Gladstone envisaged when he set up the PAC. It does not comment on policy; its role is to scrutinise, to combat fraud and corruption, to ensure that public funds are spent according to the purposes they are voted for by Parliament and to achieve value for money.

Unanimity adds greater force to our recommendations. According to the National Audit Act 1983, the PAC has a duty to investigate "economy, efficiency and effectiveness" in the public sector. That requires access, but access is not available in certain areas of the public services. I associate myself with the comments made by the Chairman and other members. We must have access to all areas of public expenditure and to all bodies, whether quangos, housing associations, Camelot or, as mentioned by the Chairman, royal palaces.

We often think of this country as having a reputation for public probity and scrutiny. I am concerned that the European Court of Auditors has greater powers of access than the National Audit Office. That point applies not only to European institutions but to some British bodies. We need to look at that matter carefully.

The second report dealt with progress in completing the new British library. In this context, "progress" is a misnomer. The report followed a 1991 PAC report that catalogued the disasters that had overtaken the project. There had been a delay of three years in opening and, as I understand it, the library has still not opened. It has been developed on a smaller scale than originally envisaged, with increased costs of £61 million. The reason was described in the report, somewhat euphemistically, as "technical defects"; book shelving and electrical cabling had to be replaced. I was amazed to read that four years passed before the Department of National Heritage was informed that there had been problems. That is a shocking indictment of the control of the project.

The problem was exacerbated by there being two clients—the Department of National Heritage and the British library—rather than one and by a complicated management arrangement that resulted in weak quality control and difficulty allocating responsibility for defects and cost overruns. That was a recipe for disaster. It was, however, nothing compared with the lack of control over expenditure. There was no total cash budget and no firm budgets for work packages. That left the Department, as the report says,

"poorly placed to resist claims".

[Mr. Andrew Love]

There was great concern that that was not the way in which to manage a major construction project. The report concluded:

"In our view the new British Library could be used as a model of how not to manage a major construction project."

I was attracted to the fifth report, "Highways Agency: The Bridge Programme" because of experience of the programme in my constituency. About a year ago, the Highways Agency commenced remedial works to a bridge on the A10 which is the largest trunk road and the busiest north-south route through my constituency. We thought that the remedial works were intended to cover deterioration that had taken place over the past 10 years. Less than two months after those works had been completed, further work was undertaken and we discovered that the second round related to bridge strengthening under the Highways Agency programme. We had a series of disruptions the first time round and within two months we had a second series of disruptions, which are only now coming to an end. That was incompetence of the highest order and it led me to take a close interest in the report.

The PAC examined the 15-year programme to restore motorway and trunk road bridges to good condition and to enable them to cope with vehicles of up to 40 tonnes, in line with the European directive. That is what was explained in my constituency. The report highlighted the fact that, halfway through the programme, only £131 million out of the £700 million that had been spent had been devoted to assessment and strengthening. That is against the backdrop of an increased work load due to an increased number of bridges with problems and improved inspection procedures—which led to concern about ensuring that under-strength bridges remained safe to use without width or weight restrictions that imposed severe traffic disruption.

The report criticised the monitoring of the agency's maintenance agent and the failure to introduce a systematic national approach to monitoring and recommended that the Department set up as a matter of urgency a bridge management information system to ensure that the limited funds were deployed in the most cost-effective manner. That was surely the greatest condemnation of the programme up to that date. I understand that significant progress has since been made on the report's recommendations, which I welcome.

I shall deal briefly with the 13th report, "The Second Sale of Shares in National Power and PowerGen". The sale was overshadowed immediately by the announcement by the Director General of Electricity Supply of a review of regional electricity companies' price controls. The report noted a significant price fall, following the announcement, on the second day of trading.

While I do not demur from the Treasury view that it could not anticipate that the market would interpret the announcement as having implications for other regulatory regimes, the report concluded that Ministers should have been consulted before the final decision to proceed with the sale. There was inevitably some fall-out in the attitude of large institutional investors, although evidence from the Treasury subsequently suggests it to have been a short-term phenomenon that did not affect later flotations.

On a brighter note, the report welcomed the additional proceeds from the state's sale of shares. The sale was oversubscribed, in line with Treasury predictions, and achieved with less costly incentives than previous ones. The report recognised the bank of experience and expertise built up in the Treasury from many other privatisations. The only question that remains is whether that expertise will be put to any significant use in future.

7.31 pm

Mr. Mark Todd (South Derbyshire): I congratulate all members of the Committee and their Chairman. They have expressed their thoughts on the reports and described their onerous duties. I wish them well.

I am not a member of the PAC and I have but one very narrow focus for my comments. It relates to the eighth report, "Information Technology Services Agency: Outsourcing the Service Delivery Operations". My concern lies more in the Treasury response to the report than in the report itself. There was very useful invigilation by my hon. Friend the Member for Wallasey (Angela Eagle) of some of the issues relating to the Public Accounts Committee about which I am concerned, but the Treasury's response is worrying.

I shall quote the section that worries me most. It relates to PAC conclusion xiii.

"We note that EDS have won significant amounts of public sector IT business . . . We are very surprised that Treasury were not able to provide more than fragmentary information of the extent of work done by EDS . . . We look to the Treasury to provide this Committee with complete and comprehensive information on the distribution of central government IT business amongst private sector computer companies."

That is a very reasonable statement to which I shall return.

The Treasury's response was:

"The Treasury notes the Committee's conclusion. It is not part of the Treasury's role or responsibilities to collect information on the distribution of central government IT business amongst private sector companies. Nor is such data collected by either the Government Centre for Information Systems or the Central Information Technology Unit."

In other words, nobody does that task.

PAC conclusion xiv said:

"We recommend that, as part of the evaluation of bids for individual contracts in future, the implications of concentrating sources of supply in one or a few contractors should be . . . assessed across the totality"—

I stress the word totality—

"of government IT business."

I shall not quote the Treasury response, but it was essentially complacent and uninformative.

Before I entered the House, I was an IT director of a sizeable company and contributed to the development of an IT strategy for a FTSE 100 company. I would not wish to tempt hon. Members to get in touch with me if their computers are not working—I do not do that—but I have some interest in and knowledge of the development of strategy in information technology.

The Treasury response reveals three things: first, an exclusively departmental focus on such matters—there was no coherent view across government on the issue—secondly, an alarming incoherence of purchasing in an incredibly expensive and complex area, and thirdly, a total lack of an information or technical strategy across government. That is extremely alarming.

I have tested the theory more recently through a variety of questions on various issues relating to the purchasing of commodity systems such as payroll and purchasing. A number of major contracts in that area are to be let shortly. I was looking for some reassurance that the situation was changing. I am pleased to say that there is a greater willingness to share information across Departments, of which the Minister has assured me. That is welcome indeed, but there is still no clear grasp of the need for a clear strategy or a coherent purchasing approach.

What is required is a definition of commodity services—what we can basically say are reliable functions that all large organisations use to run their affairs. Such systems are available widely and processes on which we can rely have been mapped and coherently identified over a period of time. Purchasing them is relatively straightforward. Then we need a set of differentiated functions which we can say are clearly different for each Department, for which individual systems must be purchased and individual sets of processes defined. That is quite a small list. No steps have yet been taken to identify the difference between those two categories of systems and processes and it is important that that is done.

If we do not do that, we risk the kind of things at which the report hinted, such as continued incoherence of purchasing from individual suppliers that do not know exactly the scale of their relationship with the Government. We do not have, either, any critical technology focus that defines what technical obligations we place on a supplier when it delivers services. That seems to be desperately lacking. I would very much welcome the PAC devoting rather more time to such things so that it can develop some of the very useful thoughts that emerged in the report.

7.37 pm

Mr. Tim Boswell (Daventry): I congratulate my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) on his appointment as Chairman of the Public Accounts Committee. He made a very thoughtful, clear and trenchant speech, which bodes extremely well for his successorship in the post formerly held by the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), who served for many years with great distinction. We all appreciate his contribution.

I remember from a debate some years ago comments made by the right hon. Member for Ashton–under–Lyne that appear to have nothing to do with public accounts but which stuck in my mind and which I have often quoted. He said that the House should remember that, when somebody comes to see us during a constituency surgery, we are always on their side. That has a relevance to accounting because, given that resources may be limited—they are—when the Committee or the House stops £1 of public money being wasted, that money immediately becomes available for translation into services. That surely is a central function of the House that is not as well recognised as it should be.

I come to the substance of the reports at relatively short notice and I wish only to draw out two major points. The first is the management of long-term construction projects. The problems of the British library have been extensively rehearsed and I do not intend to repeat what has been said. The lessons of the British library have a wider application to any major project in which the Government have to stitch things together by working with the private sector, because that is always complicated.

I cite in comparison the success of the Daventry international rail freight terminal in my constituency, which was opened by the Princess Royal last week. The project has been led by the private sector with the enthusiastic support of the local authorities, which have been mainly Labour in the past few years. It has been built in remarkably short time and very successfully. It is not lacking in technology, even though building railways—let alone rail freight terminals—is not something that we have done much of recently. The cost is not trivial either; many millions of pounds were spent over an extensive area. It is a good-news story and the moral is that one main customer—obviously with different interests behind it—and one main contractor leads to a simple relationship, which was conspicuously lacking in the British library project.

The second example is drawn from my ministerial experience and involves the relationships between Departments and their non-departmental public bodies and contractors and others who service Government needs with taxpayers' money in different capacities. We have not got those relationships entirely right, but it is a question of experience and a steep learning curve. I always felt uneasy politically, because if anything went wrong in a quango the Minister was, in the end, responsible. That was only right, but Ministers could not intervene in every executive decision made by a quango. We need a means to manage the relationship effectively and to ensure that quangos are properly run in the interests of the public. I strongly endorse, and will return to, some of the points that have been made in the debate.

I shall cite the specific example from my experience in education of the Higher Education Quality Council, which is an academic-run, rather than a Government-run, body. Some years ago, it considered the academic audit systems in Oxford university. I remember that its report, which was a good read, said, "Of course, we know the university, but we understand that there are a lot of colleges that carry out the teaching and we are not quite sure what the relationship is with them and we cannot look into them at the moment"—or words to that effect. That is the difficulty with all such issues—they unpack as they are investigated.

I shall not comment on the details of the thoughtful speeches by hon. Members from all parties, as is traditional on such occasions. All showed a strong bipartisan instinct, but it would wrong of me not to refer to the speech made by the hon. Member for Bradford, West (Mr. Singh). He spoke with great eloquence, knowledge and a passionate commitment to his constituency and he brought an interesting and helpful perspective to the debate. We know the issues are sensitive, but his speech did great credit to him and his constituency. I have had informal conversations with the hon. Gentleman on a few occasions and I am sure that he will have contributions to make in the future. We look forward to them.

I do not know whether Sir Humphrey still stalks the world, but if he were here he might turn to Jim Hacker when he received one of the reports by the Public Accounts Committee and say, "Of course, Minister, the fact that we have been criticised in the report shows

[Mr. Tim Boswell]

the strength of public administration. It is a sign of health, not weakness." If he were to say that, he would be substantially right. I do not say that complacently. The reports to the House rightly reveal severe shortcomings, but they also reveal the strength of the system that has been built up by the Committee and the National Audit Office to delve into the difficulties.

My right hon. Friend the Member for Haltemprice and Howden made a telling point when he said that permanent secretaries—those I have known do not enjoy their appearances before the Committee—are caught in a dilemma. If waste is revealed, it is bad news and a bad mark for their careers; but if savings are revealed, such as £399 million in the case of the information technology strategy, that is also a disaster because the figures must be wrong.

I do not wish to imply that everything is all right—that is not the message of this debate—but we should make the point that public administration is essentially run well, although we all want to make it better. It would be wrong to use this debate as a platform for criticism, although it is understandable that some of our constituents wish to do so. When they have a problem, it is very real to them. When they see change—the closure of a school or a hospital, for example—they extrapolate and think that the education service is failing or the national health service is in crisis. That is not the case. Sometimes things go wrong—I am sure that the Financial Secretary will join me in predicting that things will go wrong in the future, although I will not necessarily make her take the blame politically—but we have to have a system that picks up when things go wrong, reports on them to the House, through the Committee, and does something about them. We have the makings of such a system and, in the members of the Committee, including its Chairman, we have a commitment to do so.

One continuing theme of the debate has been the importance of access. I strongly endorse what has been said. I recall documents—although I cannot remember any specific ones—that had the magic words at the top, "Not for National Audit Office eyes". I do not know—perhaps the Financial Secretary will tell me—whether such documents have been expunged from all Departments. I hope so.

Access is not simply a matter of playing ducks and drakes with the NAO and I hope that Departments do not think that it is. The openness and accountability of the various tributaries through which public money is streamed is the mirror image of what I hope the Government will do—although they seem somewhat diffident about doing anything at the moment—on open government. We need to open up the processes and the way in which money flows and resources are spent to ensure that the taxpayers can be satisfied that they are getting a good service and value for money.

The moral that should be drawn from the debate is that sunlight is the best disinfectant. I do not wish to suggest that our public life or central Government finance are corrupt or unsatisfactory. The civil service, Ministers and the accounting bodies have a strong commitment to seeing that things are done properly. The reports before us tonight cover the failures: the successes do not need to take up our time. The purpose of our debate and of the future work of the Committee is to let in as much sunlight as possible to the benefit of us all, and taxpayers in particular.

7.48 pm

The Financial Secretary to the Treasury (Dawn Primarolo): It gives me great pleasure to reply to the debate on behalf of the Government. I start by thanking the Public Accounts Committee for all the hard work it has done in 1996–97. It again proved itself the hardest-working and most effective of our parliamentary Committees. As the hon. Member for Daventry (Mr. Boswell) said, although it is the job of the PAC to throw light where some would wish it not to be cast, it should equally be the Committee's job to praise the many fine things which go on on our behalf within Departments.

One of the reasons for the Committee's effectiveness has been the excellent chairmanship of my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon), who brought admirable dedication to all aspects of his job. My right hon. Friend has now stepped down from a position that he held for 14 years, during which time, by my reckoning, the PAC produced about 550 reports. The whole House will want to join me in thanking him for his excellent contribution and, in particular, for his concentration on the need to ensure high standards in public life.

I give his successor, the right hon. Member for Haltemprice and Howden (Mr. Davis), and the new Committee, my best wishes. I have never heard a Treasury Minister described in such kindly terms as the right hon. Gentleman used—long may it continue! As an accomplished Member of this place, the right hon. Gentleman will understand that it is no dishonour to him if I say that he has a hard act to follow. However, I know that, under his chairmanship, the PAC will blossom. I have every confidence that the Committee will continue to achieve the high standards to which we have become accustomed.

I welcome the hon. Member for Daventry to the debate and to the Opposition Front Bench. I know that it is a difficult job—I did it a number of times—to struggle with so many reports. But he entered into the spirit of the debate, which has been to ensure cross-party support for the pursuit of the Committee's objectives.

I want to pay tribute to the work of two people who have been very senior members of the PAC. The former Member for Uxbridge, Sir Michael Shersby, was a delightful hon. Member who paid great attention to his work and was courteous to every hon. Member. I know that we will all miss him, particularly the members of the PAC. My right hon. Friend the Member for Swansea, West (Mr. Williams) is still a member of the Committee, but cannot be here tonight. He and the late Sir Michael brought experience to the PAC from which we all benefited.

I wish to thank the National Audit Office and the Northern Ireland Audit Office, and their respective comptrollers and auditors general. Although they are not Government Departments, the bodies have a critical role in promoting good value for money and high standards. We depend on their work to a huge extent, and we are lucky to have such effective organisations. I have met the Comptroller and Auditor General and will be visiting his offices in the near future to ensure that I am fully acquainted with the working practices of the body.

I shall try to group my responses to the debate by theme. This has been a thorough debate and it would not be appropriate for me to repeat all the points. The right hon. Member for Haltemprice and Howden highlighted the importance of integrity in controlling taxpayers' money, and referred to value for money. He demonstrated excellently the considerations we need to keep in our minds when seeking efficiency in government. Much still needs to be done, as he said, and he will be seeking out ways with the Committee to improve that role. He referred on a number of occasions—in a thoughtful speech to which I listened with great care—to access for the NAO, as did many other hon. Members.

It was suggested that the NAO should have a statutory right to follow public money wherever it goes; the hon. Member for Bexhill and Battle (Mr. Wardle) suggested that it follow public money into the private sector. The Government are listening carefully and we need to have further discussions as part of our commitment to effective, accountable and better government. I caution hon. Members on some of the points made this evening, as these are complex issues—we must look at who audits whom.

I pay tribute to the maiden speech of my hon. Friend the Member for Bradford, West (Mr. Singh), who paid tribute to his predecessors—particularly Max Madden, whom we all held in high regard. He will have realised that his speech was incredibly well received by the House for its fluency, wit and confidence, and for the sensitive points he made on behalf of his constituents. He referred to the drugs problem in his constituency, and underlined his commitment to tolerance in our society and the world. Like all other hon. Members, I very much look forward to his future speeches which will add greatly to our debates.

The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) raised a number of points, and referred particularly to quangos and their accountability. After consulting on a range of issues, the Government will publish a White Paper on quangos encompassing the points that he made about the importance of accountability. He referred also to the NHS and to the 17th report. My right hon. Friend the Secretary of State for Health will publish a Green Paper on a new health strategy aimed at picking up the issues to which the right hon. Gentleman referred. We must make sure that my right hon. Friend the Secretary of State is made aware of the right hon. Gentleman's comments.

Several hon. Members referred to the national lottery, and in particular to the access of the NAO to Camelot's records. As is now well known, the Department for Culture, Media and Sport is looking at this matter.

My hon. Friend the Member for Shipley (Mr. Leslie) talked about accountability and quangos, and referred to resource accounting and budgeting, to which I shall return in a moment.

The hon. Member for South-West Hertfordshire (Mr. Page) made some important points about the role of the PAC and reflected on his experience on the other side of the fence—dare I say it, he is a poacher turned gamekeeper. I am sure that his experience will prove valuable.

The hon. Member for Bexhill and Battle spoke about National Savings and referred to the Turkish universities project. There is nothing to be added to what the report on the latter said, but I can tell him about developments on National Savings, as he is absolutely right to be concerned, and he and other hon. Members have starkly exposed the problems.

The 1996–97 accounts for all products have been completed and passed to the Comptroller and Auditor General for audit—that is very important—but the agency has an urgent programme of work to resolve past discrepancies and improve financial controls. It is too soon to know the final outcome of work on discrepancies and unreconciled balances, but major improvements have been instituted, and I am sure that members of the Committee will continue to take an interest in that.

My hon. Friend the Member for Liverpool, Garston (Maria Eagle) talked about why she was on the Committee and about not getting taken in. In my experience of her considerable abilities, there is absolutely no chance of her being taken in by anyone. Her explanation of the development of the Committee's role since its first debate in 1905 and the comments of Winston Churchill showed the complexities that exist for Parliament in pursuing and ensuring accountability in relation to public money. I am not sure whether I would use the phrase, "quaking in their shoes", but I hope that civil servants will strive not to have to come before the Committee and will realise that its work assists them in discharging their duties.

My hon. Friend the Member for South Derbyshire (Mr. Todd) referred to the eighth report. I struggled somewhat with some of the technical points—they seemed technical to me—about systems and processes, but I listened very carefully, because he made some important points. The wheels are turning and, in our facilitating and enabling role, there is a cross-departmental Committee, under Treasury chairmanship, to consider data collection and market shares. We should look carefully at my hon. Friend's other points in *Hansard* and add them to the points already made by the Committee.

There must be transparency in relation to the work of Departments and agencies. Parliament and the public have a right to know what is going on and need an assurance that the Government are doing what they say they are doing. Effective public sector audit has an important part to play in achieving that, although other factors are important, including the quality of financial reporting and the openness to which the hon. Member for Daventry referred.

Primarily for those reasons, the Government announced soon after taking office that the National Audit Office would be invited to audit the assumptions underlying the forecast of public finances. I hope that hon. Members will agree that that innovation was not only an important step in openness but a clear statement by the Government about the high regard in which they held the NAO. The acceptance of that outside the House shows the high regard in which the NAO is generally held.

It was also with a view to promoting openness that the Government announced in July, in response to the 22nd report, the abolition of "Not for NAO eyes". I can confirm that that applies across government. To get the best out of the public sector audit, we need an effective system of parliamentary scrutiny and accountability; that is why we are lucky that the PAC lies at the heart of our system. It is no surprise that the Committee's work has been a model for other systems in other Parliaments

[Dawn Primarolo]

around the world. The prospect of having to appear before the PAC when things have gone wrong provides a powerful incentive to accounting officers to get things right in the first place.

Much has been said about the need to improve the management of projects. The right hon. Member for Caithness, Sutherland and Easter Ross talked specifically about the new British library. By no stretch of the imagination could that project be described as well managed or a model for others to follow. The listed 12 lessons that have been urged on the Treasury to ensure that other Departments and agencies are aware of the problems show clearly that the project was not well managed.

The Treasury originally planned to issue further guidance in March this year on achieving value for money in construction procurement, including project management, but decided to improve the value of the guidance by taking account of the Construction Industry Board's latest codes of practice, which were to be issued in a final form this summer, and to consult widely with the industry's umbrella bodies.

As a consequence, the first batch of new guidance will be available early in December. This is the first time that the industry has been so closely involved in drawing up guidelines. I hope that the guidelines will go a long way towards dealing with the project management points so starkly made in the report.

Public-private partnership is another significant way of improving value for money. We look to the Committee and the NAO to make a continuing valuable contribution in the development of such partnerships, to secure the efficient delivery of public services. The Government have acted swiftly: we commissioned an independent review of the previous Government's private finance initiative, and the recommendations of the Bates review, delivered in June, will streamline and standardise procedures.

The House will note that the Bates recommendations endorsed those of the NAO in the two reports—on the Skye bridge and on the replacement of the national insurance recording system—not yet reported on by the Committee. It is vital that, as mechanisms develop for delivering public services, we ensure that accountability and auditing mechanisms develop alongside them. I know from the comments of the right hon. Member for Haltemprice and Howden that he intends to keep that firmly on the agenda.

The use of resource accounting and budgeting represents an enormously important change in the way in which the Government run business; in the long term, its introduction will be the most effective way of promoting efficient asset use. The PAC is particularly interested in that. Hon. Members have said that they want to ensure that the Government proceed at a pace that is respectable but effective.

The introduction of resource accounting and budgeting represents the biggest change in financial control within Government since the Gladstone reforms more than 100 years ago. The support of the Committee and the National Audit Office for resource accounting and budgeting is crucial if we are to implement the changes effectively.

In taking forward the proposals, the Government will pay very close attention to the Committee's views. I note its recommendation that there should be an extended period of live, parallel running of the present cash-based system and the resource-based system for voting and accounting for Supply. The Government believe that there is already sufficient time for dry running—if I may call it that—and testing in this nine-year project, and are confident that Parliament's ability to exercise control will not be jeopardised. None the less, it is very important and we shall pay attention to it.

The right hon. Member for Haltemprice and Howden referred to the deployment and disposal of assets that the Government no longer require. On Monday, the Government will publish the national asset register, so delivering on our manifesto promise that all Departments will have drawn up a comprehensive list of their assets by November 1997. It will be the first time that any Government have had a full picture of all the assets that they own. It sounds breathtaking that that has not happened before—the hon. Member for Bexhill and Battle made a point about National Savings: we did not know what all our assets were. I understand that there have been some interesting discoveries. That will be a vital starting point in the comprehensive spending reviews for an examination of whether efficient and appropriate use is being made of the Government's assets. That echoes the points made by the right hon. Gentleman in his opening remarks.

Mr. Maclennan: We await with unbated curiosity the publication of the document. May I, with just a wry smile, inquire whether the Minister knows whether included among the assets are the works of art that the Public Accounts Committee discovered had not been cared for by Departments with any assiduity or concern in past years?

Dawn Primarolo: I am sure that the register will make fascinating reading and include the points that the right hon. Gentleman made, and perhaps cross-reference to previous PAC reports. It may take his fancy. He explained earlier why he identified particular points in reports.

Public audit and, more generally, the work of the Public Accounts Committee has a major role to play in promoting high standards in central Government bodies. It is particularly crucial that we use as our touchstone, as many hon. Members did, the eighth report of the 1993–94 Session, "The Proper Conduct of Public Business". Many hon. Members will share my view that among the many reports that the Public Accounts Committee has completed in recent years, "The Proper Conduct of Public Business" ranks first in importance.

In reflection of that, the Treasury's new handbook—to pick up on the point made by my hon. Friend the Member for Weaver Vale (Mr. Hall)—"Regularity and Propriety" includes the checklist from the eighth report in full. No doubt that is why my right hon. Friend the Member for Ashton-under-Lyne described it as wholly admirable. I am pleased to tell the House that more than 8,000 copies have been circulated. I would also draw the attention of the House to the fact that, in the Treasury minute in response to the Committee's report on the Plymouth development corporation, the Government emphasised the importance of high standards of conduct at all levels in the public service.

I remind the House that, in seeking better value for money and greater accountability for the taxpayer, we are all on the same side. Although the 25 reports deal with activities under the previous Government, the present Government fully accept the need to carry their lessons into the future. For this purpose, we need to count not only on our own efforts but on the continuing vigilance of the Committee, the National Audit Office and other national audit agencies.

Good government cannot happen without vigorous external scrutiny. We look forward to many more years of constructive engagement with the Committee. The speeches made by hon. Members this evening demonstrate the expertise and ability that they bring to that role, under the chairmanship of the right hon. Member for Haltemprice and Howden. I look forward to continuing excellent relationships between me, the Treasury and the Committee as we strive to reach these objectives.

Question put and agreed to.

Resolved,

That this House takes note of the First to Twenty-fifth Reports of the Committee of Public Accounts of Session 1996–97 and of the relevant Treasury Minutes (Cm 3559, 3577 and 3714), with particular reference to the following Reports:

Second, Progress in Completing the New British Library (HC 38);

Fifth, Highways Agency: The Bridge Programme (HC 83);

Eighth, Information Technology Services Agency: Outsourcing the Service Delivery Operations (HC 98);

Thirteenth, HM Treasury: The Second Sale of Shares in National Power and PowerGen (HC 151);

Sixteenth, The Work of the Directors General of Telecommunications, Gas Supply, Water Services and Electricity Supply (HC 89);

Twenty-second, British Rail Maintenance Ltd.: The Sale of Maintenance Depots (HC 168).

Insulin Pen Needles

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

8.15 pm

Mr. Adrian Sanders (Torbay): Thank you, Mr. Deputy Speaker, for the opportunity to raise a very important matter. I declare an interest as an insulin-dependant diabetic and user of the pen needle system.

There is an irony about the timing of the debate. The last time that diabetes was raised in an Adjournment debate, by the hon. Member for West Lancashire (Mr. Pickthall), was in June 1996. The Minister responding at that time was Gerald Malone, who cannot be here today as he is quite busy—and I hope that he will not be here next week either. The debate was wide ranging and touched on the pen needle issue. The then Minister's reply was as follows:

"The BDA"—

the British Diabetic Association—

"submitted . . . a comprehensive document earlier this year, which is being considered by Ministers and officials in the Department. Although it was not my specific responsibility within the Department, I was interested to see the document in detail. It was a first-class effort in putting together a sound, economically based case as to why it might make sense to move in that direction.

The hon. Gentleman will not be surprised that I cannot give any commitment about that tonight, but I can reassure him that the matter is being treated extremely seriously. Discussions are under way, and I hope that we can make some progress towards reaching a common position and an understanding of the facts and economics that underlie the case made by the BDA."—[*Official Report*, 5 June 1996; Vol. 278, c. 697.]

I hope that the present Minister will be able to confirm that further progress has been made in the past 18 months.

Diabetes is a common condition in which the amount of glucose in the blood is too high because the body is unable to use it properly. This is because the body's method of converting glucose—sugar—into energy is not working as it should.

The British Diabetic Association estimates that 1.4 million people in the United Kingdom have diabetes, and there might be as many as 1 million more undiagnosed. Diabetes is the single biggest cause of blindness among people of working age in the United Kingdom. Men with diabetes are two to three times more likely to suffer from coronary heart disease than the general population, while women have a four to five times greater risk. The risk of stroke is increased two to three times in people with diabetes. Half of lower limb amputations, other than those following trauma, are a consequence of diabetes. People with diabetes have a 15 times higher risk of amputation than the general population.

There are two types of diabetes: insulin-dependent and non-insulin-dependent. Today we are discussing the former, in which the condition is treated by insulin injections and diet. It is worth remembering that before the discovery of insulin such diabetics simply died; today they can lead normal lives, but the key is control of their condition. Well-controlled insulin-dependent diabetics will test their blood sugar levels regularly and take appropriate action in the light of the results.

[Mr. Adrian Sanders]

The health service provides a number of items on prescription to help diabetics to maintain control: insulin, in both vial form for syringe injections and cartridge form for the pen needle; tester strips so that people can test their blood in glucose meters; lancets, the little pricking devices to enable the blood to be drawn for the blood test; and syringes—but not pen needles. Although general practitioners and hospitals are free to supply pen needles, it is unfair for health professionals to be placed in the position of determining needy cases. It is also unfair that access to free pen needles depends on where the diabetic lives or who is consulted for advice.

My hon. Friend the Member for Somerton and Frome (Mr. Heath) showed me a letter today from one of his constituents who lives in a part of the country where free pen needles are not available. His constituent—who was progressing from non-insulin-dependent diabetes, treated by tablets and diet, to insulin-dependent diabetes—was offered the pen but was aghast at having to pay for the needles. All hon. Members should be aware of that problem, because we all have constituents in that position. Pen needles cost patients around £10 per box of 100. Unlike syringe needles, pen needles can be used more than once; consequently, some diabetics will need only two boxes a year, while others require four or five and a minority will use slightly more.

Using a pen device is much more convenient as it is self-contained. There is a stigma attached to hypodermic needles, whereas the pen is a well-disguised object that enables people to inject themselves discreetly—sometimes when other people are around, but without their noticing. That is not possible with a syringe, which has to be drawn up, thereby broadcasting all sorts of connotations to those who witness it. The pen is discreet because it looks like a fountain pen; it is quicker than having to draw up a syringe; and it is much easier to use, especially by children, people with arthritis, the elderly and the visually impaired. Instead of drawing up the dose of insulin, one simply clicks the pen and one can hear the dose of insulin as it goes in. That is a significant benefit to the groups I listed. Many people need mixed insulin, in which case they have to carry two vials and draw from both before injecting themselves. With the pen, the insulin can be ready-mixed in the cartridge, thus avoiding the necessity of carrying around glass bottles in one's pocket or handbag.

The pen system encourages better control of blood sugar level and that is the key consideration. It reduces the chances of the onset of costly health complications. Yet despite all that, three quarters of people still use a syringe.

It is estimated that providing pen needles on prescription would cost the health service budget around £5 million a year. Diabetes as a whole costs the national health service about £2 billion a year, mostly from acute care. Poor control leads to complications, often involving acute care. The latest figures I have been able to get are for 1993–94, when 926 leg, 155 foot and 812 toe amputations took place in England with diabetes as the main diagnosis—each and every one a costly operation, necessitating a hospital stay.

In addition, a considerable amount of money would have to be spent on adaptations to housing and equipment; and consequent loss of employment might lead to almost complete—in some cases complete—dependence on the welfare system. Poorly controlled diabetes can also lead to blindness, kidney failure, heart disease and strokes, with all the associated additional costs to the state. When the savings to the NHS acute care costs from better control of diabetes are taken into account, the overall cost of supplying pen needles on prescription is much reduced—or could even result in savings.

Other savings add weight to the economic case for free pen needles: for example, district nurses would no longer have to visit at home those people who need assistance with injections through a syringe; improved control would lead to fewer days off work for those who are sick as a consequence of poor control; and the nation's welfare bill would be reduced.

A total of 370,000 people in this country inject themselves with insulin in order to stay alive. Too many of them are discouraged from using a proven method of reducing their risk of complications. To sum up, the current system is unfair: access to free pen needles depends on where one lives, not on one's medical needs. Children, the elderly, people who have arthritis or are visually impaired will benefit the most. It makes good economic sense and it is logical. A decision from the Government is long overdue and I trust that the Minister will be able to respond positively today.

8.26 pm

The Minister of State, Department of Health (Mr. Alan Milburn): I am grateful to the hon. Member for Torbay (Mr. Sanders) for raising such an important issue. I am aware of his close interest in diabetes as the chairman of the all-party group on diabetes. I know that the group is due to meet my noble Friend Baroness Jay, a Minister of State in the Department, in the new year, and I am sure that the subject will be discussed in detail during that meeting.

The subject is an important issue for patients and one on which I am determined that we should make substantial progress. The hon. Gentleman asked whether I was able to report progress and I hope that, towards the end of my speech, I shall be able to reassure him that progress is being made.

Before I respond on the specific issue of insulin pen needles, it might be a helpful if I put it into the wider context of what the Government are doing to tackle diabetes more generally. We take the matter very seriously. In its different forms, diabetes is estimated to affect 2.4 per cent. of the adult population in this country—more than 1 million people—and 10 to 15 per cent. of those with diabetes are dependent on regular insulin injections.

As the hon. Gentleman rightly pointed out, diabetes and its complications often cause severe problems for those affected, their families and their carers and, inevitably, the disease imposes heavy burdens on the health services. If diabetes is not properly managed, it can cause terrible long-term complications such as blindness, renal failure and cardiovascular disease.

Obviously, the Government are concerned to tackle these problems. I shall briefly outline five important signals of the priority that we attach to improving services for people with diabetes. First, let me point out that we spend over £1 billion a year on the various services and drugs to help those with diabetes and associated problems.

That is over 5 per cent. of the budget for the NHS. It is useful to bear that in mind in considering the issue of pen needles.

Secondly, my right hon. Friend the Secretary of State for Health launched new guidance to the NHS last week, to coincide with World Diabetes Day. The guidance, entitled "Key features of a good diabetes service", was developed by a small group involving the Department of Health, patients, GPs, nurses, NHS managers and the British Diabetic Association. It is important to put on the record the value that the Government accord to the BDA's work on behalf of people with diabetes, in its roles as adviser and advocate.

The new guidance sets out to the NHS how health authorities working with GPs can secure and deliver a good diabetes service. It places special emphasis on partnership: the organisation of diabetes services can involve many parties—primary and community care teams, secondary care teams, carers and people with diabetes, who, of course, have a pivotal role in managing their care. We want to make sure that services for people with diabetes are better tailored to the needs of individuals.

The guidance emphasises prevention and the need to raise awareness of diabetes. It has long been recognised that the education of people with the disease is vital for promoting effective self-care. The guidance was welcomed by the British Diabetic Association, which described it as "a major step forward". It is significant that the association gave it such a positive response.

Thirdly, the Government have endorsed the international St. Vincent declaration, which highlights the scope for reducing the complications resulting from diabetes, and proposes a number of outcome targets, which include the reduction of cases of new blindness due to diabetes by one third or more; the reduction in the numbers entering end-stage diabetic renal failure by at least a third; and the reduction of lower limb amputations for diabetic gangrene by a half.

Those are challenging targets and are widely recognised as such. It is important for us to make progress on them. Indeed, I was pleased that the follow-up conference to St. Vincent, which was held in Athens last year, accorded this country the honour of being in the vanguard in Europe of improving diabetes services. We have done well, but we are not complacent, as there is still much progress to be made.

We must continue to strive to improve the care of people with diabetes and the quality of their lives. We are pledged to work in partnership not only with the NHS and health professionals, but with the British Diabetic Association and the all-party group on diabetes. We are always happy to discuss these issues in the House or in private meetings, if that is helpful to the hon. Gentleman.

Fourthly, the Government support much vital research into diabetes. The Medical Research Council, which is the main agency through which the Government support medical and clinical research, spends about £3 million a year in this area. The Department of Health is funding three important studies at a total value of £1 million, which is on top of the Department's research and development programme.

Finally, there is a whole programme of work in support of diabetes, such as clinical audit and monitoring. We have recently commissioned new national clinical guidelines for non-insulin-dependent diabetes and other clinical effectiveness materials, which will ensure that the very best practice in the NHS is shared better in the future.

I hope that the hon. Member will forgive me for sketching some of the general developments in the treatment of diabetes that the Government are intent on promoting. We are considering the specific issue of pen needles in the context of that broad programme.

For some time, we have been discussing the merits or otherwise of listing insulin injection pen needles and the pens themselves in the drug tariff. That would allow the needles to be prescribed on the NHS by family doctors. At present, insulin injection syringes, and their related needles, are listed in the drug tariff, so are prescribable on the NHS by GPs.

The issue of the availability of injection pens is slightly more complex: perhaps even more complex than the hon. Gentleman suggested. There are two types of pen. The disposable pen is prescribable only because it is a container for the insulin, and the prescription for the insulin automatically includes its container. The reusable pen, on the other hand, does not come pre-filled with insulin, so it is not automatically prescribed when the insulin is prescribed. That may be as clear as mud, but that is the position. Indeed, there is less need to prescribe reusable pens, as they usually last two to three years. I understand that reusable pens are made widely available to patients by the manufacturers, which often distribute them free, sometimes through diabetic clinics.

Needles for injection pens fit either type of pen, but are not interchangeable with the needles used with syringes. They are not currently listed in the drug tariff, and may not be prescribed on the NHS by family doctors. That sets out the rather complicated current position.

The Government are considering whether pen needles should be placed on the drug tariff list, so that they could be prescribed with the insulin. We are giving the issue serious consideration, as I have made clear to the hon. Gentleman in parliamentary answers or when he has written to me. It is said that many people find the pens more convenient and comfortable to use than syringes. We do not dispute that, and we acknowledge that convenience and comfort are important considerations when people have to inject themselves frequently.

The major stumbling block is quite simply the cost. The NHS is not a bottomless pit, and we have to use taxpayers' money responsibly. We must ensure that it is used as efficiently and wisely as possible. Pen needles cost about four times as much as syringe needles. Our estimate is that the costs of placing the reusable pen on the drug tariff could range from £10 million a year at the lower end to £30 million a year at the upper end, depending on the uptake. If people switched from syringes to pens, or from reusable pens to disposable pens, costs would range towards the upper figure.

I shall be frank with the hon. Gentleman. The problem at the moment is that we are unclear about whether, or to what extent, such switches are likely to occur, and whether the cost of listing injection pen needles would be significantly higher than the British Diabetic Association's 1995 estimate of £9.5 million over two years.

However, costs cannot be the only consideration when such important issues affecting so many people are involved. The Government are committed to ensuring that

[Mr. Alan Milburn]

we try to improve the care of people with diabetes and their quality of life. For that reason, I have asked officials in the Department of Health to examine, in discussions with interested parties if necessary, whether we can be more certain on the cost points. They have held a number of meetings with the major suppliers, and negotiations are currently under way.

It is still a little early to place a precise time scale on this work, particularly given the delicate nature of our discussions with the companies concerned. We do not want to delay decisions unnecessarily and, equally, we do not want to take premature decisions if costing issues still have to be resolved. Nevertheless, this is an important issue on which we are determined to make progress in the interests of patients and of the NHS more generally.

The hon. Gentleman was right to seek this debate. Ministers have signed many letters in response to hon. Members who have expressed concern about the issue. The Government are aware of the concerns in the House and in the country. Many people suffer from diabetes, and many people have relatives, friends and neighbours who have diabetes. We want to make progress, and I shall be happy to update the hon. Gentleman in due course when we have advanced a little further.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes to Nine o'clock.

House of Commons

Friday 21 November 1997

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Civil Justice and Legal Aid

[*Relevant document: The Report to the Lord Chancellor by Sir Peter Middleton GCB on the Review of Civil Justice and Legal Aid.*]

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

9.34 am

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Geoffrey Hoon): This debate concerns two interrelated issues: the Government's plans for modernising the civil justice system and taking control of the cost of legal aid. Those plans were outlined by my noble and learned Friend the Lord Chancellor in Cardiff a month ago. I am delighted that the House will have the chance today to debate their implications, giving all hon. Members the opportunity of setting out their views. This is an important part of a listening Government's consultation process.

It is a great mistake to look at the civil justice reforms and the legal aid reforms as separate questions. They are two sides of the same coin—two halves of the single package of ensuring that our legal system is reformed to face the challenges of the 21st century. It would be misleading, therefore, to look at one without the other. I ask hon. Members, therefore, to look at the whole picture, not simply individual elements, and to consider the effects of the entire package rather than merely focus on individual pieces.

The overall effect of the Government's proposals for reform will be to create a faster, cheaper and more open civil justice system that is available to everyone who needs it. It will be a civil justice system in which there is fairness between the very poor, the very rich and the very great majority in the middle. The Government's aim is to make access to justice a reality, not simply a slogan.

At the same time, we shall transform the legal aid scheme and allow it to bring help where it is most needed and can do most good. The present scheme is costing more and delivering less. Eligibility has steadily fallen because costs have risen. Over the past seven years, the cost of civil and family legal aid has tripled to £671 million. The average cost for proceedings that received full civil legal aid in 1990–91 was £1,442. If that cost had grown in line with inflation, that would represent £1,760 at today's prices. The actual average cost was £2,684. That represents an increase of 53 per cent. above inflation or an average increase of 8 per cent. per year. While civil and family legal aid continued to rise last year, the number of acts of help that it funded fell by 39,000. That cannot be allowed to go on; we are paying more and getting less from the lawyers.

How are we going to bring about those changes? In his speech to the Labour party conference, my right hon. Friend the Prime Minister spoke of the choices that will confront us in modernising this country to make it fit to face a changing world. Forging a new relationship between the state and the citizen is the key to that process of modernisation. The Government are bringing about constitutional change to ensure that our democracy is up to date. The protection of civil and human rights will be critical in a country where people will see themselves less as subjects of the state, and will want to be more able to assert their responsibilities as free citizens in a democratic country. At the same time, our policies to help the socially and economically excluded aim at giving people opportunities, not making them dependent.

At the heart of the Government's programme for democratic renewal is the concept of the active citizen, and the freedom and choice that come with greater self-reliance. To give those ideas substance, people need to be able to guarantee that their rights are observed. They need to know that in the last resort, they can assert their rights if the law is broken. They need to know, for example, that if they work hard and make provision for their old age, they can enforce their employment and pension rights.

People can be active citizens and can take on real responsibility for themselves, their families and their communities only if there is an effective legal framework on which they know they can rely. That is why access to justice is so high on the Government's agenda and so high on the agenda of anyone who understands and wants to address effectively the future of this country.

Civil justice today is too expensive and too exclusive. The very rich have access because they do not need to worry about the costs of litigation. The very poor have access because they are financed by the legal aid fund paid for by the taxpayer. However, the vast majority of people who go out to work and fund legal aid through their taxes dare not risk pursuing their rights through the courts. Those people cannot litigate because lawyers' fees are so high and because they cannot afford the risk of losing and having to pay their opponent's costs as well as their own. Every right hon. and hon. Member has experience of disgruntled constituents unable to secure legal aid because they are not financially eligible, even though they have paid their fair share of taxes.

There are many people in Britain who should be able to go to law. We all know from our constituency surgeries and postbags that people suffer because they need legal help but cannot afford it. If we are to oversee a renewal of civil society, so that citizenship, self-help and individual freedom develop as ideas rooted in reality, we must face up to the challenges posed by a civil justice system that seems to serve only a privileged minority because the doors of the civil justice system are barred to most ordinary working people. That is wrong. It is not just. The Government will not let those barriers stand. We plan to break them down in two ways.

First, we plan to make radical changes to the culture of civil justice, to its procedures and its structures. Since the Lord Chancellor's speech on 18 October, debate has been concentrated on our proposals for reform of the legal aid scheme. Our plans to modernise civil justice have been sadly neglected. Yet in his two historic reports, Lord Woolf identified five fundamental weaknesses in civil justice: excessive delay, excessive cost, undue

[Mr. Geoffrey Hoon]

complexity, uncertainty over the amount of time and money likely to be involved in bringing a case and, perhaps worst of all, unfairness, where a financially stronger party can exploit all the other failings of the system to defeat an opponent.

Who could realistically dispute the assertion that there is something wrong with a system that allows 40 per cent. of the lowest-value claims to be subject to costs that come close to or exceed the total value of the claim—and that is the costs of one side only—or that there is a need to consider change to a system with an average case length of 28 months when there are no interlocutory applications to the court, rising to 50 months when there are seven or more such applications—almost two years more? Both examples come from Professor Hazel Genn's survey of litigation costs in the High Court, which helped to inform Lord Woolf's recommendations. Those recommendations, on which the Government's plans are based, are well known and widely supported.

The Government embrace Lord Woolf's vision of a more efficient civil justice system: a modern civil justice system designed for the 21st century, in which all citizens have equal access to simpler, faster procedures for securing their rights. Reducing delay and complexity in the courts, and fixing costs at the outset of cases, will reduce expense for the individual and ultimately for the taxpayer. It will promote certainty and restore confidence.

Civil justice today is a bureaucratic labyrinth in which it is all too easy to lose one's way. The Government are committed to simplifying and streamlining the justice system. In essence, we propose to create three paths to civil justice: an expanded small claims procedure, a fast track and a multi-track. The choice of which path a case will take will depend in part on its value and in part on its complexity.

The first path—small claims—has been the major success story of the civil justice system. It is simple, fast and cheap. In a study published in 1996, the National Audit Office found widespread satisfaction among users: 82 per cent. of claimants surveyed found the small claims procedure very or fairly cheap and 68 per cent. of claims were heard within 12 weeks of the defence being filed. The speed, simplicity and modest cost of the small claims procedure make it a model of its kind.

The previous Government raised the small claims limit from £1,000 to £3,000 in January 1996. The effects of that change have been monitored, as Lord Woolf proposed. It has proved a success. Therefore, the Government now propose to raise the small claims limit to £5,000 as part of the overall package of reform.

We have, however, recognised in one particular area the need for caution. Personal injury claims up to a value of £1,000 will continue to be dealt with under the small claims procedure. I recognise that that will be controversial with some solicitors who have pressed for personal injury to be taken out of small claims altogether. There is provision for cases that are too complex to be dealt with as small claims to be transferred out of the procedure. However, many of the cases that fall within that boundary are relatively straightforward, involving very minor injuries. It would be wrong, therefore, to deprive litigants pursuing claims for damages for such injuries of the speedy, cheap access to justice that they enjoy at present. Conversely, the Government recognise that damages claims above £1,000 are likely to arise from more serious injuries, when the litigant may need professional assistance in pursuit of a just outcome. That is why we have rejected the suggestion that we should standardise the limit for all small claims.

As I said, the small claims procedure has been very successful, but I recognise that it is not suitable for every case. The Government have therefore decided to adopt Lord Woolf's proposals for more hands-on management of cases by judges, through the creation of the second and third paths—the fast-track and multi-track procedures. Power will be transferred from lawyers to judges. Judges will allocate cases to the appropriate track. The courts will have greater control over the progress, cost and length of cases as they move to trial. It will replace the present system where the lawyers decide those issues—running up costs and encouraging delay in the process.

Cases allocated to the fast track will be subject to a fixed timetable, requiring the case to be heard generally within 30 weeks of allocation. Lord Woolf recommended that the fast-track procedure should deal with all cases up to £10,000. If it had been in place last year, 11,000 cases across the country would have been disposed of in the fast track. Although 11,000 is a significant number, my view is that the benefits of the fast track should be available to as many litigants as possible. We propose, therefore, that the fast-track limit should initially be set at £15,000, and we shall shortly be issuing a consultation paper seeking views on that proposal.

The strength of the fast track will be the tough judicial control imposed on the progress of cases. However, tough judicial control may not be enough on its own to ensure that the fast track works well. We believe that judicial management must go hand in hand with a fixed-costs regime if the Government's objectives for cheaper, faster and more certain justice are to be achieved.

Mr. Austin Mitchell (Great Grimsby): How will the Woolf proposals for the control and limitation of costs be compatible with conditional fees, which are also increasing, when conditional fees have to have costs if they are to be justified?

Mr. Hoon: My hon. Friend makes a good point from his considerable knowledge of the way in which the system works; we are consulting on the issue that he raised. Clearly, there has to be a relationship between the amount of costs in the fast track and an encouragement to lawyers to take on cases on conditional fees. We are addressing precisely that issue. We have received a considerable number of representations and we are looking at them carefully. However, I must emphasise that the fixing of costs—the knowledge in advance to the litigant of how much a case will cost—is a crucial feature of our proposals.

As I was about to say, one of the great barriers to access to justice is the unpredictability of costs. The fixed-costs regime removes that unpredictability. Litigants will know at the start of the action what their potential liability for an opponent's costs will be, and they will be able to compare the maximum that they can recover with the price that their own lawyer is quoting them for taking their case. The fixed-costs regime is a major step towards breaking down the barrier of unpredictable costs and opening the doors of the justice system to the majority of people.

The key is for the costs to be fixed at a level that encourages efficient and effective management of cases by lawyers. If the level is too high, there will be little incentive to improve working methods. If it is set too low, the quality of service that lawyers can provide to litigants—and, consequentially, justice—could suffer. To help us develop the right answers, on which we intend to consult widely in the spring, we have commissioned research from the Institute of Advanced Legal Studies. Its task is to identify the amount of work that a fast-track case requires at each stage of its life if managed tightly through the new procedures. The work is overseen by a steering group, which includes representatives of the professions and consumers. Lawyers and judges are playing an integral part in the work that is being conducted.

Cases allocated to the multi-track—the third path through the reformed system—will offer a greater level of judicial intervention, tailored to the special features of each dispute. As the most sophisticated system available, it will be suitable for cases of higher value or greater complexity. The legal work conducted by both sides will be directed and controlled by a judge, who will monitor costs to ensure that they are proportionate to the amount of work that properly needs to be done, and to the complexity and value of the case.

The Government intend to bring the fast track and the multi-track into operation by April 1999. Although that is six months later than originally planned, it was always clear that October 1998 was not an achievable implementation date. April 1999 will give us the extra time that we need to ensure that we get the reforms right first time.

The new procedures will require a new supporting court fee structure. As my noble Friend the Lord Chancellor said in July, there is

"nothing wrong with a general principle that those who can afford to do so should pay a fair fee for the use of the courts to resolve their disputes."—[*Official Report, House of Lords*, 14 July 1997; Vol. 581, c. 880.]

However, the amount that they should pay should reflect the cost of the various components in litigation as it is carried forward to the conclusion of the trial. We shall be consulting on the principles that should underlie the new fee structure and in particular on how to ensure fairness.

In the meantime, the Lord Chancellor has taken steps to shield the very poorest from the impact of civil fees. From 1 December, we shall extend the exemption from the requirement to pay fees not only to those in receipt of income support but to those receiving income-based jobseeker's allowance, disability working allowance and family credit.

The reforms will achieve the objective of a modern civil justice system that is faster, cheaper, simpler and fairer than now. It will be a civil justice system in which cases are dealt with at the appropriate level and in which litigants know when their case will be heard, how long it will take and broadly how much it will cost to secure their rights. Such certainty is perhaps the greatest prize of all. Civil justice will no longer be the preserve of the privileged minority. It will be a justice system for all our people.

Modernising the procedures and structures of civil justice cannot by itself break down the barriers that prevent the vast majority of people from having confidence that the justice system is there to guarantee their rights. That brings me to the second leg of the Government's plan of attack. We are determined to make justice affordable, so we must modernise the ways in which legal services are purchased and provided, both for people who are currently helped by legal aid and for those who are not.

The great majority of the population are not eligible for legal aid. They are effectively excluded from obtaining access to justice in our courts. That cannot be right and it must change. In future, legal actions brought by ordinary working people will usually be paid for by way of one of two routes: conditional fees and legal expenses insurance. The Government are proposing to extend conditional fee—or no-win, no-fee—arrangements to most money recovery civil proceedings, except family cases. Clients will be put in a stronger position to negotiate with their lawyers the fees that they are willing to pay to bring a case. At a stroke, legal help will become affordable to deal with disputes with insurance companies, banks, builders, mortgage lenders and pension funds—provided, of course, that the lawyer has sufficient confidence in his or her legal judgment of the case to enter a no-win, no-fee agreement. At last, the vast majority of people will be able to afford to uphold their rights in court if they need to.

Conditional fees are not the whole answer. We must encourage people to plan more carefully for their own needs. We must encourage them to look after themselves instead of assuming that others, including the taxpayer, will be there to bail them out if they run into trouble. We all know and agree that people should save for their old age and insure their houses and cars, but what about insurance for legal expenses? Too often, that seems to fall into the category of things that people do not want to think about. It is too difficult or too unpleasant to contemplate. People convince themselves that they will never need to settle a dispute in court or protect their rights by taking legal action. They believe that legal problems are always someone else's problems. We need to foster a more realistic attitude to legal insurance.

It is not as if legal expenses insurance does not exist. In fact, it is widespread, and provided at a low cost to millions of insurance policy holders. Many people have legal expenses insurance added on to their home or motor insurance. The premiums are often so low that policy holders are hardly aware that they are already enjoying insurance that would allow them to pursue legal action. Legal expenses insurance provides a means for working people to pay for legal actions.

Mr. Tony Baldry (Banbury): I am sure that the whole House is grateful to the Minister for his explanation, but will he help us with this? As I understand, under the proposals, the legal aid fund will continue. How much does the Treasury expect to spend on legal aid in the first year of the scheme, and what anticipated savings is his Department having to make from the present amount being spent on legal aid?

Mr. Hoon: I shall be indicating in due course that we shall spend precisely the amounts that were previously allocated for legal aid for each of the two years. Part of the difficulty that any Minister has in answering precisely that question arises from the fact that the change will not occur overnight. If Parliament approves the changes to the regulations to allow the extension of conditional fees and

[Mr. Hoon]

the replacement of legal aid in money recovery cases, solicitors who already have a number of cases funded by legal aid will still have them on the first day after the changes, because they will still be being paid for as they go through the legal process.

The changes will only gradually affect solicitors' ways of working as they negotiate conditional fee agreements rather than rely on legal aid. The process will therefore take some time. The savings to the Exchequer will appreciate only over time. That in itself is advantageous to lawyers, because it will allow them a considerable period in which to adjust their ways of working to take account of the new arrangements; it will also allow them to plan sensibly for the changeover. It means that savings to the Exchequer in the short term are likely to be modest.

Mr. Edward Garnier (Harborough): Nobody could possibly plan on the basis of the answer that the hon. Gentleman has just given. Could he give a little more detail about his strategic overview of future spending plans, following the question asked by my hon. Friend the Member for Banbury (Mr. Baldry)?

Mr. Hoon: I am disappointed to hear the hon. and learned Gentleman say that nobody could possibly plan. Today is an opportunity for lawyers to think about the proposals that we have in mind. They can begin the process of adjustment whenever—if Parliament agrees—they are introduced.

Perhaps I could be practical. Let us deal with an example of a solicitor who, on 1 April—if that is the date—has 100 cases that are all funded by legal aid. Those 100 cases will still be funded by legal aid and will continue to be funded until each one has been resolved. For the sake of illustration, a new case may arise on 1 May that is funded by conditional fee. As time passes, more and more cases will be funded by conditional fees and fewer and fewer, as they are settled or decided in court, will be funded by legal aid. The likelihood is that there will be months if not years of changeover in a solicitor's practice. I should have thought that that would allow solicitors to plan precisely for the future. They are being told now what we have in mind. Clearly, the changes are subject to the will of Parliament, but announcing them now will allow a number of years of changeover before the new system comes fully into effect.

Mr. Dominic Grieve (Beaconsfield): The hon. Gentleman may have misunderstood the question. What is of interest to me and my hon. Friends is that presumably somebody in the Lord Chancellor's Department has estimated the cost of legal aid after the process is completed in, say, five or 10 years, so that some matching with the eventual saving from the introduction of the new system can be appreciated. I appreciate that it may be difficult to put a precise figure on that, but it would be interesting to hear what the Department thinks will be the cost to the taxpayer and the Government in five or 10 years after the changes have been introduced.

Mr. Hoon: I should make it clear that we shall spend precisely the same amount on legal aid and on supporting legal advice and the systems across the country. If the hon. Gentleman will bear with me, I shall say later how we intend to refocus the savings that we anticipate on other areas of advice and assistance. Essentially, we shall be dealing with precisely the same amount of money, but intend to spend it in different ways and rather more effectively.

Mr. John Burnett (Torridge and West Devon): I understand that Departments give departmental estimates for three years ahead. I heard what the Minister said this morning on "Today" about legal aid expenditure not being reduced over the next two years. What is the original departmental estimate for expenditure on legal aid for the third year?

Mr. Hoon: Those figures are published in the Red Book. I apologise to the hon. Gentleman, but I do not carry them in my head. If he requires clarification, the figures can be secured for him, or I shall write to him. We do not plan to spend any less on legal aid this year or next as we develop the changes. I hope that it does not take five or 10 years, as suggested earlier, before we appreciate the benefits, in access to justice, that our proposals are designed to achieve. We hope that those benefits will be available more quickly. I recognise that the changeover will take longer, for the reasons that I have given, than other changes in Government funding.

We are aiming for civil justice reform that makes litigation more certain in terms of time, effort and cost, so the insurance market can refine the available insurance products as well as develop new products to meet particular needs.

I come now to the future of legal aid. In broad terms, our aim is to refocus legal aid on the problems of the less well-off and on those who need the law to help them struggle out from social or economic exclusion. We want to concentrate on social welfare issues, and on matters of public interest. The diversion of most money claims to conditional fees, to which I shall refer in a moment, will help, because we can then use the money that would have been used in traditional civil litigation to tackle more effectively areas such as housing, debt, employment, welfare benefits, immigration and matters of broad public interest.

One of Sir Peter Middleton's recommendations that we want to pursue is the idea of a separate fund for public interest cases. It is symptomatic of the new focus that the Lord Chancellor has rejected Sir Peter's recommendation that people should have to pay an up-front fee to get legally aided representation, no matter how poor they may be.

The legal aid scheme must be transformed. Rather than being a machine primarily for paying lawyers' bills, it needs to become a positive instrument for buying the services that people need. For that reason, the Government have accepted Sir Peter Middleton's recommendation that publicly funded legal services should be provided under contracts.

Contracting offers huge improvements. It will promote fair competition. For the first time, suppliers will have real incentives to look carefully at the quality of their services and the prices that they charge in order to secure a contract and be able to provide legally aided services.

On the quality front, the Legal Aid Board's franchising standards already provide a sound foundation, but in addition I would want to see the results of cases

measured—especially against the prediction of success. If a lawyer predicted success but too often lost the case, the board would be able to draw the line and stop buying services from that particular lawyer. I have no doubt that, with the help of its suppliers, the board will be able to develop new ways of measuring and assuring the quality of the services that are provided.

Competition should also lead to improved efficiency. The Legal Aid Board will be able to buy the services that people want at competitive prices, which will be agreed in advance. In that way, we shall be able to make the money go much further, pound for pound, in giving help to those in most need.

Contracting will also provide the way for bringing new types of services into the legal aid scheme. A contracted scheme will allow the board to purchase alternatives to lawyers' services and those of the courts. We are already piloting contracts with advice agencies and mediators, and in the longer term I see no reason why legal aid should not pay for other alternatives to traditional legal advice and representation.

Finally, contracting—when harnessed to a planning mechanism—will allow us to ensure that the available resources are concentrated on cases with the highest priority. The Government could then give guidance on the categories of case that they regard as being of high priority. Obvious examples would be domestic violence, cases involving the protection of children or the maintenance of a roof over a family's head.

Mr. Jeremy Corbyn (Islington, North): On the question of housing, will my hon. Friend's proposals allow legal aid only in cases in which a family is threatened with homelessness, but not in cases of disrepair that is the fault of a local authority or another landlord?

Mr. Hoon: That is not the case, and I shall deal with the point in a moment, if my hon. Friend will bear with me.

The regional legal services committees, which we are already putting in place, would advise on local needs and priorities and the best way of meeting them. It would then be for the Legal Aid Board to use the money allocated for civil and family legal aid to produce a plan showing the contracts that it would grant to reflect both national priorities and local considerations. Once agreed, the resulting contracts would be put in place.

I now come to the ingredient in our reform of legal aid that will have the most immediate effect and which perhaps has attracted most attention. Whatever our new power to use contracts to buy the right services at the right price for the right people and whatever the efficiencies that we achieve, we have to recognise that there is no new money. We have to recognise that resources are always likely to be scarce and to be exceeded by need, or at least by demand. It follows that we should not be spending legal aid on cases when there is an alternative that is just as good. For that reason, the Government have concluded that legal aid should not usually be available to people claiming damages or financial compensation.

We have reached that decision in the belief that conditional fees are a viable alternative even for poor people and that the money currently spent on such cases can be better spent in providing help where there is at present no viable alternative. The result will be that, overall, poor people will receive more, not less, help. Further, by a side wind, we shall have made litigation fairer, because under a conditional fee arrangement, opponents will get their costs back if they are successful. That is a piece of simple justice at present denied to the opponents of legally aided parties.

Given that win-win outcome, both for the poor and for the broader public, the reactions of the legal professions have been depressingly, but all too predictably, hostile. Over the past half-century, the professions have become heavily dependent on taxpayers' subsidies, which allow them to avoid shouldering risk, but which guarantee profit. Those subsidies allow them to profit by taking on cases that no private person in their right mind would pursue. The subsidies also support inefficiencies in the way in which lawyers conduct and structure their businesses.

Of course, many lawyers want the subsidies to continue alongside conditional fees, so that they will still be paid, win or lose, under legal aid and be able to charge mark-up profits for the sure-fire winners that they take on conditional fees. For many lawyers, that position is rational in its self-interest, but not, I suspect, for the rest of us.

Since the Lord Chancellor made it clear at the Law Society conference in October that conditional fees will be extended and substituted for legal aid in most money claims, the real world has been on the move. The insurance industry is speaking to the Government and also to lawyers. The talk is of new ways of doing business; of insurance to cover a wider span of proceedings; and of ways to enable people to use conditional fees without having to pay an insurance premium up front.

I also hear, for example, that since the announcement, courses offering solicitors training in risk and project management have been heavily subscribed. What I hear is of go-ahead lawyers, insurers and others talking about a new world that is opening up and how they will meet the challenges and seize the opportunities. Dare I suggest that the dilemma facing the Law Society is that some of its more forward-thinking members may welcome all, or most, of the proposed changes? I note, for example, that—while the opening comments of the *Solicitors Journal* of 7 November bewailed the changes—on the back pages, a practising lawyer, who teaches on the master of business administration course at Nottingham law school, was claiming that it is "Time Gentlemen Please" for the legal professions. He said that the Government's proposals should be applauded and that

> "the legal professions have been rumbled . . . for the intrepid, the future holds enormous opportunities".

Let us come down to some hard detail. Those who oppose substituting conditional fees for legal aid do so on three grounds. The first is that some cases by their very nature are not suitable for a conditional fee. Most commonly cited are landlord and tenant cases and dependants. The answer is that those cases will continue to receive legal aid unless someone can convince us that they could attract a conditional fee or should be excluded for some other reason. I hope that that satisfies my hon. Friend the Member for Islington, North (Mr. Corbyn).

The second concern is that conditional fees will not be available for some cases that receive legal aid now, especially not those with a low chance of success. That is true, but I cannot see how it is fair to help people who

[Mr. Hoon]

are less well-off to sue under legal aid in cases in which working people, whose taxes help pay for legal aid, cannot sue. I also cannot see why it is a criticism that our changes will keep weak cases out of the courts.

Finally, it is alleged that the less well-off will not be able to afford the up-front costs of investigating cases and of insuring against the risk of having to pay the other side's costs if their lawyers lose the case. That is an insurmountable obstacle only if it is assumed that the current arrangements are set in concrete, but they are not.

The question that I believe needs answering is why it is assumed that it is the client who has to pay those costs up front. Why should not they be borne by the solicitors and included as part of the no-win, no-fee arrangement? I am told that some solicitors already meet the insurance cost. Provided such solicitors are part of busy firms that are efficient and competent at risk assessment and management, I do not see why they should not pay and manage that extra cost and risk by adjusting their prices or even purchasing insurance themselves.

Mr. Robert Marshall-Andrews (Medway): While my hon. Friend is on the subject of insurance, will he tell us in detail what discussions have taken place between the Lord Chancellor's Department and the insurers about the premium burden? I apologise for this early intervention if he had already intended to do so.

Mr. Hoon: There have been meetings between the Lord Chancellor and representatives of the insurance industry. More significantly, we have had a series of meetings between my officials and the insurance industry, and the industry showed considerable interest in the prospects on offer.

In particular, I refer my hon. and learned Friend to what I said about streamlining the civil justice system. The biggest single difficulty facing the insurance industry in providing cost-effective insurance is the fact that it cannot predict with any accuracy how long cases will take or how much they will cost. When we streamline the system and add predictability, when we suggest to potential litigants, and therefore to their insurers, the likely costs involved in cases, insurance becomes practical and possible for most people. That is the virtuous circle at which we aim.

Mr. Marshall-Andrews: Is that all the information that my hon. Friend intends to give us on the subject?

Mr. Hoon: That is all the information that I intend to give at the moment. The discussions are continuing; I have said that we are consulting on the subject with the legal profession and the insurance industry.

I want to make it clear that the changes will not benefit the poor alone. Without the requirement to meet up-front costs, conditional fees will make the law more easily accessible to everyone. That is why officials are pressing ahead with further analysis of the business case to see how, in the absence of legal aid, lawyers will have to change the way in which they do business so as to be able profitably to take on cases on behalf of the less well-off.

The House may think that the real obstacle to access to justice here is not the long-suffering taxpayers' unwillingness to continue to subsidise the lawyers, but rather the way in which lawyers choose to conduct and structure their businesses so that their clients—or in legally aided cases, the taxpayers—bear all the risk, while the lawyers take the profit.

Mr. Mitchell: I do not want to spring to the defence of the legal profession, but, despite my hon. Friend's criticism of legal aid work, many small firms are devoted defenders of the rights and claims of the people, and so devote themselves to legal aid work. Those firms will be badly hit by a conditional fee system, because such a system demands scale, so that the risk can be spread over more cases. It demands fat firms, whose fat will enable them to sit out the waiting periods, so it will penalise the very firms that now do the most devoted and effective work for the people.

Mr. Hoon: I do not entirely accept the way in which my hon. Friend makes his case. If a firm is competent and specialises in a particular area, nothing in our proposals will interfere with that. Indeed, our proposals will encourage specialisation. If my hon. Friend seeks to defend the kind of firm that does a bit of this and a bit of that, and tries to be competent across a wide range of what have now become complex areas of law, I do not agree with him; I do not think that that is sensible. What is sensible for lawyers is to develop specialisation, and that can be done by small firms as well as by large ones.

Mr. Garnier: What study has the Lord Chancellor's Department, or the Minister personally, made of the financial worth of firms of solicitors that practise predominantly legal aid work, outside the big firms in the City of London and in the other conurbations? Has he any idea of the financial standing and ability to borrow of small firms of provincial solicitors?

Mr. Hoon: As I have said, we are considering such issues in our consultation. I am sure that we shall receive representations from the Law Society and others on the subject. As I have also said, the proposals will be introduced over quite a long period, which will allow solicitors the opportunity to adjust their business management to a new reality.

I am surprised to have to remind the hon. and learned Gentleman of the fact that firms of solicitors are in business; they are in private practice as commercial operations. We are offering them the opportunity to extend those commercial operations to new categories of work that have not previously been economic. I am surprised that the hon. and learned Gentleman does not welcome that.

Mr. Graham Brady (Altrincham and Sale, West): Is the Minister saying that he does not believe that the small general practice in a small town has an important role to play in providing a service for that community? Surely specialisation is not always possible or appropriate.

Mr. Hoon: I am not saying that at all. Small firms in small towns, as the hon. Gentleman says, make a considerable contribution to the community. However, when we seek to allocate scarce taxpayers' resources in the form of legal aid, they should be allocated to specialists—to those who are competent to practise in particular areas. That is how we intend to develop legal aid through contracting.

I shall set out for the benefit of the House some figures for the main area of litigation about which concerns involving investigative costs and insurance are most commonly voiced—medical negligence cases. Let us look at cases concluded in 1996–97 and funded by legal aid. May I remind the House that lawyers, supported by legal aid, were paid in every single such case that finished in that year, whether it was won or lost?

However, in only 17 per cent. of cases did the client receive damages of more than £50; 83 per cent. of clients got either nothing or next to nothing. Moreover, when we talk about legal aid, it is important to remember that many clients have to pay substantial contributions towards the cost of the legal aid certificate—and among those who paid contributions towards their legal aid, 70 per cent. failed to recover all or part of those contributions.

In addition to the uncertainty and anxiety associated with litigation, people were required to contribute an average of about £420 towards the legal aid, and that money was not recovered. At the end of the day, people were therefore receiving nothing at all from those cases; instead, in 70 per cent. of them, they had to pay an average of £420 towards the costs.

Mr. Grieve *rose—*

Mr. Hoon: First let me finish my statistics, but I shall give way in a moment.

If we exclude the top 32 cases, which recovered £500,000 or more, the average damages awarded are £4,107, at a cost to the taxpayer of £4,122. In other words, for every pound the client receives, the lawyers get a pound, too. The total cost of medical negligence cases to the taxpayer was £54 million, of which only half was recovered.

Mr. Grieve: First, the Minister says that legal aid encourages people to litigate irresponsibly, then he starts to criticise the fact that clients who have made their own contributions to legal aid do not get their money back when the case fails. Is he suggesting that those people have not been properly advised by their lawyers?

Mr. Hoon: Yes, I am suggesting precisely that. As the hon. Gentleman knows, before legal aid is granted, a lawyer is required to certify that the case has a reasonable prospect of success. There cannot be a reasonable prospect of success when 83 per cent. of cases produce less than £50 for those who have been so advised. Furthermore—this seems to me deeply disturbing for those in receipt of legal aid certificates—clients are paying an average of about £400 for the privilege of losing their cases. That does not sound to me like great protection for some of the poorest people in our society.

Mr. Garnier: Perhaps some lawyers are giving bad advice; that idea is not controversial—but has the Minister analysed the reasons behind the figures that he has given us? I do not deny that those figures are accurate, but the Minister has given us no analysis of the reasoning behind them.

Mr. Hoon: I am sorry if I am being slow this morning, but I would not have thought it necessary to give those figures much analysis. The analysis is clear: lawyers are encouraging people to take cases that have no reasonable prospect of success. Otherwise the statistics would be better, would they not?

Mr. Garnier: Does the Minister know that for a fact as a result of research, or is he simply making an assertion?

Mr. Hoon: It may be that I got up too early this morning, but, to me, the facts speak for themselves. If it is necessary before a legal aid certificate is granted for a lawyer to assert that the case has a reasonable prospect of success and if, in 83 per cent. of those cases, £50 or less is recovered, it would seem that lawyers are not exercising their professional judgment responsibly. If there had been privately paying clients in those cases, I suspect that the statistics would have been different.

Mr. David Lock (Wyre Forest): Does my hon. Friend agree that society pays a much higher price for three reasons? First, the strain on unsuccessful litigants is appalling—their hopes are raised, then dashed. Secondly, sparse NHS resources are tied up in defending unmeritorious claims. Thirdly, doctors pursued by such unmeritorious claims are developing defensive medicine, involving unnecessary tests and investigations, to avoid such litigation—thereby wasting further sparse NHS resources, which could be better used on treating the next patient in the queue.

Mr. Hoon: My hon. Friend makes the point much better than I have laboured to do, and I entirely agree with his observation.

Mr. Brady: The Minister clearly feels that a 17 per cent. chance of success is not reasonable. What percentage would he regard as reasonable?

Mr. Hoon: I assume that the hon. Gentleman does not agree with my analysis, which disappoints me. I should have thought that a reasonable prospect of success was at least 50 per cent., but, as he will know, the Lord Chancellor has indicated that we should have a still stricter test. I am perfectly willing to concede that, had the existing test been operated successfully and had legal aid supported only cases with a reasonable prospect of success, the proposed changes would not have been necessary. We could then have relied more on the judgment of lawyers than we are able to, and that is why we are proposing a stricter merit test for the granting of legal aid.

Mr. Grieve: I am most grateful for the Minister's willingness to follow this line and to have a dialogue. By their very nature, medical negligence claims have always proved to be exceptionally difficult, and that is why the proportion of success is so low. I should be interested to hear how the generality of personal injury litigation has operated under the legal aid system, as I think I am right in saying that it pays for itself.

Mr. Hoon: The generality of personal injury litigation is clearly a success story with regard to legal aid. Nevertheless, its cost to the taxpayer is still about £75 million, so work could still be done to reduce the costs of that success story.

Mr. Corbyn: May I take my hon. Friend back to the question of medical negligence cases? In my experience

[Mr. Corbyn]

many people who go through terrible pain after an alleged failure by a hospital and who seek legal aid to get redress are challenged by the Legal Aid Board and do not get it. Therefore, they cannot pursue the case. In many legal aid cases, there is almost a conspiracy, as medical superiors get together to stop any real pressure on the health service or on doctors in negligence cases. The very threat of legal action can improve hospital procedures, and militating against it—as my hon. Friend appears to be doing—will lead to the covering up of medical neglect in hospitals.

Mr. Hoon: My hon. Friend makes a good point about the operation of the legal system, and clearly the threat of litigation ensures that agencies in society behave properly. However, I am not sure that his case is assisted by the statistics that I have set out. With so many cases producing no return for plaintiffs, it is clear that the taxpayer is supporting a considerable number of unmeritorious actions.

Mr. Corbyn: My hon. Friend has been most kind in giving way. What studies has his Department done on medical negligence and the ways of resolving these problems? In various disputes around the country, poor people do not seem to get a hearing—if one is rich, one gets a hearing; if one is poor, one does not.

Mr. Hoon: I entirely accept my hon. Friend's proposition, if not his conclusion. It is important that we work with our colleagues in the Department of Health to ensure that cases are conducted satisfactorily, but, as my hon. Friend the Member for Wyre Forest (Mr. Lock) said, it is not simply the costs that are a problem. The harsh fact is that injured people, sometimes children, are dragging their way through the courts and the misery of litigation—often for years—and, in the end, nothing is achieved for them. Meanwhile, money that could have been spent on the care of the sick and the injured is being gobbled up in legal aid. I am sure that my hon. Friend will agree with that analysis.

My officials are in contact with a large range of interests, covering consumers, the less well-off, lawyers, insurers and others. In due course, we shall issue a consultation paper, covering both the extension of conditional fees and their substitution for legal aid. We hope to be in a position to bring orders before the House in the first half of next year, giving effect to our policies on those points.

That is our vision of legal aid. Contrast that with the current scheme, in which the cost has tripled to £671 million in seven years, spending has outstripped inflation and the number of acts of help has gone down by 39,000. Legal aid should be helping more people, not fewer. Down that road there is no prospect of, say, extending legal aid to public interest cases, or of providing representation in the more complex benefits or employment cases.

Instead, we can create new and better ways to provide legal help. We can respond to local and community needs. We can ensure that the central objective will be to use the law to enable people to secure their place in society. We shall have a world where the law will play its proper part in providing the poor and the excluded with a hand up, so that they are better placed to look after themselves and their families, and to play a full part within their communities.

In my travels around the country to see what services could be made available to meet people's needs, I visited the Catholic housing aid service in Huddersfield and the Chesterfield law centre. While I was there, I met some of the dedicated people who are working to provide advice and assistance to those in most need. Despite their efforts, and those of many others working in this area throughout the country, it is clear that there is still a significant unmet need—that people with good causes and real problems are falling through the net, unable to enforce the rights to which we should all have access. The provision of advice and assistance is fragmented and, as a result, there is a lack of consistency or effective geographical coverage. Carlisle law centre tells us that it gets people coming in from Barrow, and even from Scotland, seeking help that it is unable to give.

It was as a result of our awareness of the problems that our manifesto made a commitment to develop a community legal service. I know that that is a subject which has aroused a great deal of interest, and many people both inside and outside the Chamber would welcome details of how we intend to fulfil this commitment—the creation of a community legal service.

I am sure that hon. Members will all have their own ideas of what such a service might provide—telephone helplines, education in rights and obligations, legal advice on the internet, referrals to alternative dispute resolution, legal representation in tribunals, access to a group of salaried lawyers, interactive kiosks in every high street giving information about the legal system and the law, training in dispute resolution skills and access to judges by video link. I could go on, but those are just some of the ideas that have been put to us. We know that there are more that are worth exploring.

We are determined to identify the ideas that offer the best opportunities to provide services more effectively to a wider group than can be helped by the current system. To do that, we have to start with an open mind—we have to start by listening. Among hon. Members here today, there is a wealth of experience from constituency surgeries of the kind of problems that a community legal service might attempt to resolve. I should welcome any ideas that hon. Members might have—however novel, however radical.

I am able to tell the House that a specific project team has been set up in my Department to help us take that work forward. It is already receiving letters every day from an enormous range of people and from large and small organisations throughout the country, expressing enthusiasm for the project and a desire to participate in it. We shall be meeting those people and organisations in the coming months, to hear what they have to tell us and to explore what they think a community legal service ought to do. We believe that that is the best way to achieve a community legal service that will truly meet the needs of the community.

As I said at the beginning of my speech, the Government's plans for legal aid and civil justice must be considered together. They are not separate programmes, but two interrelated halves of a single package. The civil justice reforms will produce faster, simpler and cheaper access to justice for everyone. The extension of no win

no-fee agreements and the reform of legal aid must be considered against that background. We are talking about a new legal landscape for the future.

Together, the modernisation of civil justice and the reform of legal aid will complete a virtuous circle. The lower and more predictable the cost of litigation, the better, cheaper and more widely available will be legal expenses insurance, the more will conditional fee agreements and linked insurance flourish, and the more we shall get for the money that we spend on legal aid. At the same time, through the community legal service, more of our citizens will get the help that they need to solve their problems. Civil justice will, at long last, exist to support the rights of all the people—not just the very rich with deep pockets and the very poor receiving legal aid.

10.30 am

Mr. Edward Garnier (Harborough): I must begin by declaring an interest as a practising member of the Bar.

Mr. Corbyn: And a fox hunter.

Mr. Garnier: And that as well. The Parliamentary Secretary, at least managed to keep the hon. Member for Islington, North (Mr. Corbyn) awake, even if he did not manage to keep him on message.

This debate on the review of civil justice and legal aid represents the first occasion since the Lord Chancellor's speech at the Law Society conference on 18 October in Cardiff to consider his proposals for the reform of legal aid. I will examine those in some detail shortly, but legal aid reform is not the only reform under discussion.

Perhaps the most obvious place to start is Lord Woolf's report on the civil justice system, "Access to Justice", which was published in 1996. That report, which was requested by the previous Government, produced a large number of recommendations and conclusions, all of which bear careful thought and many of which will, we hope, increase access to justice, reduce the cost of litigation and increase the speed at which justice is achieved. There is no good reason to suppose that speed and efficiency are inimical to justice.

What the public want—be they rich or poor, or part of that group that is now called middle England—is that the civil justice system should provide ways to resolve their civil disputes and get to the heart of the problem, dealing with them quickly, painlessly and cheaply. That is certainly what my clients want, be they plaintiffs or defendants, and just because the field in which I practise—defamation—is outside the ambit of legal aid, it does not follow that my clients are unrepresentative of other classes of litigant.

Clients want the same clear information that anyone would want when deciding to make a large commitment of their time, energy, emotion or money. They want to know how long a case will take, what it will cost, what will be required of them as the case progresses and what will be the likely result. They also want to be told the answers to their questions in language that they can readily understand and in a manner that understands them and the intense and unusual difficulties that they are faced with. For us lawyers, litigation is a common occurrence, but for the public it is something which, should they face it at all, they will face only once in their lifetime. They a reasonable chance of achieving what they set out to do and that the cost in time, money, energy and emotion will be proportionate to the achievement.

Irrespective of how people find their way into the civil justice system, they need to be able to understand it and to feel that it makes sense. They may need help to use it. They want that help to be local, accessible and affordable. They want it to be tailored to their needs and capabilities. They want a choice of ways in which to resolve their problems and to help to choose what will work best in their case. They want lawyers to be problem solvers and not mere purveyors of the law.

Some problems will need a strong dose of adversarial justice, but a good many will not. In short, people with civil disputes want information, choice, as much certainty as can humanly be provided, help and guidance, and a justice system that does not frighten them or treat them as inconveniences, interfering with the daily lives of courts, court staff, judges or lawyers.

One of the great strengths of Lord Woolf's report is that it expressly attempts to look at the civil justice system through the eyes of ordinary people. The theme running through the whole of his necessarily lengthy report is how we can make the civil justice system better for the public. What are we doing that makes it difficult for the public to understand or to achieve justice?

I welcome and applaud that, just as I agree with Lord Woolf's analysis of what a civil justice system should do. He said that it should be just in the results it delivers and fair in the way that it treats litigants. It should offer appropriate procedures at a reasonable cost, deal with cases with reasonable speed, be understandable to those who use it, be responsive to the needs of those who use it and provide as much certainty as the nature of particular cases allows. It should be effective, adequately resourced and organised.

Today, the House should consider how the Government's proposals largely to abolish civil legal aid square with those aims. In so far as the present civil justice system fails to achieve them, it should be changed so that it does achieve them. There is broad support for the thrust of Lord Woolf's report in the legal profession, the judiciary and the consumer protection and interest groups that are best able to articulate public opinion on the matter.

A period is now required to work up the Woolf proposals, to test them in the real world and to adjust them in the light of experience. If the Government take those proposals forward constructively and in a way that is conducive to the overall public good, they will have the Opposition's support. If they do not, they will not have our support, and they cannot expect to have it either.

The Government recently received the Middleton report, which reviews civil justice and legal aid. It appears that they are not prepared to accept Sir Peter Middleton's advice in every respect. Of course, Governments and their Ministers do not have to accept advice for which they have asked and which is a result of careful consideration of the issues, but when they do not do so they should explain why, and be prepared for the House to scrutinise their decision in public. Today is the first occasion on which a Minister from the Lord Chancellor's Department

[Mr. Garnier]

Why have the Government decided not to allow conditional fee arrangements and legal aid to run alongside each other while they are monitored and the Government methodically create incentives to use CFAs in preference to legal aid, as Middleton recommended?

Why have the Government not accepted Middleton's recommendation that legal aid should be made more widely available for certain types of alternative dispute resolution? What about fixed costs and fast-track proposals? We are told that the unit cost per case in the civil justice system has been growing alarmingly. The Government cannot—or, at least, will not—tell us why. What are they doing to find out why?

Some of the most important aspects of the Woolf reforms come together in the fast track, including criteria for allocating cases to the correct track, earlier directions about how the case will proceed, a strict timetable, automatic sanctions for not keeping to the court's directions and fixed costs for various stages of the case. It is a lot to get right all at the same time. For ordinary people, a real concern is how clients' care will be affected by streamlined procedures. Will clients be consulted more or less? Will they be kept informed?

Mr. Hoon: If society is paying more for fewer cases, is it not obvious what is happening in court?

Mr. Garnier: The hon. Gentleman tried that line a moment ago. He gives an answer that he assumes provides the reasoning behind it; the background to that question demonstrates precisely the same problem. Unless he analyses what he is saying and unless he knows the reasons for his assertions, he will not be believed and he will become the incredible Minister.

Middleton advised that the Government should let the fast track bed down before imposing a fixed-cost regime on it. That seems logical, but that advice has been rejected in the rush to get the fast track up and running. This may be a case where speed is inimical to justice. It would be a shame if the fast track floundered because of unnecessary haste, or if it wound up not being as good as it could be for consumers. The fast track needs piloting, or at the very least, a period in which to develop a cost regime, as Middleton suggested.

Mr. Lock: I am waiting for an explanation of why the hon. and learned Gentleman is proposing, if indeed he is, that we run conditional fees alongside the existing legal aid scheme, and how he proposes to prevent lawyers from cherry picking so that they take the cases that they want with the add-up fees, but the cases that they do not want have to be financed by the taxpayer. Is that really what he is suggesting?

Mr. Garnier: The hon. Gentleman fails to understand that we are debating the Government's proposals. If he wants to support them, he will in due course no doubt make a wonderful speech giving the justification for his support.

Mr. Andrew Robathan (Blaby): I am grateful to my [illegible]

not a lawyer, so I find spats between lawyers, such as we are witnessing today, slightly amusing. Was it only my impression that during the last Parliament we suffered Labour Members calling the whole time for more money for legal aid? Is it not bizarre, then, that we end up with these proposals, seemingly denying access to legal aid to the vast majority of people in this country?

Mr. Garnier: My hon. Friend may not be a lawyer, but he is a man of considerable perspicacity. The Government have been so overcome by U-turns that their whole policy machine has become strangulated. I fear that we will have to put up with more of this over the next few years.

The Government have rejected Middleton's advice on small claims. Middleton was clear that the present limits on small claims in the fast track should be raised only when the system had proved itself. There are two key elements to small claims: the soundness of the procedure itself, and the help and advice that people need to use it effectively. The higher the small claims limit, the better the procedure needs to be and the more help people will need to use it.

Because, at present, people have access to only very limited help with a small claim, it is hardly surprising that Professor Baldwin's research showed that, although satisfaction is high, the help goes mainly to middle-class individuals suing other middle-class individuals. He said that the genuinely poor made few appearances in small claims hearings.

Further research by Professor Baldwin, soon to be published, will examine the impact of raising the small claims limit from £1,000 to £3,000 last year. Until we know that the procedure is being used happily by a wide range of people, it is difficult to see the logic of rejecting Middleton's advice to proceed with caution.

Raising the small claims limit so dramatically, at the same time as withdrawing legal aid from all money and damages claims, will inevitably produce a sharp increase in the number of litigants in person. The civil justice system needs to be ready for them. Both Woolf and Middleton were very clear that more help and information, not less, were needed by court users, and especially litigants in person. Do the Government have any idea of the cost implications?

Perhaps most importantly, Middleton did not recommend wholesale removal of money and property claims from civil legal aid. The Bowman review of the civil division of the Court of Appeal was published in September in response to a request from the previous Lord Chancellor in October 1996. That report—a document which repays careful study—recommends ways of improving the way in which the civil division works, so that it can deal with its case load more quickly and give better access to justice.

The Lord Chancellor's proposals for the reform of legal aid were announced in Cardiff on 18 October. He began by saying that he was there to announce an integrated package of proposals, on every one of which

"I intend to consult the profession."

He said:

[illegible]

Have we seen, or rather felt, the spirit of consultation moving among us? Has a great trumpet blast been heard announcing that the consulter general has come among us? I think not.

In the days before the Cardiff speech, the Government propaganda machine was letting selected home affairs correspondents know what the Lord Chancellor had up his sleeve, but he clearly did not think it appropriate to let legal correspondents know, let alone take the leaders of the profession or other interested consumer groups into his confidence.

The only problem is that the Lord Chancellor's spin doctors cannot have been much good, because headlines such as that in *The Mail on Sunday*

"Consumer anger at 'bully boy' reforms"

followed. There is a rather endearing little picture, with the caption "Accused: Geoffrey Hoon", showing the Minister looking like a dog food salesman, perhaps, or someone who is saying, "Not me, guv, I'm innocent."

Unfortunately, the text of the article says:

"Ministers are facing a consumer group backlash against plans to shake up the legal aid system.

Deputy Lord Chancellor"—

I congratulate him on his promotion, although it is not as grand as the way in which he answered a written question the other day, assuming that he was, in fact, the Lord Chancellor; perhaps by next week he will be down to Parliamentary Secretary, Lord Chancellor's Department, and there will no doubt be a party to welcome him and celebrate that great move—

"Geoff Hoon has been accused of bullying tactics in private meetings with campaigners over the most sweeping reform of the legal aid scheme since its introduction 50 years ago . . .

An unprecedented alliance of the Law Society, the Bar Council, the Consumers Association, National Consumers Council, Justice, the Legal Action Group, Action for Victims of Medical Accidents and Liberty has lined up in favour of major changes to the proposed reforms."

If that is the result of the spin doctors' efforts, it is quite an achievement.

The Lord Chancellor does not appear to want to hear others' views, if *The Times* on Wednesday is anything to go by. It says:

"Undeterred by opposition from the legal profession and the consumer lobby, they plan to issue a consultation paper in January or February that will carry first details . . .

On Friday"—

that is, today—

"the Government will deliver a strong message in a debate in the Commons that lawyers' opposition to the reforms stems from their fear of losing a former subsidy. A senior official said: 'I don't think any profession would be comfortable with having a subsidy taken away from it.' Solicitors had been able to run cases 'win or lose' he said.

Ministers and officials reject claims by the Law Society, the Bar and consumer groups that changes would hit the poor and that the insurance market was not ready to provide affordable premiums for cover that people would need to protect themselves against paying an opponent's costs. Officials are in talks with several insurance companies.

They insist that unless the Government shows that it is determined, the insurance market will not step into the gap. 'Nothing less than radical change and being resolute will ensure this happens,' one said. [illegible]

There we have it: the result of the consultation is announced in *The Times* before we have even had this debate.

The Minister attracts opprobrium not only from *The Times* and *The Mail on Sunday*. An editorial in the November 1997 edition of *Legal Action*, not a magazine which naturally favours the Conservative party, says—*[Interruption.]* The Minister laughs, but this is a serious social issue. Perhaps we can draw some conclusions about his and his officials', as well as the Lord Chancellor's, attitude to the whole question. The editorial says:

"Examining, actually, what Lord Irvine said and meant is obscured, here as elsewhere, by excessive spin doctoring. Media manipulation may have won Labour the battle of the election, but it is in danger of losing the war of government. Ministers trailed their pre-release interpretation of policy in the speech to the *Mail on Sunday* and the *Times*, a well-rehearsed routine under the previous administration. To this was added intervention by Number 10's own press office on the day before Lord Irvine spoke. Presumably, the need to massage the message accounted for a surely ill-judged silence after the speech was delivered. On the edge of discourtesy, Lord Irvine refused to join a question and answer session after his speech, for which he had been booked, or even to give a press conference. Thus we are left with the pre-match hype and the text of the speech. . .

This was structured around the presentationally challenging theme that allowing lawyers to double their fees for a wider range of litigation was a victory for middle-income Britain's access to justice."

The editorial goes on to refer to Philip Stephens, who wrote

"in the *Financial Times* that Lord Irvine's proposals were 'not so much New Labour as Old Treasury'."

It continues:

"The introduction of a requirement to take account of available resources appears to be in flat contradiction to his previous views. He then objected to proposals under which 'legal aid would cease to be a benefit to which a qualifying individual is entitled [and] . . . in practice, become a discretionary benefit'."

What is wrong with the legal aid system? The Lord Chancellor says that it has become a leviathan with a ferocious appetite and that litigation is too expensive, for both the legally aided and the unassisted litigant. He says that he wants to throw open the doors of the justice system to all who want to enter and that the civil justice system should be open to everyone, not only the very rich and the very poor. He says that expenditure on legal aid in 1990–91 was £682 million and that only six years later it had gone up to £1.4 billion, an increase of 115 per cent.

Then, with staggering perception, the Lord Chancellor exclaims that 90 per cent. of the legal aid budget goes mainly on lawyers: a remark which is as useful to the analysis of the problem as the statement that the education budget goes on teachers' salaries. He says that in the past four years average payments in legal aid have increased by more than 43 per cent. and the number of people helped has gone down by 9 per cent. He says that the taxpayer is paying more for less.

Mr. Mitchell: The Conservative party can claim some credit for increasing legal expenditure by pushing up the crime rate so much.

Mr. Garnier: I am disappointed in the hon. Gentleman, who has made a sensible contribution to the legal aid debate, not least in his in Adjournment debate on 5 November. Labour [illegible]

[Mr. Garnier]

The Lord Chancellor has not asked which parts of the civil legal aid budget are costing more or are increasing disproportionately and to what extent they impact on the overall figure. Will his proposals get to the root of the problem that he describes? Is he aiming at the right target to control this aspect of public expenditure? It is not only civil legal aid that is growing wildly and leaving the taxpayer badly out of pocket. Criminal and family law legal aid are the two biggest culprits; they are responsible for the biggest increase in the budget, and public expenditure on them is rarely recovered. The Lord Chancellor seems to have no plans to restrict or alter legal aid in those spheres.

The Children Act 1989 alone is responsible for a massive increase in legally aided cases, in which both opposing parties are often legally aided and represented by senior lawyers. Of course, sometimes top lawyers are essential if the legal and evidential issues are to be properly explained and tested. What analysis has the Lord Chancellor's Department done to discover whether the legal aid fund is being sensibly deployed in family, divorce and custody cases? We have not been told of any.

Some litigants are granted legal aid for cases with no or very little prospect of success. In such cases, there is an equally low chance of recovering costs from unassisted parties. While there is an exceptionally high success rate in most civil legal aid cases, some sorts of case do not have a good record. More can and should be done to ensure that legal aid is not granted to undeserving applicants. We know about the high success rate in civil legal aid cases, but the rate would be higher still if unmeritorious claims were not supported by public funds.

The problem is illustrated by immigration law. The divisional court hears hundreds of immigration cases that have no merit. The judges who sit in that court constantly complain that legal aid is granted to bring hopeless cases, but the problem continues. Most disturbingly, most, if not all, such cases are supported by legal aid because solicitors or counsel have advised that they have a reasonable prospect of success.

Mr. Grieve: Does my hon. and learned Friend agree that a feature of the civil legal aid system that is particularly relevant to medical negligence is the number of cases where lawyers are reluctant to allow knife-edge cases to proceed and legal aid is withdrawn? Clients then appeal and the Legal Aid Board restores the legal aid certificate. It may not be wholly correct to suggest that lawyers milk the system by giving bad advice. The Legal Aid Board should consider its internal mechanisms if it wants to ensure a higher success rate.

Mr. Garnier: My hon. Friend makes a good point well. As a matter of law, the Legal Aid Board is entitled to override such advice if it considers it to be wrong, but it is not so easy to do in practice.

The board's resources mean that it must rely on the assessment of the strength of cases made by the applicant's lawyers. If a counsel's advice is overridden, the board risks facing judicial review proceedings. It has been attempting to do something about the problem, and has taken to making complaints to the Bar Council in the most [illegible]

The Lord Chancellor's response has been to strengthen the legal merit test by insisting on a 75 per cent. chance of success. I fear that that does not address the problem. Incompetent or greedy lawyers will not find it more difficult to advise that a case has a 75 per cent. chance of success than a more than 50 per cent. chance. Competent lawyers will advise against legal aid in cases that are more likely to succeed than fail. The grossly unmeritorious claims that presently fall through the net may continue while more meritorious ones will never be advanced.

What steps do the Government propose to ensure that the guilty who can afford to pay have to pay for their legal representation? What steps are they taking to ensure that thorough inquiries into the means of defendants are made before legal aid is given to British and foreign defendants in criminal cases?

Much work needs to be done before the Lord Chancellor can say with confidence that abolishing legal aid in money and damages recovery cases is the best way forward. In response to his desire to cut the growth of the legal aid budget, he has decided to abolish legal aid for the very part of the legal aid budget that more or less breaks even. Some, including the hon. Member for Hendon (Mr. Dismore), an experienced personal injury solicitor, say that it makes a profit for the Government. The proposals will not save any money. Indeed, the Lord Chancellor has stated that he does not intend to cut the legal aid budget. The Minister confirmed that on the "Today" programme this morning.

From April 1998, the public will have the benefit of conditional fee arrangements in all civil proceedings except family cases. There are three essentials for CFAs to work: high predictability; a high level of success; and a sufficient level of damages to allow for a success fee for the lawyer. Only personal injury cases will provide all three, and only some of those cases at that. Can the Minister cite any example of a CFA being used in an insolvency case or in a case to the European Court of Human Rights? If he can, what was the result, both in terms of legal costs and of end result?

Let us assume that the concept of CFAs should be considered more widely. Will they have the effect that the Lord Chancellor's says that he wants to achieve—increasing access to justice? I do not imagine, Mr. Deputy Speaker, that you have seen the Law Society's model conditional fee agreement. It is a fascinating read, liable to send one to sleep. It is a long 10-page document. It will be handed to lay clients as they come in off the street. It sets out in language that is as clear as possible, but is still quite difficult to understand, the problems and responsibilities that face both providers of legal services and paying clients. For example, it states that clients must

"pay for disbursements as the case goes on, if the pay-as-you-go option is included in the agreement."

Solicitors disbursements are

"Payments we make on your behalf to others involved in the case. These may be:

* court fees;

* experts' fees;

[illegible]

Fees for barristers may also be counted as our disbursements . . . You have to pay all our disbursements, whether you win or lose. There are two exceptions to this:

* If you win, we may be able to recover on your behalf the money for our disbursements from your opponent.

* If you lose, we are liable to pay fees of any barrister who does not have a conditional fee agreement with us and whose fees you have not been paying on account.

If you lose, and Accident Line Protect applies, the policy will pay our disbursements (excluding any fees to barristers or advocates) if proceedings began."

The document explains that the success fee is

"The percentage of basic costs that we add to your bill if you win the case. It cannot be more than 100 per cent. of the basic costs. It is paid out of your damages.

The percentage reflects:

* our opinion of the level of risk we are taking—if you lose, we will not earn anything;

* the fact that we are not receiving our basic costs in advance;

* the fact that we may not be receiving our disbursements in advance.

The total of our success fee and any barrister's uplift fee . . . is capped—it will not be more than 25 per cent. of damages recovered. This calculation excludes any money your opponent pays to the DSS in repayment of any benefits you receive."

The document has paragraphs that deal with

"What happens if you win?"

and

"What happens if you lose?"

It also describes what will happen if an agreement is brought to an end.

That is the document which will be placed before the lay clients whom the Government expect to go shopping around looking for legal services.

It does not stop there. If the barrister is also on a conditional fee arrangement, his chambers will have produced a conditional fee agreement checklist. Not only the barrister taking the case has to consider the uplift and success fees. His whole chambers must consider such matters, because the case may have to be returned. There must a scrutiny system for the risk assessment. Another barrister will have to spend two or three hours going through the same papers to check the first assessment. The system gives the barrister the option of taking or leaving the case. We will see the gradual, if not immediate, erosion of the cab rank rule, one of the bulwarks of our justice system.

We shall turn lawyers into a cross between insurers and bookmakers. That would not matter if, at the same time, we were benefiting the public, but, at their worst, CFAs will disadvantage the public if they prove to be uneconomic for lawyers or if they are only used by the incompetent, the negligent or the crooked. At worst, we will be creating a system for the bent or the brave.

Mr. Jonathan Sayeed (Mid–Bedfordshire): What perplexes me about the Lord Chancellor's proposals is that a large proportion of cases—costing probably some £1 billion—will not be covered by conditional fees. A minority of cases will be covered, but the money is often recovered on those cases.

Does my hon. and learned Friend agree that the proposals are the wrong way round? We are looking not at the real problem, which is the legal aid budget for family and criminal law, but at the minor part of the [illegible] covered

Minister are aiming at the wrong target. To some extent, I agree with the hon. Member for Hendon, who says that the personal injury system more or less washes its own face.

Access to justice will be decided by the solicitor's business appraisal of the commercial risk to him. Is there a profit to be made in the case? In an obviously complicated case, will the solicitor want to spend money on up-front costs such as expert reports or counsel's opinion before reaching a conclusion about the commercial merits of the case? Or will he simply say, "I cannot afford to carry these costs," and turn the client away? Much will depend on the solicitor's portfolio of risk at any given moment.

The Minister says that people should shop around. We are not talking about buying tables and chairs, deep freezes or television sets. It is unreal to believe that lay clients will go in and out of solicitors' offices comparing risk assessments, uplift rates and success fees. Solicitors will want to know whether the client has been to another solicitors and been turned away and, if so, why. As barristers generally carry a smaller case load than firms of solicitors, the Bar will have to charge higher success fees in order to take account of their smaller risk portfolio.

Lord Woolf wanted to see a cultural change in our approach to civil justice, but I venture to suggest that he did not have all this in mind. We shall see the culture of the legal profession change from one of giving dispassionate advice to a business culture. The only experience of that sort of legal environment is in the United States. I do not need to comment further on that.

The Lord Chancellor said that the proposals would give the legal profession a chance to redeem itself in the eyes of the public. I think not. The proposals will lead inevitably to a diminution of access to the civil justice system. That is not only my view but that of a range of others, lawyers, non-lawyers, politicians and non-politicians alike.

I cite a few examples. Ruth Evans, the director of the National Consumer Council, said in a letter to *The Times* last month:

"The legal aid system needs reform."—

we all agree about that—

"but it does provide access to justice for many people who are unable to afford litigation. To scrap a large part of it in favour of "no-win, no-fee" agreements is potentially dangerous.

We know of no testing whatsoever of the viability of "no-win, no-fee" agreements from the consumer's perspective. No evidence is available on how well clients understand them or how satisfactory they have proved in practice. Nor do we know whether clients with good cases have been refused help by over-cautious solicitors. It is therefore extremely disconcerting that the Lord Chancellor proposes to give conditional fees such a key role in our legal system at this stage.

In seizing on this desperate measure, the Lord Chancellor appears to have disregarded the potential of Lord Woolf's reforms of civil justice to bring down the costs of legal aid. There is a real danger that the new proposals will deny help to the most vulnerable, without being a panacea for the better-off."

Similar criticism was expressed on the same day in *The Times* by the hon. Member for Great Grimsby (Mr. Mitchell). He wrote—

Mr. Garnier: I will. No doubt the hon. Gentleman will have an opportunity to repeat his views at a later stage. He wrote:

"it is certainly not going to bring justice to the great majority of people in their disputes with the wealthy and powerful. By their very nature, their cases initially don't look promising. The cards are always stacked against them. Who is going to fight them on conditional fees?"

I urge Labour Members to read the hon. Gentleman's speech in his Adjournment debate on 5 November.

The professor of law at Warwick university, Professor Lee Bridges, wrote to *The Guardian* at the end of last month. He said:

"One estimate suggests that if conditional fees replace legal aid, this will result—in personal injury cases alone—in as much as £80 million a year, being transferred from the damages of the poorest members of the community straight into the pockets of their lawyers."

And it is a Labour Government who are producing this policy.

Andrew Phillips, a noted solicitor and president of the Pro Bono Legal Action Group, has said:

"I can only say that I am amazed that a Labour Government would set the axe to one of the greatest achievements of the post war Government. It is a pretence that those who will no longer be able to obtain Legal Aid for money and damages cases will be able in all, or even the majority of cases to find lawyers willing to act on a conditional fee.

Furthermore, the vast extension of conditional fees proposed is not based upon remotely sufficient research and evidence, and lays our legal system open to a steady and ultimately radical decline in standards of integrity."

He is no Conservative.

Others, too, have expressed such views. I have mentioned the uncanny way in which the Parliamentary Secretary has managed to create an alliance against him. An open letter has been sent from the Law Society, the Consumers Association, the National Consumer Council, the Legal Action Group, the Law Centres Federation, the Advice Services Alliance, Liberty, Justice, the Federation of Independent Advice Centres, the Child Poverty Action Group and Shelter. Each of those respected and respectable groups has written to criticise and complain, not only about the policy but about the manner in which it is being introduced, and the fact that it is being introduced with such haste.

What sort of cases will be denied access to law? I shall give a few examples. A young lady journalist wanted an operation known as trans-cervical resection of the endometrium to relieve heavy and prolonged menstrual bleeding. After wide consultation with doctors, she went into a major London teaching hospital to have the operation performed. She signed a consent agreement which stated that the surgeons were permitted to carry out any further "necessary operation" beyond TCRE. She went into theatre and came out with a full hysterectomy. Her womb, ovaries and fallopian tubes had all been removed. Needless to say, she was extremely angry.

The woman sued under a legal aid certificate, but the case could not be run under a conditional fee agreement. It required extensive and expensive expert advice. The plaintiff's loss of earnings as a result of her deep psychiatric upset and her surgery was limited as her earnings were relatively low as a consequence of other physical health problems. The estimated damages were about £50,000 to £75,000. Her prospects of success were always good—perhaps 65 to 70 per cent. However, the success fee under a CFA would easily have exceeded 25 per cent. of the realistic damages and no lawyer could have taken her case under such an agreement. In fact, the woman's case was settled for £50,000.

Other cases include that of a former nurse who, for a few years before her death, had a history of ill health. Following a suicide attempt, she was admitted to the psychiatric wing of a well-known hospital. She was considered a suicide risk and placed under observation. She managed to obtain a quantity of insulin and a syringe and take it into the hospital, despite apparently being searched. At some point, she injected herself with the insulin and for approximately 12 hours she lay in a diabetic coma with a nurse at the end of her bed. Her condition was not noticed until her husband visited her at the hospital. Medical help was then sought and, after an hour, she was transferred to the accident and emergency department a little way away.

The woman suffered severe and permanent brain damage. She cannot speak or communicate in any way. She is doubly incontinent. She hits herself and others. She has difficulties eating and drinking and is difficult to dress and to bath. She needs full-time care.

The claim was obviously one of negligence. Until shortly before the trial, the health authority contested liability. It took a number of interlocutory points. It also joined the plaintiff's husband as a third party. After a late admission of liability and a notice of discontinuance against her husband, judgment was entered in the woman's favour earlier this year, but before the trial and after the judgment, the health authority paid £100,000 into court and applied to reduce the plaintiff's time for acceptance. The application was dismissed.

The health authority contested quantum in a five-day trial. Eight expert witnesses were called. Both sides were represented by leading counsel. The case raised difficult points of law. After a reserve judgment, the woman was awarded approximately £1.1 million.

To investigate that case would have involved no less than £5,000. It is not possible to estimate the cost of the insurance premium, but it is difficult to imagine that it would have been less than £10,000. That plaintiff's family did not have £15,000 and, even if they had been able to raise the money, it would have been necessary to persuade a firm or solicitors and a barrister to take the case on a CFA basis. Because of the health authority's tactics, the costs of the litigation would have deterred most solicitors. Under the new provisions, it is highly unlikely that the plaintiff would have been able to bring her large and justified claim. It is certain that her husband would have been unable to defend the third party proceedings against him without legal aid. Those are just two examples of litigants who would be denied access under the Government's proposals.

What about the second consequence of the Government's proposals? Access will be possible, but with a huge impact on the damages that ought to be awarded. A few years ago, the Law Commission reported that most compensation in personal injury actions was considered to be inadequate. The Government's proposals will tend to make the picture even bleaker.

Let us take the example that the Parliamentary Secretary loves to cite, that of a brain-damaged child, injured as a result of obstetric negligence. The child's life expectancy is only 50 years; he has cerebral palsy;

and the estimated award of damages is £1.5 million. The legal costs bill will be about £150,000 and there is a 75 per cent. prospect of success. It will be three to four years before the damages and legal costs are paid by the defendant health authority or doctor. There is a 33 per cent. success rate uplift, which, adjusted for the delay in payment of four years, allows for an additional 7.5 per cent. uplift per year. That is a total of about 63 per cent. uplift as a success fee, which is broadly £95,000. The defendant's costs bill may be similar.

The insurance premium will be in the region of between £20,000 and £25,000. The solicitors have to pay the premiums and they would charge the success fee on top of the premium. The brain-damaged child will lose approximately £125,000 of the damages to which he is entitled. The solicitors will have invested in the development costs, the insurance and the work-up costs, and so will the barristers. What happens if £750,000 is paid into court? There will be a huge pressure on the lawyers to take that, even though it is half of what they believe that the child is entitled to. There is a direct conflict of interest, but, more importantly for present purposes, the child will be denied the damages to which he is entitled.

The third consequence that we must consider touches on cases such as false imprisonment and malicious prosecution which are tried by jury. How will the CFA operate with jury cases or in cases where ordinary innocent plaintiffs have to sue police forces in front of a jury? It is almost impossible to estimate the chances of success accurately. That view is also held by Magi Young, a personal injuries and civil liberties lawyer who practises in Exeter, and who recently expressed her concerns in *The Times*.

What about cases involving patients under a disability or children whose trustees walk off with the money? I suggest that a substantial part of their claim would go to the solicitors to get that money back. The court would have to approve any settlement.

Let us consider again our example of the brain-damaged child. The judge may know that the case is being brought under a conditional fee arrangement, so he will ask the lawyers what they intend to charge. Will the judge approve of the settlement if he disapproves of the uplift or success fees that have been agreed? What about the next friend or guardian ad litem who will be exposed to a huge risk on costs under the CFA? At the moment, an infant always gets legal aid, irrespective of his parents' means, in order to provide a distance between the child's and the parents' interests and rights.

What about the old lady knocked down on a zebra crossing? That is a perfectly ordinary claim and an open-and-shut case of negligence. It has a 95 per cent. chance of success; a success fee of between just 6 or 7 per cent. and perhaps £500 or £700 in up-front costs for a county court claim of between £20,000 and £25,000. When the defendants realise that it is a CFA case they defend it as slowly as possible and then, a month before the trial, they pay in £16,500. By then, the lawyers may have invested as much as £3,000 of their own money and the case is one of a 100 or so on the firm's books. Those lawyers will be heavily pressurised to advise taking the money out of court. If CFAs are the only way of funding that type of litigation, the payment is taken in to help the cashflow. There is a danger that lawyers will begin deliberately to underestimate quantum.

Insurance is the great unanswered question with which the Parliamentary Secretary has failed adequately to deal. None of the proposals will succeed without a fully developed insurance package to underpin CFA. No mention was made of insurance in the Lord Chancellor's Cardiff speech and what the insurance business thinks of his proposals. The Minister was quoted in the *Financial Times* on 7 November as saying:

"The insurance industry is showing considerable interest in developing further cover."

In answer to my hon. Friend the Member for South Suffolk (Mr. Yeo), he said:

"A number of discussions have taken place with a variety of insurance companies.—[*Official Report*, 10 November 1997; Vol. 300, c. 573.]

One could be forgiven for gaining the impression that that is precisely what has happened. I asked for some details about that contact and the Minister's answer is interesting in the light of his earlier remarks. That answer, which has been published today, is also interesting because it conflicts with what he said earlier in answer to his hon. Friend the Member for Wyre Forest (Mr. Lock).

In a written question, I asked the Parliamentary Secretary

"if he will list the insurers and insurance companies with whom the Lord Chancellor or his officials have held discussions about the Government's legal aid reform proposals, indicating in each case where and when the discussion took place and who was present."

The Parliamentary Secretary's response was:

"Officials of the Lord Chancellor's Department have had contact with various insurers and their representatives for some years. However since my Noble and Learned friend, the Lord Chancellor, announced his intentions to reform legal aid on 18 October 1997, his officials have met a delegation from the Association of British Insurers on 29 October 1997. The meeting took place at the Lord Chancellor's Department Headquarters . . . The Lord Chancellor also met James Innes of Abbey Legal Protection Ltd. on 14 November 1997 in the Lord Chancellor's office in the House of Lords. Those meetings have been in addition to less formal contact over the telephone and in correspondence."—[*Official Report*, 20 November 1997; Vol. 301, c. 254.]

The Minister spoke of a series of meetings, yet today's written answer mentions just two such meetings. No detail is provided about contacts prior to 18 October. There has been just one meeting with a delegation from the ABI and just one meeting with one insurance company director.

We are not told what is meant by

"less formal contact over the telephone and in correspondence."

We know what Mr. Innes thinks, however, because he has told the *Financial Times*. He is quoted in the edition of 7 November as saying:

"'In the two years since conditional fees were introduced for personal injury cases only Abbey Legal Protection and Litigation Protection have come forward. So it's not going to happen at once, and certainly not all the things that the Lord Chancellor wants by April 1 next year,' he said.

Mr. Innes said Abbey found it hard enough to find underwriters for the personal injury scheme, where liability is relatively easy to assess because of the generally high success rate of accident claims. With other commercial claims it was likely to be even more difficult, he warned."

In the same article Mr. Peter Brown of insurance brokers Bowring Marsh and McLennan, who has also worked with the Law Society on the personal injury scheme, echoed those views and is quoted as saying that there was unlikely to be a flood of underwriters wanting to write business on other money claims.

[Mr. Garnier]

Before the election, the Labour party published a policy document entitled "Access to Justice"—a familiar title—in which it said about the CFA:

"We regard conditional fees as an experiment to be monitored closely and in the light of the Scottish experience"—

I hasten to add that that does not mean the Lord Chancellor—

"do not expect their introduction to make a significant improvement to access to justice. They are at present little more than a gimmick designed to mask the chaotic state of the legal aid scheme and the courts service."

Strangely enough, the then shadow Lord Chancellor speaking at the 1996 Bar conference was full of praise for the legal aid system, extolling it as one of the pillars of our welfare system, which was brought into being by the post-war Labour Government. He even said that it was in reasonable financial shape.

I was puzzled by the apparent U-turn represented in the Cardiff speech, despite the many other such manoeuvres sprung on us since 1 May. I naively assumed that the Lord Chancellor's Department, the Lord Chancellor and the Minister had carried out many hours of research into the data to see what had changed to make them alter their views so radically. I thought that perhaps they might have interviewed lawyers in Scotland to see whether what they did was more than just an experience to be confined to civil litigation north of the border. I thought that teams of civil servants had been touring the country to see what they could learn from the experience of lawyers and client groups that had used CFA since 1995.

At Lord Chancellor's Question Time on 10 November, I asked the Minister what research he had carried out and he replied:

"We have had the benefit of academic research into the use of conditional fees. That research demonstrates that in approximately 28,000 cases so far agreed under conditional fees, there has been a remarkable success rate. We are happy to base our policy on the results of that academic research."—[*Official Report*, 10 November 1997; Vol. 300, c. 575.]

That was a very confident, if rather vague, answer. So I asked the Minister again in a written question about that research. He answered:

"I was referring to the research carried out by the Policy Studies Institute. Of the 837 cases entered into by the solicitors who responded to their survey they examined 197 cases in detail. The research was conducted between November 1996 and January 1997 and referred to agreements made no later than September 1996. The PSI estimated that some 10,500 agreements had been made in a little over the first year that conditional fees were available and acknowledged that they had become an established method of funding personal injury litigation. I understand that something in the region of 1,500 agreements are now being entered into each month. By the time I spoke at the PSI conference on 23 September some 28,000 cases had been entered into. I do believe that 28,000 agreements in a little over three years is a remarkable success and I am keen more of our citizens should have the access to justice that these agreements provide."—[*Official Report*, 18 November 1997; Vol. 301, c. 56.]

How does the Minister know? What is his authority for the figure of 28,000? Is he prepared to weigh that in the balance with the 250,000 legal aid certificates for personal injury cases that have been issued over the past three years?

Mr. Gareth Thomas (Clwyd, West): I have been waiting patiently for some recognition from the hon. and learned Gentleman that there is a crisis in the legal aid system and that public confidence in the legal aid system should be restored as a priority. It can then be seen to operate not by way of bestowing a privilege on the poor but to ensure that there is an equal playing field between middle-income England and poorer sections of society.

I am surprised that, as a representative of middle-income England, the hon. and learned Gentleman does not recognise that. Is he saying that there is no scope whatever for conditional fee agreements? Does he accept that there is room for CFA agreements at least as a supplement to the present system?

Mr. Garnier: Yes, of course I do. What I complain about is the fact that the Government are introducing CFA schemes in a huge range of previously legally aided aspects of the law by 1 April 1998—there is less than six months to go—without having considered the evidence, looked at the research or conducted an intelligent exercise into the whole question. It is not just me who is concerned about this matter; all the non-Conservative party bodies to which I have referred are equally concerned.

What does the PSI research to which the Minister referred, and on which he pins his hopes, say? The PSI study, "The Price of Success—Lawyers, Clients and Conditional Fees", contains nothing to back up what the Minister said either today or in his written answer. I shall not read out the whole booklet as that would try hon. Members' patience, but I suggest that they spend a few quiet moments looking at page xvii—conclusions and recommendations—which says:

"Further research is needed . . . doubt over the fairness of the entire scheme . . . these findings still raise questions about the fairness of the uplift in some cases . . . Monitoring will be needed to assess whether the agreement deals adequately with problem areas . . . Further research is needed into whether clients find the information adequate."

Pages 92 and 93 express precisely the same doubts about the haste with which the Government are addressing the problem.

Despite the good will of those who well understand that there are deficiencies and problems with the legal aid service, the Government have created nothing more than a dog's breakfast. They have spoiled some excellent ingredients from the Woolf report and the Middleton report, and ideas from other consumer and professional groups. They have also betrayed many people's trust in their haste to appear relevant, radical and modern. They have been seduced by their own rhetoric and their mere sloganising. The message has overtaken the substance. The Minister may sincerely believe that he has done a wonderful thing and that everything will get better. This measure may even look good in the Government's eyes, although I cannot think how.

I remind the Government of the Spanish aphorism, which I shall loosely translate as, "a monkey in silk is still a monkey." Next time the Minister visits the Lord Chancellor for a drink or three he should urge him to think again and look before he leaps. This is a thorough mess and he should sort it out.

11.23 am

Mr. Robert Marshall-Andrews (Medway): Thank you, Mr. Deputy Speaker, for calling me to speak in this important debate. I declare an interest: I have been

a practising lawyer for 30 years and, as both a junior and a leader, have done a certain amount of civil legal aid work. In those circumstances, I am sorry that I should have been introduced with the old Spanish aphorism that a monkey in silk is still a monkey. We at the Bar tend not to believe that entirely to be the case.

I am sorry that this important debate should be so sparsely attended and that more hon. Members were not present to hear the elegant reading of the Government's case by my hon. Friend the Minister. One speculates that if, at the heart of this debate, there had been the withdrawal of a significant number of the poorest people in society of a tranche of free medical care—to be replaced by a mixture of insurance and an assessment of the success of their operations by surgeons—substantially more hon. Members would have attended.

It may be because the Government's proposals, which we are told will form the basis of orders to be brought before the House next year, are a mixture. As has rightly been said, a large proportion of them concern reform of the civil system with no reference to legal aid, and they are exemplary. One reason why they are exemplary is that they are based almost verbatim on the Woolf report, which was probably the most luminous appraisal of an important public institution in living memory. Its analysis was entirely accurate and its prescriptions were luminous and clear. Indeed, no practising lawyer or person cognisant with the civil legal aid process would find issue with it.

One reason why it is such an outstanding document is that, unusually in all the circumstances—indeed, almost uniquely—that important piece of public work was entrusted to the hands of an eminent practitioner who knew what he was talking about. Unhappily, it appears that having taken a step in that direction the Government now propose to resile from it. In the sense and context of civil legal aid, they propose a raft of measures about which virtually all legal associations and lawyers have considerable doubts.

For that reason, the only aspect of this morning's debate with which I wish to deal is the abolition of civil legal aid in respect of money cases. We have heard that in the vast majority of money cases civil legal aid will be withdrawn. I have heard not a single exception, so the legal aid system will in effect be abolished in all those cases and replaced by conditional fee agreements.

In declaring my interest as a lawyer, I should say that my interest is strange because I have not the slightest doubt that the proposals will greatly enrich my profession, many of my friends in the profession and also the solicitors' profession on which we rely. If the proposals, which allow lawyers to proceed on a conditional fee basis in all money claims, are pursued they will lead to an avalanche of litigation and a bonanza of work for the legal profession. That is wholly undesirable and if I possibly can I wish to stop my profession and my friends who work in it taking advantage of what will undoubtedly be a huge increase in their gross and net incomes.

What lies at the root of my opposition is both financial and philosophical. It cannot be overstated that the effect of the proposals will be that lawyers will be able to enrich themselves through a direct interest in their clients' damages. In the context of legal aid, they will be able to enrich themselves and take their stipend and income from the damages awarded to the poorest people in society. In making that proposition, I ask my hon. Friend the Minister to accept it in the spirit in which it is made. I also ask him to ensure that this serious debate is conducted in an atmosphere of calm, intelligent and academic serenity and with an absence of polemics.

I make an impassioned plea that we should stop blaggarding legal aid lawyers. I make immediate common cause in that with my hon. Friend the Member for Great Grimsby (Mr. Mitchell). Legal aid lawyers, in their vast proportions, are not the fat cats to whom the Lord Chancellor famously referred, perhaps in a paroxysm of guilt, shortly after his elevation.

Mr. Corbyn: As my hon. Friend is referring to legal aid and the law profession's income from it, will he say what he thinks might be the effect of the proposals on law centres, which inevitably rely almost entirely on legal aid income and whose clients are obviously poor people who would otherwise not be represented?

Mr. Marshall-Andrews: I am grateful to my hon. Friend for asking that question. The Law Centres Federation is extremely concerned about these proposals. The difficulty is that the proposals for the community legal service are still inchoate, so we do not know what they are. It may be that law centres will be subsumed within the wider public service. I am sorry to say that my hon. Friend has directed his question to the wrong person. I cannot answer it because I cannot work out from the current proposals precisely what will be the effect on citizens advice bureaux and law centres. Suffice it to say that they are part of the large raft of organisations and people opposed to these ill-thought-out proposals.

As has been said several times in the House, the opposition to the proposals is not, at heart, a conspiracy of self-interest—quite the reverse. It is a widespread opposition not only from my profession, but from just about every charitable body operating within the legal system. I point out to my hon. Friend the Minister that there must be some merit in the opposition if it attracts that amount of support.

In dealing with legal aid lawyers, I echo what has been said by my hon. Friend the Member for Great Grimsby—that the vast majority of them inhabit small practices which are easily accessible to people who are in difficulties with their civil legal aid. For reasons that I will cite in due course, there is a near inevitability that if the proposals are carried through those small practices which, on a daily basis for little immediate reward, operate legal aid through the green form other schemes, will suffer and disappear because of the avalanche of money that will go to larger firms.

One piece of support about which I feel less comfortable is that we make common cause in this House with a large number of Conservative Members. That is not surprising as we perceive in many of the reforms the dead hand—or the mortmain, as we lawyers say—of Lord Mackay of Clashfern, who if he were here would no doubt express the view shared by many of us that the Government's proposals are rather unacceptably right wing and go very much further than the reforms that he would have advocated.

I shall deal briefly with the problems which it is said need to be dealt with by these reforms. First, it is undoubtedly right—I understand that my hon. Friend the

[Mr. Marshall-Andrews]

Member for Hendon (Mr. Dismore) intends also to deal with this point—that personal injury litigation financed by legal aid should be self-financing and make a successful contribution to the legal aid budget. For the whole of legal aid, the net cost is £167 million. If we take from that the parts that will be affected by the proposals, it is a mere £75 million out of the legal aid budget. As my hon. Friend the Minister knows, the vast majority of the legal aid budget is expended on criminal legal aid, family legal aid and other publicly funded aspects of the legal aid system, which will not be touched by these difficult proposals.

Secondly, it has been said that there has been some form of collapse in public confidence in the legal aid system. That statement has appeared to gather some sort of credibility through repetition. I can only say to my hon. Friend the Minister that having practised in part in this sphere for 31 years I do not agree with that analysis of the public view. Of course, there is an overarching cynicism among the public about a large number of professions and institutions. If we ask people how they feel about the national health service, almost always they will say that it is dreadful. If we ask them how they feel about politicians, we will get a similar answer, as we will if we ask them about lawyers and the legal aid system. However, it is always the experience of those who deal in statistics that when that same group of people are asked about their individual experiences of politicians, lawyers or the medical profession, the answer is conspicuously different—they, of course, have been exceptionally lucky in their dealings with those whom, in the general sense, they criticise.

In my dealings as a lawyer in the civil legal aid system, I have never found an overarching widespread cynicism among the public about civil legal aid—quite the reverse. I have found almost universally that those who come into contact with it find that the system operates exceedingly well. I have some assistance for the proposition that it is not necessary to alter the existing legal aid system wholesale because of public perceptions. That assistance comes from a speech made last year:

"Supporters of legal aid must never cease to emphasise that it is a highly successful public social service. In civil cases which reached judgments in 1995 to 1996, there were judgments in favour of the assisted person in 81 per cent. of the cases. The proportion of cases where there was either a settlement or judgment in favour was 91 per cent."—

I pause there to say that those of us who have given advice in this sector are not doing too badly—

"PI litigation as a category was conspicuously successful. Obviously the greater the success rate, the closer the legal aid system can approach self-funding. These success figures tell against any argument that legal laid is generally granted too readily. It must be remembered there are a small number of very high cost cases which account for a large proportion of expenditure."

That ringing endorsement of the existing system, and the argument that we should defend it at all costs, came from the present Lord Chancellor, addressing the Bar conference in 1996—before the general election and before he became Lord Chancellor.

I shall take issue with the last point that the Lord Chancellor made and take up a point that my hon. Friend the Parliamentary Secretary made about medical negligence cases. We know that medical negligence cases use up a disproportionate amount of the civil legal aid Budget and feature prominently among the small number of cases that the Lord Chancellor mentioned. I was unhappy to hear my hon. Friend's use of the crude statistics because, as he knows, behind those statistics lies a considerable and real social problem.

In the 1980s, many cases emerged into the medical negligence world, and many of those concerned cerebral palsy among children. It became obvious to practitioners in the medical negligence field that there had been a high degree of negligence in such cases. It is estimated by the medical profession that as many as 10 per cent. of children suffering from cerebral palsy do so as a result of medical negligence.

It is an exceptionally difficult thing to prove. To start the process of discovering whether a child who has cerebral palsy is likely to attract damages in the order of seven figures it is necessary to obtain detailed hospital notes and expert reports from consultants in, for instance, obstetrics, paediatrics, paediatric neurology and neuro-radiology. All such experts cost a great deal of money and the process takes a great deal of time.

I will not have it said by my hon. Friend the Parliamentary Secretary—I suspect, on the basis of scant experience—that expenditure incurred in discovering whether a child falls into that 10 per cent. category is wasted by the civil legal aid scheme. However, it is immensely expensive and, almost by definition, a very high proportion of those cases that are investigated never reach the courts—rightly so, because a sensible, rational and reasonable decision is taken by the lawyers involved. Nevertheless, such cases form the basis of the figures on which my hon. Friend relies, apparently with such strength, to show that poor legal advice has been given if such expenditure has been incurred in the medical negligence field.

That is just an example. I should be very happy if my hon. Friend the Parliamentary Secretary would meet and talk to me or my colleagues practising in the area to allow us to demonstrate to him beyond peradventure that in the sphere of medical negligence we have some of the best, most capable and most caring lawyers who work in extremely difficult circumstances and who regard it as a measure of success rather than otherwise if cases that come to them for their consideration do not end up in court.

Mr. Burnett *rose—*

Mr. Marshall-Andrews: I give way.

Mr. Burnett: I was removing my glasses.

Mr. Marshall-Andrews: I am sure that the hon. Gentleman can see the points of the argument far better now and will understand them readily. The picture is clouded rather than elucidated or illuminated by the statistical evidence that my hon. Friend the Parliamentary Secretary places before the House.

I shall not repeat what the hon. and learned Member for Harborough (Mr. Garnier) said about the clear and manifest lack of any coherent or long-term assessment of the effect of conditional fee agreements. I merely summarise that there is no evidence on which a sensible Government could at this stage proceed to a vast or widespread extension of such agreements.

I share with many lawyers the feeling that it is an abhorrence that poor people should have to pay for their lawyers with a proportion of their damages. Even if that proposition were ill founded, it remains true—as is borne out by the Policy Studies Institute report—that not nearly enough research is being done on which it would be possible to carry forward in six months this massive re-assessment in the welfare state.

My next point is, in a sense, philosophical. The welfare state, of which the legal aid system is an essential and integral part, was and is—as Aneurin Bevan, to be topical, frequently reminded us—not free. Nothing is for nothing, remarkably little is for sixpence and the welfare state is and was merely a collective insurance mechanism for the benefit of all, paid for by progressive taxation, to ensure that at the point of need all, especially those in the most need, have redress. For the civil legal aid budget, that simply meant that those who were in need, who suffered from injury or were wronged—the two may be the same—should have redress, and that they should have it without recourse, at the time that they go to law, to their own pockets or the worry that that involves.

Mr. Grieve: Does the hon. and learned Gentleman agree that one of the strange features of the Government's proposals is the way in which a wedge is being driven between certain categories of private rights, such as money litigation, and other categories of private rights, such as redress on a housing matter? Is it not worrying that, whereas the original principle underlying legal aid was the funding for those in need to assert private rights, we now have state interference, decreeing very subtly that certain categories will receive state support while other people can go to the devil and pay through the nose for their lawyers on the uplift?

Mr. Marshall-Andrews: I do not want to endorse totally most of the hon. Gentleman's pejorative comments about those things, but I agree that that division is, in essence, pragmatic. Money cases have been singled out for conditional fee agreements because it is more likely that lawyers will take those cases on the CFA than otherwise. There is no philosophical reason and there cannot be a social reason. The decision is entirely pragmatic. Let us face it: if the Government are right, pragmatism is the order of the day.

It is plain to anyone involved in the profession that the change will be a nightmare for those who can ill afford it. I will run through the three stages of the nightmare before concluding. The first stage will be that of obtaining a lawyer, mentioned by the hon. and learned Member for Harborough. Those who are injured, sick or vulnerable, will have to try to discover a lawyer who can take them, depending on that lawyer's risk portfolio. If my hon. Friend the Parliamentary Secretary does not understand that, he misunderstands lawyers and commerce.

Undoubtedly there will be an aggregation of money cases into a certain number of larger firms. They will have an overall aggregated risk assessment and they will know which cases they can and cannot take. A person may arrive at firm A which will not be able to take him. Firm B down the road may be able to do so on a no-fee arrangement. Some will find justice while many others will not. It has already been said eloquently that the people most at risk are those least equipped to shop around the legal profession to find lawyers able to take their cases.

The nightmare does not stop there. A litigant may have a good case and may have been damaged through no fault of his own, as in the case of a child with cerebral palsy. He may manage to find a lawyer prepared to take the case on a no-win-no-fee basis, subsidise the insurance costs and pay the disbursements to medical and other experts out of his own pocket. He may win the case. A similar case was cited by Sarah Leigh in her excellent report on contingency fees which came out last year; she is one of the most eminent lawyers in the field.

A High Court judge may say to the plaintiff, "You are entitled to £1.14 million of compensation which will, as best we can, give you a reasonable life." However, the litigant may then be told that out of that award, which has been carefully calculated to give him justice and redress, £114,000 will be removed for the lawyer, not because the lawyer is greedy, but because the money is needed to subsidise and succour other clients whom that lawyer has on his books because of the aggregate quantity of risk. A child suffering from cerebral palsy, for example, may find himself £114,000 short of the amount to which a High Court judge says that he is entitled and which he needs to live a reasonable life. That is not a rare occurrence; such a case was cited by Sarah Leigh.

I did not seek election to be part of a party that is putting together a proposal that will affect the welfare state and will leave a vulnerable and disadvantaged person in such a position. I refer, of course, to a person who wins a case.

Let us now consider the third proposition—the person who finds a solicitor who will take the case on a no-win-no-fee basis and who then asks for insurance. People must, of course, be insured against the other side's costs, against disbursements and against all the other expenses that litigation involves. In the case of severe medical negligence, the insurance could not be less than £10,000. In addition to that, one has to find the cost of disbursements—say £5,000—which places litigation wholly beyond the reach of the vast majority of people who, in addition to the misery of having a meritorious claim, of having been damaged and disabled and of having their lives ruined through no fault of their own, face the spectre of debt in order to pay for an insurance policy.

I repeat to my hon. Friend the Minister that I did not come to this House and I did not seek a mandate to be here to see such litigants in the welfare state reduced to penury and begging in order to achieve their rights. I have cited meritorious cases which under the present legal aid system would be taken on by us with no problem. I hope that my hon. Friend the Minister will give my observations long and careful consideration before we embark on the route to conditional fees, with all the misery that that is likely to cause.

As a lawyer, I share my hon. Friend's concern about an ever-growing legal aid budget and it is right that those of us who are engaged in the profession should take a responsible view of this potential growth in public expenditure. I commend to my hon. Friend the excellent work done by the Bar Council and the Law Society on the establishment of a contingency legal aid fund. Such a fund would not avoid all the problems that I have mentioned and it would mean that successful litigants in the round would make some contribution towards further litigation, but, based on the general principle of the spread

[Mr. Marshall-Andrews]

of insurance across the widest possible body of people, it offers a genuine alternative to the Government's proposals.

I share the concern expressed by the hon. and learned Member for Harborough. I am not talking simply about my initial aversion to the nature of the proposals. I am worried that there is a headlong rush towards a system that will be immutable and which we shall regret over a millennium. Once the principle of this part of the welfare state is abandoned, it will be difficult to pick it up again. I am worried because we are rushing towards the proposals on a six-month time scale with no serious analysis of the existing system.

My hon. Friend the Minister clearly does not share my aversion to the proposed system. He should at least say that this is a matter which deserves much wider consultation and much more time. If we do not have more consultation and more time, we shall be judged by history as having removed from deserving people precisely the rights that they need.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Before I call the next speaker, I appeal to hon. Members to be aware that some of them will be disappointed today. They will be even more disappointed if speeches are long and I ask all hon. Members to take that into consideration.

11.57 am

Mr. Tony Baldry (Banbury): Let me immediately declare an interest. I am a practising barrister—although I have not done any legal aid work in the past 10 years and, given my particular area of specialism of contentious and non-contentious construction law, I do not anticipate doing any in the foreseeable future.

I entirely endorse the remarks of the hon. and learned Member for Medway (Mr. Marshall–Andrews) and I very much hope that Ministers pay heed to them. I also hope that, for his own self-preservation, the Minister will have looked around to see that, with the exception of his Parliamentary Private Secretary and the Government Whip, there are only about a dozen Labour Members present in the Chamber.

Mr. Mitchell: What about Conservative Members?

Mr. Baldry: The hon. Gentleman should wait to hear what I have to say. As has been evidenced by the speech that we have just heard, not all Labour Members here today support the Government's proposals. Although the Minister can entirely disregard the number of us who are here or not here, I can tell him from former experience as a Minister that he must have regard to those who do not support the proposals.

The Government's intention to withdraw legal aid from all civil damages claims and replace it with insurance-led conditional fee arrangements will limit access to justice to those able to meet expensive insurance premiums; deny access to justice to the most vulnerable and poorest sections of society, including those on social welfare benefits; block access to justice to children who are currently entitled to legal aid; transfer the control of legal cases to commercially minded insurance companies; and divert the resources of the legal profession away from the socially disadvantaged.

I predict that, if the proposals go ahead as they are currently envisaged, within two or three years all hon. Members will have constituency surgery cases that will make our involvement to date with the Child Support Agency resemble a policy picnic. People in desperate difficulties will come to our constituency surgeries.

I am fortunate in being an advocate in that, occasionally, I can speak up for such people, but if the Government are not careful, there will be a series of Adjournment debates as hon. Members find that the only way to speak up for their constituents in those circumstances is to do so here. I am sure that those cases will collectively come to be known as "Irvine injustices".

The real difficulty behind the proposals is that they are Treasury led. They are not the result of the Lord Chancellor's waking up one morning and deciding that it would be good news to reform the legal aid system. I have absolutely no doubt that at some time during the month of May a letter landed at the Lord Chancellor's Department from the Chief Secretary to the Treasury stating that something had to be done to curtail and contain the cost of legal aid. That was clearly the driving force behind the reform. Doubtless, officials from the Lord Chancellor's Department sought to negotiate with the Treasury as to how the effects might be mitigated and there must have been discussions about how it could be presented as a package.

Today, the Minister tried very hard to present the proposals as a package to reform the civil justice system and legal aid. However, he must take on board the fact that he has lamentably failed, as has the Lord Chancellor, to convince any one of the organisations that have some care or concern in these matters. Every single one is opposed to the proposals. I would exhort him to listen to what the hon. and learned Member for Medway has just said and for heaven's sake have the courage to go back to the Treasury and say that the time scale of April next year is simply unrealistic. At the very best, the Government would be wise to delay the proposals for at least a year to provide a proper opportunity to consult much more widely and intelligently with those concerned.

I am conscious of what you said about short speeches, Mr. Deputy Speaker, but the House should have some regard to a joint letter from the Law Society, the Consumers Association, the National Consumer Council, the Legal Action Group, the Law Centres Federation, Advice Services Alliance, Liberty, Justice, the Federation of Independent Advice Centres, the Child Poverty Action Group and Shelter. They express considerable concern that the target date for implementation of April next year does not provide sufficient time for sensible debate and consultation, and say that they

"believe that the withdrawal of legal aid for money and damages claims could lead to the exclusion from the justice system of millions of the poorest and most vulnerable in society."

I do not believe that, in all conscience, any hon. Member could ever support such a proposal.

The letter goes on to express concern

"about the position of those who currently claim legal aid . . . Its purpose was to ensure that those of low and moderate incomes were not denied access to justice because of their inability to pay. Although eligibility levels now restrict legal aid to the poorest

in our society—the vast majority of legal aid recipients are probably in receipt of state benefits—legal aid still exists to act as a protection to those who could not otherwise afford to pursue legal remedies. Without assistance from the state they are unlikely to be able to afford the associated costs of conditional fees, such as the price of the necessary insurance, and will be significantly worse off as a result of the Government's proposals."

It concludes:

"We will therefore be calling on the Lord Chancellor to find a way to develop an efficient and cost effective legal aid system, which operates alongside conditional fees to ensure the widest access to justice for all members of our society."

I cannot believe that, on 1 May, many—if, indeed, any—Labour Members thought that, in a matter of months, organisations such as Justice, Shelter, the National Consumer Council and the Child Poverty Action Group would get together to write a joint letter exhorting the Government to reconsider a proposed piece of legislation.

A matter of further concern to the House is that the very dramatic and radical changes will not be subject to primary legislation, so they will not be examined in detail or be the subject of great scrutiny. The changes will be introduced by means of orders, on which there will be short debates, probably late at night. That is all the more reason why, before the Government put the proposals before the House, it behoves them to ensure that they have some support.

The Lord Chancellor was somewhat disingenuous in the summer when he sought to portray lawyers as fat cats. Everyone in the House knows that there are many excellent lawyers who provide good advice to our constituents in very difficult conditions. It is not just the Law Society, the Bar Council and others that are expressing concern. None of us could be insensitive to the recent representations from a whole host of organisations that are expressing concern about people with whom they deal. I shall give two instances of the sort of people who I suspect—if the proposals go ahead—will shortly be in our constituency surgeries.

Headway, the national organisation for people who have experienced head injuries, says:

"Withdrawing access to legal aid in personal injury cases will hit people who suffer a brain injury and their carers harder than any other disability group. By denying brain-injured adults and children access to litigation, the Government would in many cases be denying them access to specialist treatment and care."

Headway goes on to explain how it is often necessary to obtain damages to ensure the provision of essential services for head-injured people. It says:

"Often a head-injured person will only start receiving treatment on payment of an interim settlement. No legal aid will mean no litigation in very many cases. No litigation will mean no funding for services. Cutting legal aid means taking substantial funds away from care services."

The Royal National Institute for the Blind expresses concern that

"the majority of blind and partially sighted people live in financial hardship. Much of the legal action undertaken by disabled people deals with complicated casework involving new and unfamiliar legislation."

It adds that those who have their sight damaged will be substantially prejudiced by the proposals.

I cannot believe that Ministers can be insensitive to all those representations. There can rarely have been an occasion on which a Minister has proposed from the Dispatch Box a dramatic reform of a key piece of social policy and not been able to pray in aid the support of one single organisation. Over the past 18 years, my colleagues were at least able always to cite the Institute of Economic Affairs or some organisation. Yet the Minister has not been able to cite anyone other than those at the Treasury who supports the Lord Chancellor's proposals.

I do not intend to detain the House further, because my hon. and learned Friend the Member for Harborough (Mr. Garnier) summed up the concerns of the Law Society and others about the introduction of conditional fees. It is clear from the answers to parliamentary questions that the Government have done little research and little consultation of the insurance industry about its preparedness to help to underwrite the scheme. For heaven's sake, the Government intend to introduce the scheme in April next year.

I say to the Parliamentary Secretary, "Have a care," because there is no support for the proposals. As the hon. and learned Member for Medway said, all those who have some dealings with legal aid recognise that it could be reformed. Others, such as the Law Society and the Bar Council, have suggested methods of reform. However, reform cannot be done on the basis of these proposals because they are fundamentally flawed and driven simply by the Treasury's desire to reduce public spending. If the Government follow that path, it will be a disaster—not for the lawyers, who may collectively do well out of the proposals, but for the most disadvantaged in our society.

If the Labour party adopts the proposals, I predict that it will live to regret it day by day as they take shape and as newspapers such as *The Guardian* cite ever growing numbers of hard cases of people suffering terribly because they have been denied access to justice. I cannot believe that all those Labour Members who were elected on 1 May will wish to have that as a stain on the history of their party.

12.11 pm

Ms Chris McCafferty (Calder Valley): I am grateful for the opportunity to make my maiden speech in this debate. The constituency of Calder Valley, which I represent, follows the line of the River Calder, nestling in the heart of the south Pennine hills and surrounding but not including the town of Halifax. Much of the upland has been designated an area of outstanding natural beauty and there are significant areas that have been designated sites of special scientific interest. Stretching from Todmorden on the Lancashire border—a town which many still believe to be part of Lancashire—through Hebden Bridge, Mytholmroyd, Luddendenfoot, Sowerby, Ripponden and Elland to Brighouse, Rastrick and Hipperholme, my constituency is a place of tremendous variety, rich in contrasts and where the urban meets the rural, the historic meets the modern and affluence meets significant disadvantage.

The constituency played an early role in the development of industry, and evidence can be found in the towns and villages and in the many older mills that still stand in the remote valleys and narrow hillsides. Manufacturing, especially of textiles, has traditionally been Calder Valley's most important industry, but it has been in severe decline. Despite the decline in trade, a small number of mills continue in textiles and engineering today, while others have found alternative uses, as homes to small business units, visitor attractions and conversion to housing.

[Ms Chris McCafferty]

The area has also moved with the times. The Lowfields industrial site at Elland is now home to many modern and innovative firms, while Todmorden is fast becoming a base for imaginative new uses of telecommunications and information technology. The majority of local firms are small, employing fewer than 50 people. Full-time workers earn less than the average for Yorkshire and many earn less than the threshold for low pay in Britain. I am pleased that Government policies have ensured that the higher than national and county average unemployment rate has started to reduce, but young people under 25, the long-term unemployed and the ethnic minorities are still caught in the trap.

I welcome the Government's new deal proposals. Unemployment and low pay combine in the constituency to increase poverty, disadvantage and debt. One in four households are on benefit, and there is much concern about the effects of poverty and disadvantage on local crime rates. I hope that as a result of the attempt to alleviate the conditions that lead to anti-social behaviour, more crime will be prevented.

As well as the problems faced by the constituency as a whole, the rural areas have extra problems. It has never been easy to make a living from an upland farm, but the bovine spongiform encephalopathy crisis has been a disaster for Calder Valley beef farmers and their families. There is also a shortage of rented accommodation. Not all farmers' children want to live and work on the farm, and many properties have been renovated and are now far beyond the price range of local youngsters.

Calder Valley has a lower than average level of car ownership, and because of deregulation and privatisation, there are increasing limitations to public transport. There are no longer regular bus services to all the outlying villages. We depend heavily on our rail service, which desperately needs further investment, especially in the Elland and Brighouse areas, to develop better commuter services, expand employment opportunities and help regenerate the area.

There is a fine thriving artistic tradition in Calder Valley; our brass bands are rightly famous. I was pleased to be able to follow in the tradition established by my predecessor, Sir Donald Thompson, and bring five local bands to play on the Terrace in June. Hebden Bridge is home to a four-week arts festival, which builds on the presence of the many writers and artists of all varieties who live and work in the area.

Calder Valley is a unique and dense mix of the urban and the rural, with its people recently described in a book on the area as

"bloody-minded, proud, pernickety and independent".

It is a great privilege to represent such people.

The hard-pressed local communities have in the past produced many people regarded as extremists—although they were usually not without humour. One favourite, Mr. Hanson, speaking at a Chartist rally in 1839, said:

"They preach Christ and a crust and non-resistance. Let the people go to those who preach Christ and a full belly; Christ and a good house; Christ and universal suffrage!"

It is not surprising that a constituency with such a long tradition of radicalism, non-conformity, Chartism and co-operation should have produced men and women who were leaders of economic and social thinking. John Fielden, a Todmorden mill owner and radical Member of Parliament, successfully fought for a reduction in children's working hours to 10 a day.

More recently, right hon. and hon. Members will recall the late Lord Houghton, who was the Labour Member for the Sowerby division for more than 25 years, and who is remembered with enormous respect and affection both in the House and in another place, as well as in the constituency. Douglas Houghton entered the House at the age of 50—and, while not wishing to give my age away, I consider him a role model in that respect.

Before becoming a Member of Parliament, Douglas worked as a clerk in the local tax office, and in the first world war he fought in the trenches at Passchendaele—an experience which coloured his attitude to life and fed his determination to do whatever he could to make the world a better place.

In 1922, Douglas Houghton founded the Inland Revenue Staff Federation and was its general secretary until 1960. During the second world war, he became a household name with his weekly BBC broadcast, "Can I Help You?" In the Wilson Government, he had an illustrious career as Chairman of the Public Accounts Committee, as Chancellor of the Duchy of Lancaster and even as Minister without Portfolio.

Finally, Douglas was chairman of the parliamentary Labour party, a role that he played with objectivity and fairness until 1974, when he went to another place as Lord Houghton of Sowerby.

Until his death in 1997, Lord Houghton spoke and worked on a wide range of controversial issues including abortion, animal rights, war crimes and population and development. I have been surprised and delighted to find that I follow him not just as the hon. Member for what is now the Calder Valley constituency, but as a member of the all-party group on population, development and reproductive health, of which he was a founder member.

Douglas Houghton was followed briefly by Max Madden, whose example of hard work and concern I shall do my best to follow. My most recent predecessor, Sir Donald Thompson, represented Calder Valley for 18 years. During that time, he won the affection of constituents of all parties for his unfailing courtesy, good humour and genuine and obvious love of Calder Valley and all things Yorkshire. He took news of the achievements and successes of the communities he loved to those down south who, he felt, sometimes failed to recognise them.

Sir Donald was unwavering in his public loyalty and commitment to his party, and while that may have been criticised by those of us who did not share his views, I must pay tribute to the steadfastness which he believed to be natural, even if it was not shared by others. I do not believe that I have ever heard him publicly criticise his colleagues; nor did I ever hear him indulge in unfair or public personal attacks on any of his political opponents. Indeed, he always treated me with the utmost courtesy and respect. His political obituary was written prematurely on a number of occasions, but he proved to be a great survivor, reflecting his loyalty to the people and the area.

In his own maiden speech in 1979, Sir Donald Thompson said that the people of Sowerby were seeking to remove head teachers and teachers who failed to teach children properly or to encourage children to reach

acceptable standards. It is ironic that it has taken 18 years and a new Labour Government to bring that about. Calderdale's education system gained unwelcome publicity last year, with often undeserved coverage of the Ridings school, situated in the neighbouring constituency of Halifax.

There is a fine tradition of education in the area, from local village schools that are closely knit into the web of the community, through to the excellent and long-standing comprehensives such as Calder high school and Brooksbank school. I am proud that Calder High is the oldest purpose-built comprehensive in the country, and it continues to provide an excellent, open and challenging education to every child within its catchment area, whatever his or her academic ability.

This debate is about access to justice and to legal aid. Many people in my constituency feel that they cannot access the current legal system—they find it barely civil and hardly justice. I welcome the reforms that will enable access for all, irrespective of income, and aid that is directed to those whose need is the most deserving. The reforms are undoubtedly challenging and radical, but they are necessary if we really want access for all to be a reality and not just a cheap policy gimmick.

I welcome the extension of conditional fees, which will allow greater access to justice for those not eligible for legal aid, but I am concerned about the potential withdrawal of legal aid from money and damages claims, which could lead to the exclusion from the justice system of some of our most vulnerable people. For instance, many of the early asbestosis claims from Hebden Bridge in my constituency might not have succeeded under the proposed 75 per cent. success criterion. Indeed, other new, not proven industrial or medical claims may be jeopardised also. We must not exchange one exclusion for another. That feeling was eloquently and, dare I say it, comprehensively expressed by my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews).

I welcome the Minister's assurances that he will continue to consult widely on aspects of what must be the biggest and most welcome shake-up of the legal and justice system since the Labour Government's programme in 1949.

12.23 pm

Mr. John Burnett (Torridge and West Devon): As a fellow newcomer and rural Member of Parliament, I am delighted to congratulate the hon. Member for Calder Valley (Ms McCafferty) on her excellent speech. I know her constituency well, and it is beautiful. She spoke with great feeling about her constituency and her constituents, who are fortunate indeed to have her as their Member of Parliament.

I must declare an interest as a partner in a firm of solicitors. I shall try to heed Lord Woolf's exhortation for "greater expedition". We are not here to justify the vested interests of lawyers. This is a debate about access to justice for all. Within weeks of coming to power, the Lord Chancellor asked Sir Peter Middleton to conduct a review of legal aid and civil justice. It was completed and published in September.

Following the review, the Lord Chancellor set out the Government's proposals for the reform of civil justice and legal aid in his speech to the Law Society's conference on 18 October. He said that he had two intentions. The first was to control the legal aid budget and the second was to reform the civil justice system so as to enable middle-income England and Wales to have access to the law.

Both those aims are laudable, but I should like to scrutinise the Government's assumptions and their proposed solutions, which are, first, to abolish legal aid for all civil matters except certain family and restricted cases, and to replace that provision with conditional fee agreements—the so-called no win, no fee. Secondly, they propose to contract or franchise out legal aid and, thirdly, to tighten the merits test to 75 per cent.

On 18 October, the Lord Chancellor described the legal aid budget as a

"leviathan with a ferocious appetite",

as we have heard. He went on to say that expenditure had "rocketed" and was out of control. I shall take the House back just over a year to Lord Irvine's statement to the House of Lords. He asked:

"does the noble and learned Lord agree that the actual outturn for legal aid expenditure in 1995–96 was £74 million less than the supply estimates' figure of £1.46 billion, and that the supply estimates were £67 million less than the original estimates? For this year the supply estimates are £156 million less than the original estimates. I do not expect the noble and learned Lord to confirm those figures precisely, but does he agree that the general picture is the opposite of a budget out of control?"—[*Official Report, House of Lords*, 13 June 1996; Vol. 572, c. 1832.]

Secondly, the remuneration for work done has fallen far behind the retail prices index. Fat cat is hardly a description that one could apply to the many dedicated legal aid solicitors and those working in law centres and citizens advice bureaux.

Thirdly, the Lord Chancellor frequently states that 90 per cent. of the legal aid bill is spent on lawyers' fees. As has been remarked upon, I also am at a loss to see how that proportion is a problem. It is a labour-intensive industry. What else is the money supposed to be spent on?

The apt question has to be: will no win, no fee increase access to justice for middle-income Britain? For 18 months or so, no win, no fee has been available for personal injury cases—cases where there is usually a 90 per cent. chance of success and winning, and where insurance for plaintiffs has been relatively easy and inexpensive to obtain.

As far as I am aware, the only study on no win, no fee has been that conducted by the independent Policy Studies Institute. The survey was uncertain whether conditional fees would open access to justice, especially to people on modest incomes who were ineligible for legal aid. What research have the Government done? Will the Minister publish that research and its results?

Will insurance be available to pay defendants' costs? What conditions or limitations will be attached to the insurance cover? On 10 November 1997, the hon. Member for South Suffolk (Mr. Yeo) asked the Minister, in a timely question, which insurance companies he had had discussions with. The Minister gave what could at best be called a general reply. We need specific responses on the matter. The letter of today's date to the hon. and learned Member for Harborough (Mr. Garnier) takes us no further.

Before the changes come into effect, the Department should provide the House with the details of its research, and a comprehensive schedule of the availability,

[Mr. John Burnett]

conditions and approximate costs of insurance cover. Currently, no one knows what those costs are likely to be. The Government must satisfy the House well before the changes take effect that insurance cover will be affordable and that companies will be prepared to provide it.

No win, no fee raises many issues of great importance, not least of which is the ethical question. With everything riding on a win, the temptation for lawyers to compromise their standards of honesty and integrity is too great. At the heart of the arrangements is a conflict of interest: the lawyer's interest in settling and getting paid, including the uplift, is pitched against the client's interest in maximising her or his claim.

Have the Government considered the position of independent witnesses? Is it proposed that they should work on a no-win, no-fee basis? If so, what credibility will their evidence have? What thought has been given to the predicament of defendants? What quality of representation will be available to them? I hope that I am correct in thinking that I heard the Minister say that legal aid would continue to be available for eligible defendants.

Mr. Hoon *indicated assent.*

Mr. Burnett: I am glad that the answer is in the affirmative.

During the Adjournment debate of the hon. Member for Great Grimsby (Mr. Mitchell), I asked the Minister:

"If conditional fees are introduced, will the insurance premiums of those who currently qualify for legal aid be paid by the legal aid fund, and will the fund pay the costs of investigating a case and its merits?"

The Minister replied:

"It is for the lawyers to consider whether they should absorb those costs . . . If we receive persuasive evidence that that is totally impossible, we may take other considerations into account".—[*Official Report*, 5 November 1997; Vol. 300, c. 294.]

I do not believe that the majority of law firms, and especially small ones, are in any position to make those advance payments. The cost of investigating medical negligence cases can be as high as £20,000, and the vast bulk of that is specialist medical experts' fees. The resultant damages save the Exchequer other costs of care and maintenance. The Minister must make allowance for the poorest and most vulnerable in society, including those with special needs.

At 75 per cent., the Lord Chancellor has set the merits test too high. It is as high a probability as any barrister is normally prepared to give, except in some personal injury cases. I endorse the remarks of the hon. Member for Calder Valley on that point in her maiden speech.

For obvious reasons, the merits of a case do not become entirely clear until formal discovery or the hearing itself. On 10 November, I asked the Minister whether in private practice he had ever advised that the merits of a case, other than a personal injury case, were greater than 75 per cent. He told me that he had never been required to make such an assessment and explained that lawyers had failed over many years to satisfy adequately the existing test, which is essentially a 50 per cent. chance of success. There has been some abuse in this regard. The merits test should, as Sir Peter Middleton suggests, be set at about 60 per cent. A lawyer with accountancy assistance—not a civil servant—at the Legal Aid Board should validate the means of applicants and be satisfied in each case that that merits test has been passed. Those changes would not only root out abuse but save money, or enable increased access.

We are still waiting to hear the Government's proposals on test and lead cases, citizens advice bureaux, law centres and a community legal service, which is one of their manifesto commitments. When will they bring those proposals into the public domain? Will they provide full costings? Will all interested parties have a chance to scrutinise the proposals and make submissions?

There are funding proposals that do not involve additional Government expenditure, which the Government should seriously consider. The Bar Council has suggested a contingent legal aid fund. I believe that the Law Society has advanced a proposal called law link, whereby the Legal Aid Board, in money recovery cases, having paid the insurance costs and funded the disbursements, would receive a significant tranche of the success fee as well as its costs. It is incumbent on the Government to consider those proposals, which could go a long way to increasing access to justice for middle-income Britain. Franchising, which we support, will not simply provide for the efficient monitoring of legal services; it should also provide financial discipline and savings.

We welcome Lord Woolf's suggested reforms. Cases should be heard faster and justice should be cheaper, but when Sir Richard Scott was asked to implement the Woolf proposals, he said that he would implement them only if sufficient resources were made available for implementation. Woolf will mean savings overall, but it cannot and should not be done on the cheap. To ensure that we achieve justice as well as savings, more and better resources, and appropriate training, must be available to the court service. More judges are needed to supervise cases and more information technology will be needed.

This debate is about the crucial issue of access to justice for all. The important policy changes were announced and set out in Cardiff, not the House of Commons. The policy is ill considered and precipitate, and it is being rushed through without proper analysis and research. Much of the debate has been conducted by the Government through press releases and private briefings. We look for the policy changes to be implemented by Act of Parliament, with a proper opportunity for the House of Commons to discuss and scrutinise the proposals and their merits.

Finally, we look to the Government to confirm that they are not seeking to reduce the legal aid budget and will honour their manifesto commitment to

"the development of legal aid according to the needs and priorities of regions and areas."

It is not too late for the Government to reconsider their proposals. The weight and diversity of the opposition to the proposals speaks for itself. I ask the Government to reconsider and re-evaluate them and to make some genuine proposals in the interests of the public and justice.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. If the average length of speeches continues as it is, the many hon. Members who are seeking to catch my eye will not

all succeed in doing so. May I please, therefore, appeal for brevity, so that everyone who wishes to participate may do so before the end of the debate?

12.39 pm

Mr. Austin Mitchell (Great Grimsby): I rise with some trepidation, as only the second non-lawyer to speak in this debate. Never have so many lawyers spoken at such great length for so little in fees as this morning.

That is an initial reason for congratulating my hon. Friend the Member for Calder Valley (Ms McCafferty) on her maiden speech. She not only came into the debate as a non-lawyer, as I do, but delivered her speech with great elegance, humour and charm. I congratulate her on an effective maiden speech. I read of her coming in Pete Davies's book "This England" about the campaign in Calder Valley. I was expecting great things and I am sure that she is beginning to deliver them. She certainly did with her speech this morning.

I must say that my hon. Friend was wrong in referring to Donald Thompson as a Chartist. He was in fact an old, not a new Chartist, because the invocation of class hatred would have disqualified him from new Chartism. All that she said about Calder Valley was true. It is the most beautiful part of the country after Grimsby. It is the place that I view with most affection after Grimsby. I congratulate my hon. Friend on being such a wonderful representative. She has worked as a councillor in the interests of the people, and I am sure she will continue to serve them here in the Chamber. My congratulations to my hon. Friend.

Fewer congratulations to the Parliamentary Secretary, Lord Chancellor's Department, however, for proposals which, despite our conversations on the matter, I still fear will lead to cheapjack justice for most people—the kind of legal representation that fell off the back of a practice.

The main motive of the proposals seems to me to be not to bring justice more effectively, promptly and expeditiously to the mass of the people but to cut spending. As soon as a problem is approached from that angle, the approach becomes disastrous. It is certainly true that expenditure is rising. That is not because the legal profession is exploiting the system. The rise in crime is in itself responsible for a huge increase in spending.

People need legal services more as their standard of living rises. It is a feature of a rising standard of living that people want to pursue their rights and all the problems that they have in their lives. The legal system is important in pursuing those rights.

People have higher standards of medical services, building services and consumer services. They need to be able to pursue their rights to those standards. They need the law for that purpose. That is why expenditure on legal aid is rising. It is also rising because of the continued assertion of restrictive practices, particularly by the Bar. It is alarming to see so many speakers from the Bar adding to our debate this morning. A system in which people do not have direct access to a barrister so that they have to go through a solicitor, who takes his cut, and then through a clerk, who takes his cut, inevitably drives up expenses.

Expenditure on legal aid is rising because of the slow and cumbersome processes of the legal system. When one attempts to cut and control spending, it is wrong to place the main sacrifices on the poor—the people who need a better legal service. Service to the poor and to ordinary people will be curtailed by the Government's proposals. There is no doubt about it. People cannot afford the up-front costs or the insurance costs. They do not have the experience and the confidence to hawk their case around from one set of solicitors to another to get the best terms.

The proposals will result in a worse service for the poor. So will bulk purchasing of legal services. It will lead to cutting of corners, compression and a less adequate service.

I cannot accept all this, even if it is justified with the glowing but unspecific prospect of better things to come, because it is not realistic to start scrapping what we have got in favour of a better "might be", unless we have evidence of what that "might be" will be. We do not—all we are offered is a glowing prospect.

It is right that the Government should hit the ground reviewing, but if ever there was a case for a considered review and considered verdict, it is on legal services. That review has not been conducted. All that the legal services are being offered is a glowing prospect and a ritual chant against fat-cat lawyers, usually delivered by fat-cat lawyers. The Minister is usually an amiable, approachable man and I deprecate the way in which he and the Lord Chancellor are stirring up class hatred against fat-cat lawyers. That is not at the heart of new Labour's mission.

The Government's approach is wrong, especially when we are the party of progress, and the party which defends and represents the interests of the people—the mass of the ordinary people, whose interests need to be protected.

The people need the law more and more in their lives to advance their causes; protect their interests; protect them against the exercise of power or from large organisations; and protect them from all the abrasions of life.

A deep gulf is opening up between the mass of the people and the legal services, which are becoming strangers to the ordinary people because of their escalating costs. We should reform the legal services; the key question is how we can deliver them to the people more effectively. The answer is that the £1.5 billion devoted to legal aid should be spent more rationally.

We cannot, unfortunately, rectify our historic mistake. The Labour party has always had a vision of a legal version of the national health service which provides legal services at the point of need. After the war, the Rushcliffe committee suggested that that could be advanced by establishing 250 law centres across the country. Unfortunately, the Legal Aid and Advice Act 1949, which represented our first step towards implementation of that vision, did nothing about law centres. Instead, it subcontracted legal aid to the Law Society. It was a disastrous mistake to subcontract it to that vested interest. The Treasury knew that at the time and that is why the policy was not fully implemented until 1962. From then on, however, the exponential growth in costs began.

The answer to the problem is to take legal aid back from private practice. Of their nature, those practices are inefficient with high overheads. They cannot achieve economies of scale and they operate on the basis of restrictive practices. We have two sets of private practices whereas an employed service would be much more

[Mr. Austin Mitchell]

efficient, effective and available at the point of need. It would have far lower overheads per case than private practices.

We could provide an employed service through law centres for civil cases. Such a service should be boosted. If money is to be saved from the legal aid budget, why is it not to be spent on law centres, which need it so desperately and which have suffered from such serious financial cuts in the past?

We could also bring legal services back to the people by creating a public defender service for criminal cases, which operates extremely effectively in some of the better American states, such as California. We should enact a right to representation, as exists in the United States and is a constitutional right in European countries such as Sweden. Under that right of representation, people should have the choice to fulfil it by opting for the employed service, which would be dedicated, competitive, efficient and would charge fees as a ratio of a person's income. Alternatively, people could opt to go to a private practice and pay full fees to have their case pursued, or conditional fees, or even contingency fees, as charged in the United States. I would opt for the contingency fees so that private practice had the means to fight back against an employed service.

An employed service structure could be financed out of the £1.5 billion that goes to legal aid, particularly if it is supplemented by local authorities bringing financial support to local law centres and by fees charged in proportion to income. That would parallel the structure of the national health service, which is a successful example that we should use. It has both employed and private practice; it has specialists and generalists; and people can make their choice confident in the knowledge that medical services are there when they need them. That is what we want in the legal service.

Such a measure would be a responsible alternative because it would protect and advance the cause and the powers of the people. That is what the Government should have proposed. The Labour party in opposition should have been developing such ideas instead of lamenting the cutbacks in legal aid and saying that some bonanza in legal aid was in store. Everybody knew that that would not happen because the Treasury would take control of legal aid expenditure. We should have thought the problem through, but, instead, we took a negative stance and criticised what the outgoing Government were doing, without proposing an alternative.

We need that alternative now, which is why, in reviewing legal services in this fashion, my hon. Friend the Minister should start from basics and consider what an employed service could do to bring legal services to the people. Socialism—I am sorry to mention that dreadful word—is about building for everybody the platform of rights, services, education, welfare and jobs that is available to the rich because they have the money to buy them. Part of that platform is the legal services that people need to protect themselves and advance their cause and their rights. Unless we work towards developing a fair society, we shall lessen the odds in favour of the people and increase the odds in favour of power, wealth, privilege and all those who oppress the people and work against their cause.

The law is crucial if we are to arm people in that respect. Regretfully, the Government have opted for cuts, promises that may or may not be kept, and a measure that may or may not work, and about which we have only the barest details. That is because they have approached the issue too quickly and without enough consideration. Only by opposing the proposal will we get better from a Government who want better and will provide better if pushed into it, and if the pressure to cut spending is broken.

I regard the proposals as an infringement not only of the socialism that I would like but of people's basic rights. How will curtailing the provision of legal aid and support to ordinary people, especially the poor, be acceptable under article 6 of the European convention on human rights, which we are about to incorporate into our law? Article 6 speaks of a level playing field in terms of representation. Legal aid provides that by bringing a legal support service to the masses. If we cut that away, we shall infringe the convention and produce far more miscarriages of justice because of inadequate representation and defence. The inevitable outcome will be more appeals, more controversy and more failures, and the legal system will have to go back and redress the problems.

Those are my basic criticisms of proposals that are wrong and should never have been advanced in the first place without our having thought through to basics how we could better serve the cause of those who need legal services.

I wish to make two or three detailed criticisms. Benedict Birnberg has raised in correspondence with me and other Members of the problem of cases against the police. He has cited miscarriages of justice and even cases in which people have been beaten up, had their rights infringed and been maltreated by the police. Those are matters of public interest—certainly the Stoke Newington scandals are of public interest.

When an individual makes a complaint, he faces the whole machinery of oppression from the Home Office, the law, publicly financed litigation for the police force, finance from the Police Federation and so on. How can an individual take on all that with the proposed cuts in legal provision? Some of the cases are bitterly fought to the extent of trying to bankrupt the firm of solicitors handling them. The odds need to be redressed.

Thompsons, a firm of devoted trades union lawyers which does not charge the trade unions or the members whose cases they take on, has raised the incompatibility between the fixed or no costs imposed through the Woolf regime and conditional fees. If the motive of conditional fees is to get costs at the end of the case out of which to pay the lawyers' fees, that is incompatible with the regime envisaged in the Woolf reforms. It is a real problem which must be addressed.

How will medical negligence cases be handled? They are very difficult cases. One of my hon. Friends thinks that they are almost a waste of time and that people should not take on the national health service as it costs it money. I believe that by taking such cases to court, people are acting in the public interest to get an improved service and to maintain standards. Those difficult cases need support.

The Consumers Association, the National Consumer Council and the Policy Studies Institute review of such cases emphasise the need to have conditional fees running

alongside legal aid so that we can assess whether conditional fees actually work. The Non-Practising Barristers Association wants to offer contract services, through law centres, to the Legal Aid Board. That is one way of getting a cheaper legal service from barristers. Why are the Government not taking up that offer?

Indeed, why are the Government not investigating the whole structure of restrictive practices? They say that they are not prepared to interfere with professional organisations, but all Governments seem perfectly prepared to interfere with the trades unions, on any pretext. The Bar Council is nothing but a silk-lined trades union which is exercising enormous power to maintain restrictive practices to the cost of the legal system and the consumer. Why are the Government not considering simplifying the procedures in injury cases through a state-financed scheme, paid for by a levy on insurance companies? That system already operates in New Zealand and it removes much of the legal argument and costs.

These proposals are full of holes. It is irresponsible to throw away what we have and what is working in favour of an alternative, without questioning whether we can do better. It is a problem which my Government will have to face. I strongly support and am enthusiastic about my Government, but they know that, with such a large majority, we can get away with anything.

If my hon. Friend was introducing a Bill for the slaughter of the first born, it would be strongly supported on the Labour Benches. We would argue that it would save a great deal of money, reduce public expenditure and allow us to fulfil our commitment to stay within the previous Chancellor's spending limitations. We would all nod sagely at every cue in my hon. Friend's speech. He would get the Bill through—he could get any Bill through. That very fact increases the onus on him and the Government to think through the fundamentals of what they are doing and whether they are serving the cause of the people, which is what the Labour party is all about.

12.58 pm

Mr. Graham Brady (Altrincham and Sale, West): I cannot help but think, hearing the remarks of the hon. Member for Great Grimsby (Mr. Mitchell), that if the Government were to introduce a Bill proposing the slaughter of the first born, it would enjoy more support from Labour Members than does the proposal that we are debating. I have not heard a single Labour Member support the Minister.

I may be the third non-lawyer to speak in the debate. I can at least claim to be the first from the right side of the Pennines, which is something that I can be proud of.

I was nearly a lawyer and I suppose that I should declare that as an interest. I took a law degree, but at that juncture I decided that it was not a bearable proposition to enter such an unpopular profession and I resolved instead to enter the House of Commons. As I am not a lawyer I am not used to being paid by the minute, and as I am not a journalist I am not used to being paid by the word, so I will be brief. [HON. MEMBERS: "Hear, hear."] Thank you. I am tempted to quit while I am ahead, but I will continue.

I wish to argue the consumer interest and the interest of my constituents. That leads me to support the Government's attempts to streamline the criminal justice system, to lower costs and to speed up the process; I wish them well in that. However, I am extremely worried about the Government's proposals for legal aid. There are several significant reasons why they will cause problems for the Government and for the people whom legal aid currently helps.

The problem with our current legal aid system is that justice is open only to the very poor and the very rich. That is unacceptable and a scandal, and the Government are right to seek to tackle that problem.

My concern about the Government's proposal is that although by opening up the contingency fee basis to the majority of people, it will seek to redress the inability of the vast majority of the public to have access to the legal system, it also seeks to snatch away the benefits that are currently available to help the poorest people, the most disadvantaged people in the country, to have access to the legal aid system.

The conditional fee may extend access to justice to the vast majority of people on middle incomes, although one must bear in mind the fact that the likelihood of success will probably be a major factor in determining whether each case is brought under these proposals. Many hon. Members have mentioned the insurance element of the proposals, which is a very serious problem, especially in medical negligence cases, where the cost of insurance can be very high indeed. That does not by any means guarantee that justice will become more accessible.

If greater access results, that is to be welcomed. If the proposals, by withdrawing the legal support that the poorest people currently enjoy, reduce access, that should cause all hon. Members concern.

The hon. Member for Wyre Forest (Mr. Lock) referred to the possibility of cherry-picking taking place if a twin-track approach were adopted. That argument is worth exploring further because the difficulty with the Government's proposal as it stands is that cherry-picking will take place anyway. Effectively, lawyers and insurance companies will determine whether it is possible for an individual to pursue his case in the courts. Lawyers will cherry-pick. They will take the cases on which they will make the most money and the cases that they believe that they are most likely to win. However, that cannot be used as an argument for withdrawing support from the people who cannot afford to provide legal representation for themselves, and it is inconsistent to argue that one cannot have a safety net—effectively, a benefit system—because one wants to avoid cherry-picking.

Alarmingly, the proposal is consonant with other measures that the Government are taking, such as seeking to introduce tuition fees for higher education. There is a close analogy. The Government will argue that they are giving access to a system by introducing a new charging mechanism, but, at the same time, they are withdrawing the support that ensures that people at the bottom end of the scale have access.

In withdrawing maintenance grants for students, just as in withdrawing legal aid for civil cases, the Government are snatching away support from those who are least able to provide for themselves. That will have a damaging effect on access to the civil justice system. We have already seen the devastating effect of the introduction of fees on access to higher education.

The proposals need to be properly debated. We have had a good debate this morning, although I share the concern expressed by the hon. Member for Great Grimsby

[Mr. Graham Brady]

that too many lawyers and too few people outside the profession have spoken. We have had a good debate, but this should not be the end of the matter. We need proper consultation on the proposals, which have enormous implications for the administration of justice.

The consultation period will run until 1 April, when the proposals will be introduced. That cannot be deemed to be proper consultation. There is not enough time either for consultation to be carried out properly or for proposals to be drawn up in the light of that consultation. I call for a longer period of consultation and for the Government to give greater thought to the proposals. The proposals are largely untested. It would be sensible to run the two systems concurrently—to maintain the legal aid net for those who need it while extending trials to see how the contingency fee system will work and to measure the effect of insurance premiums on access to justice.

The conditional fee—I emphasise an earlier point—will inevitably mean that the system will lean towards larger and more specialist firms. That is a cause for concern. One of the most important aspects of providing proper legal advice across the country is the service given by small, local firms of solicitors. The danger with the proposals is that those firms will be hit. Small, general practices, especially in small towns, may no longer be viable. That does not mean merely that they will go out of business; nobody sheds many tears when a lawyer is put out of business. It also means that those towns lose the service that those practices have given. That should be most unwelcome and a major cause for concern.

I welcome the fast-track proposals and I wish them well. I hope that they will result in cheaper and quicker justice. I believe, however, that, in general, the proposals will have the opposite effect to that intended and that, far from widening access to justice, they will narrow it. If the Government believe that access to justice will be widened by the proposals, what provision are they making to expand the court service to take account of the increased number of cases that may be involved?

The conditional fee may extend access for some, but not for others, especially those who cannot afford insurance and those who, in medical negligence cases, cannot afford the disbursements that their lawyers may require. Rather than rush into uncharted territory, the Government owe it to themselves and to the country to have a proper, full consultation period and to look at the proposals much more carefully.

1.7 pm

Ms Hazel Blears (Salford): Thank you, Mr. Deputy Speaker, for calling me in this very important debate. I should say at the outset that I am a solicitor, although I am not currently practising because I believe that it is important to be a full-time Member of the House. I have experience of working both in private practice and in the public service as I was a solicitor for Manchester city council, specialising in education and employment matters. I have also been a member of the management committee of my local law centre for seven years, so it is fair to say that I have some experience of the variety of ways in which the legal aid system functions. I also add, for the benefit of Opposition Members, that the House is about to hear a speech by a Labour Member in favour of the proposals.

The proposals to reshape our civil justice system and to refocus the assistance provided by the public through the legal aid scheme will enable many more people, irrespective of their wealth, to enforce their legal rights. Access to justice for all was the overriding principle behind the establishment of the legal aid scheme. There was clear recognition that legal advice—and especially representation—was exclusive, expensive and out of the reach of many ordinary citizens. Over the years, eligibility limits have squeezed thousands of people out of the legal aid scheme, yet the bill has grown enormously and legal aid now costs almost £1.5 billion every year. It costs every taxpayer £57 a year to fund the legal aid scheme, yet fewer people are entitled to receive help from it. How can we possibly defend the status quo?

Quite naturally, there is immense public concern that the costs should not be allowed to spiral out of control but need to be shaped and targeted at areas of greatest legal need. We need to get one point absolutely clear at the outset: the changes are not about slashing legal aid, as was put about in the scaremongering headline of *The Law Society's Gazette*—I wish that lawyers would have a better regard for the truth in respect of this issue. There will be no cost cap on the fund, but there will be tighter control, the elimination of waste and duplication, increased efficiency, planning and organisation, fixed costs and certainty about precisely which legal services can be provided through the fund. I am surprised that Conservative Members are so opposed to efficiency and good management.

There has been an outcry among the profession, predicting that thousands of poorer people—how I hate that phrase and the patronising connotations that sometimes go with it—will be excluded from legal help. There has been much agonising about access to justice for the poor. I wonder why we always hear such expressions of concern and anguish whenever the income of solicitors and barristers is under discussion.

For years, solicitors in inner-city areas such as my constituency of Salford been encouraged to take on cases involving housing, employment, benefit advice and other issues that fundamentally threaten the comfort of people living in difficult circumstances—those who are beset by poverty, unemployment and, in many cases, are exploited by those more powerful than themselves. Many solicitors have been extremely reluctant to get involved in such cases as they are not considered attractive or profitable and often entail dealing with people with tremendous personal problems.

The legal issues involved in employment and housing are often extremely complex and require imagination and creativity to resolve satisfactorily. There are, of course, some dedicated solicitors who are driven by a desire to ensure that everyone's voice is heard and to achieve genuine justice. I am lucky to have in my constituency some of those solicitors and a law centre which has been of immense help to many people in Salford.

The refocusing of legal aid and the move to contracting with firms that specialise, have expertise and consistently produce high quality efficient work will enable us to encourage and reward lawyers who are genuinely committed to improving access to our legal system. We shall be able to fund them to develop more innovative services such as home visiting, telephone advice lines, plain English documentation that is easy to understand

and full explanatory advice so that clients truly feel part of the legal process rather than simply being on the receiving end of an unfathomable system.

The freeing up of millions of pounds of legal aid by the introduction of conditional fee agreements for the majority of claims will liberate funds which can then be directed at current gaps in provision. Sir Peter Middleton said in his report that once the budget is under control legal aid could be extended to

"more widespread funding for advice agencies, Law Centres etc.; funding for alternative forms of dispute resolution (mediation, arbitration etc); direct financial help to litigants-in-person to cover the cost of, for example, experts reports, court fees and travel costs; and representation in appropriate cases before tribunals or at coroners' inquests."

What could be more important than providing legal representation at an employment tribunal for someone who has lost their job and been the subject of unfair dismissal? The right to work and the right to decent housing are fundamental rights in our society which are currently devoid of legal assistance and representation.

I would, however, add a note of caution. I share the many concerns of my hon. Friends about the costs of insurance in conditional fee cases. Many people on low incomes and benefits will find it difficult to raise the money to pay for insurance, so I should be grateful if the Minister would give further consideration to the funding of those items. It would be a real denial of justice if a genuine claim were to lie unpursued for want of the means to pay for insurance.

I turn to one other area of the proposals which I believe will be a genuine step forward in obtaining real value from the legal aid fund and ensuring that the kind of legal services available properly reflect the needs of local people.

In the north-west, we have been extremely lucky in recent years to have had the north-western legal services committee operating across our region, consulting a wide range of groups and individuals about the types of legal service that are needed. In October last year, the north-west pilot project was completed and it was clear that its excellent work ought to be spread throughout England and Wales to ensure that the voice of local people could be heard in deciding priorities for funding legal services.

The regional legal services committees, which are to be established in every area, will be uniquely placed to collect data about legal need and where suppliers are and to identify crucial gaps in provision. They will advise the Legal Aid Board on appropriate contracts and have a key role in monitoring the impact of contracting, whether on advice and assistance, mediation, or whatever other work is subject to the contracting process. They will have a key role in monitoring quality. They can bring together solicitors firms, advice agencies, local authorities, courts, prisons and community groups to draw up co-ordinated plans so that duplication can be eliminated and waste cut out. We shall be planning our legal services and, in so doing, spending taxpayers' money much more wisely and effectively.

There will be a regional plan informed by the work of the committee and it will shape the provision of legal services. It will be able to innovate. There could be contracts for employment tribunal work, housing advice, top quality benefit and debt advice, education work and representation. It opens up the prospect of doing new things that will be of immense benefit to people who are often unable to pursue justice for themselves. That is what legal aid was always intended to do. It may have lost its way in recent years, but the Government are determined to put it back on track.

The development of a community legal service, possibly with salaried lawyers, bringing together citizens advice bureaux, advice agencies, welfare rights advisers and trade union advisers—often experts on employment matters—holds exciting possibilities for increasing access to justice. Funding mediation and arbitration may help to reduce conflict between neighbours, which often causes grief and long-term damage to communities. There will, of course, be difficult decisions. If we are to have more litigants, we must ensure that they are armed with the knowledge and skills to pursue claims confidently and well. That may mean the provision of court-based advice services, which I ask my hon. Friend the Minister to consider.

The proposals can mean a new beginning for legal aid and civil justice in this country. Gaining control of the budget and targeting funds at those most in need is the practical way to increase justice for ordinary people. Simplifying the court system and introducing certainty about costs and procedures will go a long way to demystifying the process and opening up the legal system to many more people.

The reaction to the proposals so far has been narrow and pessimistic. Perhaps after 18 years of constant attacks on our public services we have lost the ability to look forward, to embrace change in a positive way and to have the courage to do things differently. I ask hon. Members, the profession and the campaigning groups to have confidence in the proposals. Perhaps with some modification following consultation, the proposals will help many more citizens to feel that they have a real stake in the legal system, enable people to pursue their genuine claims without fear of financial ruin and give them access to high quality relevant advice in their communities. I commend the proposals.

1.17 pm

Mrs. Eleanor Laing (Epping Forest): I, too, congratulate the hon. Member for Calder Valley (Ms McCafferty)—who, unfortunately, is no longer in her place—on her excellent maiden speech. In the spirit of the pioneering women whom she mentioned, and even though she is on the wrong side of the House, it is always nice to welcome another woman to the House when she makes her maiden speech. That allows me to mention that I look forward to welcoming another woman to the Conservative Benches as a result of the Beckenham by-election—at which point the percentage increase in the number of women on the Conservative Benches will be significant.

One of the serious points made by the hon. Member for Calder Valley was about asbestosis claims. I could not agree with her more. It was after dealing for many months with the complicated and long process of investigating asbestosis claims when I was practising as a solicitor that I realised that I could not spend the rest of my life doing so. I therefore have no interest to declare, because I have not practised law for many years. However, I suppose that it is a case of once a lawyer, always a lawyer.

[Mrs. Eleanor Laing]

I agree with my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) that the debate has been interesting in that so few hon. Members on either side have supported the Government. I was surprised to agree so often with the comments made by the hon. Member for Great Grimsby (Mr. Mitchell), although I disagreed with him when he said that never have so many lawyers spoken at such length: I have heard many lawyers speak at even greater length on many occasions—perhaps because, as my hon. Friend the Member for Altrincham and Sale, West pointed out, they are used to being paid by the hour.

Like many hon. Members, I welcome the Government's intention to reduce the legal aid bill, to target taxpayers' money on those really in need of it, and to get rid of the unnecessary delays which now occur in the administration of justice. However, I have serious doubts whether the Government's proposals will be effective in achieving those goals. Legal aid, unfortunately, is a typical example of a scheme which is good in theory—we all agree that everyone should have access to justice, no matter what their means and position or the case that they wish to fight—but, like so many similar schemes, it has been undermined in practice by a minority who abuse it.

From my own professional experience and that of those to whom I have spoken, I have no doubt that some solicitors use the system to their own advantage. In some cases, the potential litigant does not even realise that he has a case to bring, but he is encouraged by a solicitor who will be the only beneficiary from any legal proceedings. That happens especially when certain types of solicitors' practices go to certain areas of the country and encourage people who they know will get legal aid—because they are unemployed or on low incomes—to bring cases against large companies which are then obliged to defend them and probably settle out of court. The result is that the client gains little—and wastes much time and effort on the difficulties of court proceedings, which nobody enjoys—and the only person who benefits is the lawyer.

The Parliamentary Secretary gave us an interesting statistic when he revealed that 83 per cent. of cases brought in the civil courts produce nothing or next to nothing for the litigant. The real injustice occurs not so much when somebody is encouraged by a legal adviser to bring a case against a large company, which can probably bear the cost of defending it, but when somebody is encouraged to bring a case against another individual who cannot get legal aid because he is in the middle-income bracket.

Mr. Hoon: I should make it clear to the hon. Lady that those statistics related to legally aided medical negligence cases.

Mrs. Laing: I thank the Minister for clarifying that. I take his point, but it is still a stunning statistic, which is why the matter must be dealt with as a matter of urgency. I suspect that in some other types of civil case, for the same reason, the proportion must be quite high, although perhaps not so high as 83 per cent.

My concern is the injustice done to the individual who, while not eligible for legal aid, does not have large means and cannot afford to defend a case. Under the present system it is in the interests of the solicitor acting for a legally aided client to spin the case out and obtain higher fees for the longer period while the defendant, who is not legally aided and therefore cannot afford to defend the case, is the victim of extreme injustice.

Mr. Hoon *indicated assent.*

Mrs. Laing: I am glad to see that the Minister agrees with me there.

There are two possible answers which would surely be preferable to the complicated proposals that have been put before us. The first would be to strengthen the merits test. I do not mean that an artificially high 75 per cent. chance of success should be demanded. We all realise that many cases without such a strong chance of success would thereby be disqualified from legal aid, and cases worth testing would then not come before the courts. I should like the merits test to be strengthened so that people would not in future be put in the position that I have described.

In connection with the personal injury cases to which the Minister's statistic of 83 per cent. related, I am sure that we all recognise the difference between an injury incurred at the workplace or a genuine medical negligence case, in which a proposed litigant has suffered seriously either physically or financially, and the other type of case, in which someone has tripped over a paving stone and hurt their ankle. Such cases, legally aided, are still coming before the courts. If we strengthened the merits test we would be able to weed out the unworthy cases from the genuine cases which should properly be financed by taxpayers' money.

The second possibility would be to alter the balance of who bears the risk so that all litigants, no matter what their means, would have to make a contribution from their own pockets towards the costs. Somebody with very few means would have to contribute, say, £50 or £100—not a seriously large sum—so that people bringing cases would always know that they were putting their money where their mouths were. That is the way to separate serious litigants from those who are simply taking a bet with somebody else's money.

Mr. Lock: Does the hon. Lady realise that, under her scheme, people on income support, rather then putting their money where their mouths are, would be taking food out of their children's mouths to fund the rights to which they are properly entitled? Is that what she wishes to see?

Mrs. Laing: Yes, it is. I am not talking about a punitive sum. Perhaps someone on income support should make a contribution of £25. I am not talking about making it difficult for someone to bring a case to court; I am merely saying that we must draw a distinction between a serious litigant and someone who has been encouraged by an unscrupulous lawyer seeking to make a lot of money from the legal aid fund.

Mr. Brady: Does my hon. Friend agree that a £25 contribution would be considerably less than, say, the £95 needed for the insurance premium for a typical road traffic case?

Mrs. Laing: My hon. Friend makes a good point. There is no question of making it more difficult for

genuine litigants to come forward and gain access to justice. The aim is to stop those who come forward because they are encouraged to do so by ambulance-chasing solicitors. They are a minority, but they have been milking the legal aid system for years and have made it more difficult for genuine litigants and lawyers with good intentions to bring serious cases before the courts.

My greatest concern is about the Government's proposals for introducing conditional fees. My first concern is the effect that this would have on the legal profession, for which I have every respect. I am not here to indulge in any lawyer-bashing—*[Interruption.]* Not at all—my lawyer-bashing concerned a tiny minority. The legal profession is honourable and we want it to stay that way. A lawyer's professional objective involvement in his client's case will be diluted, or even removed, if we introduce conditional fees and a contingency basis on which lawyers will be paid. My hon. and learned Friend the Member for Harborough and the hon. Member for Great Grimsby gave excellent examples of cases where such concerns might arise and I shall not repeat them.

We must bear in mind the fact that there are many reasons for a case succeeding or not succeeding; it is not just down to the efforts of the lawyers concerned. Not every case that is brought is an interesting Rumpole of the Bailey affair where the solicitor or barrister does something clever at the eleventh hour to win the case for his client. It is worth noting, incidentally, that the creator of Rumpole does not support the Lord Chancellor's proposals. We thought at one point that he would be Lord Chancellor himself and it is perhaps a pity that he is not, as I agree with his views on this point. If a lawyer's income becomes involved in the outcome of a case, the lawyer will inevitably lose his objectivity, however hard he may try not to let that happen—my hon. and learned Friend the Member for Harborough made a good case in that respect.

My second concern is that conditional fees could put our society in great danger of becoming even more litigious than it already is. Sometimes good ideas come to Britain from the United States of America and I encourage such good new ideas—I am no more interested in American-bashing than I am in lawyer-bashing—but this is not one of them. Encouraging litigation on everything, as the introduction of contingency fees would do, would make our society as litigious as that of the United States. Such a move would encourage the idea that whatever happens to anyone, in whatever walk of life, there is always someone else to blame. If we perpetuate such a culture of blame, we dilute the concept of personal responsibility. Every time someone trips on a paving stone—or, as in a recent case, spills a cup of coffee on themself—they find someone else to blame. It is not reasonable to waste a court's time deciding what temperature a cup of coffee should be sold at and whose fault it is when a cup of coffee bought by an American lady in a London restaurant is spilt. That is spurious and ridiculous litigation.

We must not enter into such a litigious culture that we allow our courts to be blocked up with such trivia when there are important matters of justice and legal precedent to be decided. We all want fair and equal administration of justice, and we all want access to the courts for everyone, no matter what their income, means or profession, but let us not go down the slippery slope of becoming ever more litigious and encouraging frivolous use of the courts. Let us continue to try to provide justice for all. Sadly, the Government's present proposals will not achieve that aim.

1.35 pm

Mr. Michael Jabez Foster (Hastings and Rye): It might be said that I have been slow off the mark in making my first contribution. In my many years in local government, I have learnt that there is no point in simply saying how much one agrees with one's friends. I see no valid addition to the sum of human knowledge in remarking, "My colleague has said all I want to say," and saying it again. That is particularly so in this place, where the talents and advocacy of so many of my colleagues are so formidable in the forceful contributions that they make.

The other benefit has been that of hearing a gazette of the United Kingdom when, in their various maiden speeches—as happened this morning—my colleagues have told the House of the charms and beauty of the constituencies that they represent. Many have said that they represent the best or most beautiful place in Britain. While I have been in agreement with most of what they have said, on that matter they are mistaken—they must be wrong, because I represent the most charming, beautiful and historic place in all the land, Hastings and Rye.

The ancient Cinque ports of Hastings and Rye are indeed twin jewels, and their residents the most charming and talented in the land. However, the ragged trousered philanthropists still live on, albeit now voting Labour. For me, it is a special honour to represent Hastings and Rye, as it is the place of my birth and in which I have lived throughout my life. I can go so far as to say that my longest continuous absence from it was a two-week holiday. That may seem boring, but it is an incredible honour and privilege to represent one's friends, family and neighbours in this place.

Popular with visitors since 1066, this year, the town of Hastings celebrated the opening of a new shopping centre, with the particular honour of a visit from Her Majesty the Queen to open the same and also, but not more important, a visit from the Prime Minister's wife, Cherie Booth, to shop in it.

Hastings and Rye are historic towns and some history was made on 1 May, when an 18.55 per cent. swing to new Labour was the greatest in the country on existing boundaries—it might be said that I am the most unlikely lad of all to be in this place.

My immediate predecessor, Jacqui Lait, was a woman who also made history by becoming the first ever Conservative woman Whip—an achievement somewhat greater in her party than in mine. Her loyalty and commitment to her party are to be admired. When that party was unpopular, she did not seem to distance herself from it. Some might regard such loyalty as foolhardy, but to be certain where one stands is to my mind a quality to be admired and cherished.

Following the decision of the voters of Beckenham in yesterday's by-election, it might be foolhardy on my part to be too fulsome in my praise of Jacqui Lait, as I might live to regret it. She became the Member of Parliament in 1992 on the retirement of Sir Kenneth Warren, a man for whom I have enormous regard. As Chairman of the Select Committee on Trade and Industry, he was forthright and open and consequently made many friends in the

[Mr. Michael Jabez Foster]

constituency and in this place. I saw Sir Ken on the train a few weeks ago on the way back to Hastings, when he was good enough to give me some advice. He told me, "Do not take too much notice of the Whips." If I follow that advice, I shall no doubt learn whether it was good or ill.

Not all my predecessors were men and women of such integrity. The notorious William Long II, who represented Rye in the 12th century, caused an international scandal for Henry IV's Government, when he was found indulging part time in piracy. He was a man who in modern times would certainly have caught the eye of Nolan and would perhaps have appeared before the Select Committee on Standards and Privileges. Amazingly, perhaps setting a precedent, to the best of my knowledge he did not resign his seat.

From what I have said so far, hon. Members may be forgiven for believing that my constituency is a paradise. That is far from the truth: Hastings, or Mugsborough, as it was called in Robert Tressell's 1920s book, "The Ragged Trousered Philanthropists", is still a place of poverty and want. Our unemployment is as bad as that in inner cities: 1,000 young folk out of work and 1,000 long-term unemployed. We have an elderly population of about 34 per cent. of the electorate, many of whom are poverty stricken and excluded from the good life in their old age. Even the solicitors are poor in Hastings and Rye.

The constituency suffers above all from its lack of infrastructure. The A21, known as the snail trail, must be improved. I have in common with my recent predecessors the belief that the A21 improvements are an essential prerequisite to economic development in the constituency. Ken Warren said that in his maiden speech in 1966, and Jacqui Lait said it in hers in 1992. It would be remiss if I did not carry on the tradition, albeit in a different debate.

The Government's more positive attitude on Europe will benefit our fishermen in their plight; the new deal will give hope to the unemployed; the minimum wage will provide opportunity for those who are economically abused; and the pensions review will, I hope, give aid to the poorest of our retired residents; but we most need not handouts but handups, and the building of the road is the single most important contribution that the Government could make to the prosperity of my constituency.

My constituents expect justice from the Government, and I have every confidence that new Labour will create the climate to enable our community to achieve that, but I am concerned that the Lord Chancellor's proposals for the future of legal aid may deny many of them justice in pursuit of personal claims. I ask that further thought be given on safeguards before fundamental changes are made.

The complexity of legal remedies, increased crime and the breakdown of family life have led to an explosion in the need for legal expression, and legal aid has already been restricted. I have sympathy with the notion that the legal aid system is out of control, and it is not unreasonable that the present level of expenditure on legal aid should be held, but I believe that the current proposals are a nut to crack a sledgehammer.

My joy on 1 May at winning the Hastings and Rye seat for new Labour was equalled only by my delight that I did not have to return to my office desk and fill in another legal aid form. The bureaucratic nightmare that besets the current system wastes the resources.

I have calculated that up to a third of the time spent by a solicitor on a civil file can be on the administration of legal aid. That is a monstrous waste of professional time. There is some improvement where franchises have been granted, but the nature of auditing and the requirement under the franchise regulations to write a multiplicity of pointless letters to the client that have little to do with his claim is where the fundamental fault lies.

I am firmly of the opinion that most solicitors can and should be trusted. I know no fat cats who depend on legal aid for their living. There is no cream for legal aid: it is very much a matter of skimmed milk and water. Indeed, in the Hastings and Rye area, three or four firms—I know that there is no sympathy for this—have gone out of business, having depended essentially on legal aid.

If the current plans are implemented, many of my constituents will be dependent on pot luck rather than universal access to justice. If their case is sufficiently profitable, a solicitor will take it up on a conditional fee basis. If not, where do they go? Already many solicitors in my constituency have abandoned legal aid because of the low profitability. We could reach a stage where, as with national health service dentists, it will be increasingly difficult to find a lawyer who can afford to work the system. I accept that some alternative is required.

I know that my time is limited by reason of the early formalities in a maiden speech, but I have five bullet points to make.

First, is it not premature to consider legal aid before we see how the Woolf proposals work in practice and how savings to the cost of civil justice can be contained?

Secondly, how will people such as my constituent Mr. Brown, who has a good claim for medical negligence worth about £8,000, finance the often substantial disbursements required by medical negligence claims—if he can find a solicitor who would work for a conditional fee at such a level? Few solicitors, as I know from my friends and colleagues in the past, will come up front with the disbursements; they cannot afford to, especially in medical negligence cases, in which the fees are substantial. Will there be some form of limited legal aid in such cases to cover at least the disbursements, or even a loans scheme such as the one suggested for students? Even if a solicitor is prepared to fund his work on a conditional fee basis, a method of funding the disbursements must be provided. My hon. Friend the Minister mentioned the disproportionate and substantial cost of medical negligence claims, but how much of those costs are solicitors' fees and how much medical disbursements?

Thirdly, if the balance of probability—that is, 51 per cent.—is the civil justice test, what is the justification for imposing a merits test of 75 per cent. before granting legal aid? To impose such a test suggests arithmetically that 50 per cent. of those who might succeed in litigation will be denied the opportunity of leaving first base because of their poverty. That is selective justice. In cases of professional negligence especially, the 75 per cent. test will often not be met and justice will be denied.

Fourthly, another constituent, Mrs. Fox, won her case at an industrial tribunal and now wishes to enforce it, but cannot afford the court fee. I was delighted to hear this morning that the Minister will exempt such folk from the barrier of fees from 1 December. That is a step forward indeed.

Fifthly, what will be the position if "costs orders" insurance is not available or affordable to litigants who do not have the protection of legal aid? I accept in principle that there is no reason why litigants should be protected against claims for costs if they lose, but what if an application is made for security for costs? Would that security be given by the Legal Aid Board, or what?

I am concerned about the Lord Chancellor's proposal that the merits test should be used as a tool to regulate the pressure on the legal aid budget. That is rationed justice. It is acceptable to determine merits tests as to whether legal aid will or will not be granted, but to say one day that it is available and the next, in the same circumstances, that it is not, suggests that access to justice will become a lottery. Even the NHS has a waiting list.

The Lord Chancellor said last year on cost capping that, if imposed,

> "Legal aid would cease to be a benefit for which a qualifying individual is entitled. It would in practice become a discretionary benefit available at bureaucratic disposal, a benefit which would have to be disallowed when the money ran out."

He was right.

Happily, the Government's proposals are only proposals. I hope that the concerns expressed, not only by the legal profession but by a wide range of those involved in poverty and consumer affairs, will be heeded before the proposals are set in stone.

1.47 pm

Mr. Andrew Dismore (Hendon): I congratulate my hon. Friend the Member for Hastings and Rye (Mr. Foster) on his well-informed maiden speech. I speak as a solicitor who has specialised in personal injury work for the past 19 years. Until elected, I was also an assessor for the Law Society specialist personal injury panel. I am an executive member of the Association of Personal Injury Lawyers.

I commiserate with my hon. Friend the Minister about the battering that he has had from the profession. Like my hon. Friend the Member for Salford (Ms Blears), I welcome much of what has been said by the Lord Chancellor. I am sure that the Minister will forgive me if, in the short time available, I concentrate on one or two of my reservations about the scheme.

Fast track has not been dealt with at length in the debate, but it is a central feature of the reform plan and impacts on the proposed alternatives to legal aid. If it is done properly, it could produce major benefits in some cases. Equally, particularly in respect of personal injuries, there are many detailed concerns which, if not answered, could lead to widespread loss of existing access to justice, leaving the insurance industry, as the main beneficiary, laughing all the way to the bank at the expense of accident victims.

A key issue is to consider what sort of case is suitable for fast track. In the personal injuries sphere, for example, it may be appropriate for a straightforward road accident with anticipated damages within the suggested financial limits. However, a disputed liability accident at work claim will rarely be right for the fast track as it is at present envisaged.

The fast-track procedure means that cases cannot be as fully investigated as they are at present. The unfortunate consequence is that the accident victim, in bringing his or her case to court, will do so with less evidence, fewer witnesses, less documentation and less material evidence. Yet the burden of proof remains with the injured employee.

At present, trade union solicitors score an amazing 96 per cent. success rate in litigation. Last year, they helped some 150,000 injury victims recover £330 million in damages, at no cost to the taxpayer. But if the union lawyer cannot, because of the constraints of the fast track, put before the court a properly prepared case, inevitably there is a very real risk that the case, which might be won under existing procedures, could be lost in the fast track, which would be a highly undesirable result.

What about professional negligence implications? At present, if a lawyer messes up the case, the disgruntled client can, rightly, sue him, but the fast track will prevent the lawyer from doing the best job that he can. Are the rules to be relaxed so that the lawyer can defend himself on the ground that fast track did not allow a full investigation? Can we really believe that a client would accept such an undesirable outcome?

On the positive side, my suggestion of excluding disputed employers' liability cases from fast track would act as a powerful incentive to insurance companies to admit liability at an early stage, if the result of such an admission would be the transfer to, or retention of, the case within the fast track. An early admission of liability is clearly in everyone's interest. As it is at present configured, the fast track has entirely the opposite effect. The insurer will know that there is a better chance of winning in the fast track.

Fast-track costs are also important. While fixed costs may be suitable for certain types of case, I am concerned about the issue in this context. I believe that it will radically shift the balance in personal injury litigation to the benefit of the insurer, again at the expense of the injured victim.

While I know that academic exercises are under way to investigate hypothetical fast-track costs, Sir Peter Middleton very sensibly suggested that the introduction should be delayed until the fast track itself had been introduced and allowed to settle down. Only then could we identify the true cost of running a case efficiently. If the costs regime does not reflect that, the end result will be entirely the opposite in terms of access to justice to what the Lord Chancellor intends and we all wish to see.

Fixed costs will also impact on the commercial viability of conditional fees, including conditional fees under the existing arrangements, as a success fee percentage based on too low a costs figure will be inadequate to offset the financial risks that the solicitor will be expected to take. If we do not get costs in the fast track right, that will also impact on private insurance and trade union schemes, which are one of the great success stories in terms of access to justice and are proposed as one of the key provisions as an alternative to legal aid.

Personal injury litigation, especially in the trade union market, is very competitive and has led to extremely efficient firms working on tight profit margins with little

[Mr. Andrew Dismore]

leeway to absorb substantially reduced fees or increased expenses. Unless disputed employers' liability cases are excluded, the vast bulk of trade union-backed cases will be in the fast track. That will undoubtedly detrimentally impact on the financial viability of the trade union schemes, and prevent them from being expanded in the imaginative way suggested by John Monks, the general secretary of the Trades Union Congress, in his recent positive and innovative speech to the Association of Insurance and Risk Managers.

Trade union schemes are already under pressure from increasing difficulties caused by the indemnity principle, which prevents their further development. I hope that my hon. Friend the Minister will pay close attention to those problems, and not add to them, through the fast-track plan.

I intended to deal with conditional fees, but they have been dealt with extensively in the debate. I welcome them. They have been a great success story in personal injury and they can be elsewhere. My concern is that the Government could be the biggest loser if they get things wrong. Personal injury legal aid has proved very cost-effective. In 1996–97, more than £500 million in damages was recovered in legally aided personal injury cases, at a net cost to the legal aid fund of £34.5 million.

In the same year, the Department of Social Security recovered £135 million by way of recoupment of benefit. Clearly, not all those cases were legal aid cases, but a substantial proportion were. We know that there are plans to extend the recovery scheme to national health service costs for treating road accident victims, which the Law Commission has estimated at £100 million. If one adds in the VAT on legal fees, the Government make a healthy profit on their legal aid investment. There is a real risk that, if we get these things wrong, we shall be throwing the baby out with the bath water.

The other point that I wanted to make about conditional fees is the impact on levels of damages. My hon. Friend the Minister is aware of the Law Commission research paper "How much is enough?", which demonstrates the extent to which personal injury damages have fallen behind. If we do not do something about the levels of damages as part of the process, hardship could follow through the loss of compensation under the present success fee cap. Again, I therefore urge my hon. Friend to consider acting on the outstanding recommendations from the Law Commission concerning damages, in particular through the early implementation of section 10 of the Civil Evidence Act 1995 and section 1 of the Damages Act 1996. That would go a long way to solving the problem of the damages gap.

A conditional legal aid fund could provide a safety net, and I know that various proposals on that have been put forward. The main problem with it is the difficulty caused by the adverse selection argument, but that could be overcome. I have met my hon. Friend to put forward proposals and I shall pursue that matter in writing, given the limited time now available. The problem could be avoided by combining the concept of block funding with the conditional legal aid fund and perhaps restricting clients' direct access to solicitors and, instead, expecting them to be referred on. That would take away the choice of client from the solicitor and put it in the hands of perhaps the legal aid fund and, in the longer term, the community legal service. We would then mirror the way in which the trade unions operate—through that process, they have avoided the adverse selection argument.

There is much of a positive nature in the Lord Chancellor's proposals. It is incumbent on the legal profession to advance positive suggestions rather than to react with the knee-jerk negativism that we have seen so far, and which was amply demonstrated to any who went to the Bar Council meeting on Wednesday night. Our message to the lawyers must be, "Don't panic." Let us work together in partnership to develop a better civil justice system that will be quicker, cheaper and available to all.

1.55 pm

Mr. Paul Stinchcombe (Wellingborough): Thank you, Mr. Deputy Speaker, for allowing me to make a short contribution to the debate.

I have an interest to declare, because I was a barrister in practice for 12 years prior to 1 May. I cut my professional teeth in the chambers of my noble and learned Friend the Lord Chancellor, perhaps a bruising baptism to the legal profession.

I wish to address one matter that has not been covered in great detail, but first I, too, would also like to urge on my hon. Friend the Minister the essential obligation to listen carefully to the voices of concern that have been raised by his hon. Friends on the Government Benches. We were sent here to represent poor people—we must represent poor people. We must act with caution and tread carefully lest we prejudice those for whom we must fight the hardest.

Little attention has been paid today to the impact of the legal aid proposals on judicial review. The Lord Chancellor is suggesting that ordinarily the threshold for legal aid applications being successful in such cases should be a 75 per cent. prospect of success. I share the concern that lies behind that proposal, because in too many cases legal aid has been granted as early opinions have been bullish, but, ultimately, those cases have been proven to be hopeless. They have been lost and money has been thrown away.

I am unconvinced, however, that the current proposal is the way forward. As a barrister specialising in judicial review, I rarely, if ever, was able to put my signature to or stake my reputation on such a prediction of success. That was not because of any inherent conservatism on my part but because of the nature of judicial review. In judicial review proceedings, litigation risk always looms large. One has difficult issues to contend with, such as statutory construction or the construction of a decision letter from a deciding authority. Doctrine moves very fast. I am not the only public lawyer who has such feelings, because not a single public lawyer whom I have talked to dissents from the views that I am now expressing.

I have two fears. The first is that barristers may, in time, be persuaded to put a 75 per cent. probability of success on a case rather than a 50 per cent. probability of success, simply because they wish the case to go ahead. If that happens, and that temptation is acceded to, we shall not secure the cost savings that we want.

The more serious concern is that if barristers do not act in that way, we may simply stop people having access to justice. We must remember that we, as the Government,

are one of the most obvious potential respondents to any such litigation. Judicial review is brought against us. If we took any action and adopted any policy decision that prevented people, especially poor people, from challenging our decisions, we would be acting with an apparent conflict of interest. We would even run the grave risk of conflicting with article 6 of the European convention on human rights.

It is important that we tackle a known problem, but that we do so with greater flexibility, so that we find a fair and proper solution that saves costs but does not run counter to the interests of the poor, fairness, the interests of justice and the European convention, which we shall incorporate into our domestic legal system next year.

I have two or three suggestions. Why is the person who gives the original legal aid advice not denied the chance to take the brief? That simple check could be put in place to save costs. Why cannot we have a rolling audit of the quality of the advice given under legal aid? If people put their signature to the opinion that they will win a case at the 75 per cent. threshold, we have the means to check the accuracy of such predictions. We can introduce greater scrutiny for the Legal Aid Board to wrestle with the problem, rather than pick an artificial dividing line—the 75 per cent. threshold—which is arbitrary, may lead to injustice and may breach European law.

1.59 pm

Mr. Gareth Thomas (Clwyd, West): I declare an interest not as a fat cat but as someone who practised at the provincial Bar for a number of years. I have also had experience in the international insurance industry, which may interest my hon. Friend the Minister.

I well understand why the Government have embarked on the process of the long-overdue reform of the civil justice and legal aid system. If there is not exactly a crisis of public confidence in that sphere, there is real concern that the civil justice system fails adequately to fulfil its role as a guarantor of people's rights. People are also concerned that legal aid does not fulfil the function of providing access to justice to an enormous number of people. The Lord Chancellor is right to concentrate on the need to correct the imbalance in the system so that middle-income as well as low-income Britain has access to justice.

The Lord Chancellor is also right to test alternative arguments, including those for the status quo, against the principle that legal aid should exist only to remedy the imbalance between the poor and the better off—I am sorry to use those pejorative terms—not to put the poor in a privileged position. However, that principle, which the Lord Chancellor has chosen as a litmus test, should not be adhered to slavishly. The proposals give every indication of an over-dogmatic adherence to that principle at the expense of justice.

In the circumstances, the Government have rightly judged that the wider public interest demands that the reforms should be decisive and far reaching, although whether they should be as swift and far reaching as suggested by the Lord Chancellor is another matter. Although the Government are right to exercise healthy scepticism when dealing with the legal profession's claims in that respect—experience teaches us that scepticism can be the right approach—I am bound to conclude that the concerns expressed by both sides of the legal profession as well as by consumer groups are well founded in certain respects. I perceive that the Lord Chancellor has been doing his best to seek to establish a correct balance between taxpayers' right to expect efficiency and value for money and, as befits a Labour Lord Chancellor, concern that the poorest and most vulnerable in society have better access to justice.

I welcome the Government's commitment to establishing a community legal service and I echo the sentiments of my hon. Friend the Member for Salford (Ms Blears) in that regard. It is an opportunity to focus attention on areas of law that have been overlooked, such as social welfare and possibly tribunal representation. I also welcome the commitment to introduce a fast-track procedure for claims of up to £15,000, which will benefit many people of modest means whom I have represented over the years. The removal of delay and complexity, which are so much part of our legal culture, can only benefit the majority of litigants.

The Government's commitment to retain an arbitration limit of £1,000 for personal injury claims is welcome, as is their commitment to extend exemptions from court fees to those in receipt of income-related job creation allowance, family credit and disability living allowance, and their refusal to countenance contributions to legal fees for those on income support.

We must not forget that legal aid will continue to be available for all civil cases that do not involve money or damages claims. Those positive factors, which must be put in the balance, are consistent with the Government's overall commitment to end social exclusion and build a fairer society. But—and this is the critical question—how does the proposal to remove legal aid at a stroke for all money and damages claims square with that principle? I do not say this lightly or with pleasure, but I have grave concerns about whether these proposals can adequately be consistent with our commitment to a fairer society.

The best approach for the Government to adopt is that in Sir Peter Middleton's report. He said that it was right and proper to allow a certain degree of discretion to the Legal Aid Board. He said:

> "One approach would be simply to remove those areas of work for which conditional fee agreements are most suitable (e.g. most personal injury work) from the scope of the legal aid scheme. In practice, however, it would prove difficult to define the appropriate categories, and within any definition there could conceivably be cases that ought to be pursued but whose individual circumstances made them unsuitable for a conditional fee."

Time does not allow me to explore the arguments further as I know that other hon. Members are anxious to speak. The Government should look again at Sir Peter Middleton's report and adhere to the principle of flexibility in order to do justice in individual cases. There must be greater consultation. The Government should adopt a more cautious approach, especially on the issues of affordability and availability of insurance.

I echo the comments of many hon. Members on both sides of the House in saying that the Government have a positive approach to reforming legal justice and legal aid, but there is substantial scope for caution and reconsideration.

2.6 pm

Mr. David Lock (Wyre Forest): Thank you for calling me, Mr. Deputy Speaker. I declare an interest as I was a barrister for 12 years. Due to the delays in legal cases, I have one or two hanging over, but I hope that the Government's proposals will ensure their speedy disposal.

This is a debate about civil justice during which I have heard many attacks on the Government's proposals. One should only attack if prepared to defend the status quo or put up an alternative. It may be apposite to quote, "You are defending the status quo ante-bellum." We appear to be in something of a war.

The present position cannot be supported. Legal aid is available for personal injury, but not for unfair dismissal; for labour disputes, but not welfare rights; for mental health tribunals, but not social security appeals; for a commercial dispute, but not for a family at an inquest. If we had to start from the beginning and devise a system for where to place legal assistance, we would not end up with the current system.

There is enormous merit in the Government's proposals, especially on conditional fees. I want to discuss three aspects of them to try to advance the debate—first, weak cases; secondly, complaints about conflicts of interest; and thirdly, insurance.

On balance, is it in the public interest for weak cases not to come before the courts? My first reaction as a lawyer, who has won a few cases that I thought were losers, and lost a few more that I thought were sure-fire winners, was that all cases should be litigated, but, on balance, I think that I was wrong.

For whose benefit are weak cases run? Is it for the litigants? I do not think so. Their hopes are raised, but in the vast majority of cases they are then dashed. Let us not forget the strain of being a litigant, especially an unsuccessful litigant. Litigation dominates people's lives, saps their energy and prevents them from getting on with their lives. If they lose, their heartache was for nothing. Taking on weak cases is rarely for the benefit of weak litigants.

Secondly, defendants have rights, too. The prime example of that is the national health service. The money spent in litigation would be better spent in other ways. With respect to my hon. Friend the Member for Great Grimsby (Mr. Mitchell), I believe that medical negligence litigation is a very blunt instrument for improving practice in the NHS; there are much better ways.

Thirdly, other litigants will suffer if weak cases are pursued. Weak cases clog up the courts and cause delays and every other litigant pays the price. They are the cases that are hardest to settle, so they take up a disproportionate amount of court time.

Fourthly, and most important, unmeritorious litigation promotes a litigation culture. All of society pays a price for that. The professional seeks a second opinion, not because it is a professional view, but because of a fear of lawyers. Access to justice is important, but we pay a heavy price if we are trigger-happy with writs.

Another objection that is made to conditional fees is that there is a conflict of interest for the lawyers. It is said that lawyers lose their objectivity because their financial interests are linked to the success of the claim. That objection is misconceived. Lawyers already have a massive conflict of interest every time that they advise the Legal Aid Board whether a case should or should not be financed. The duty to the client and the duty to Legal Aid Board are in conflict, as every practitioner knows. Frequently, the client wins and the Legal Aid Board does not.

Lawyers also have a direct personal financial interest in the advice that they tender to the Legal Aid Board because, if legal aid is granted, the lawyer who advises gets the fees. Do lawyers discharge their duty? I believe that in most cases they do, and they manage to balance their own financial interest with the financial interests of the Legal Aid Board.

I see no difference in principle between that and the conditional fee approach. All that conditional fees do is to substitute the advice to the Legal Aid Board with the advice to the firm's finance committee. Lawyers are in the business of running cases and it would be a strange case of which the lawyer could say to the Legal Aid Board, "This case is worthy of funding because it has a sufficiently good chance of success" but could not give the same advice to the firm's finance committee or to his or her partners.

The next objection is that litigants will not be able to afford insurance against an adverse finding of costs and the problem of non-lawyer disbursements—the matter raised eloquently by my hon. Friend the Member for Hastings and Rye (Mr. Foster). The Government's answer to that objection is that lawyers will learn, as part of the new culture, to finance those costs as part of the opportunity costs of taking on litigation. I have sympathy for that approach, but I foresee problems in the short term.

In the words of Mr. Jonathan Swift, I have a modest proposal. While the culture is changing and the financial service industry is learning to assess the risk, might legal aid for money claims be retained solely for two purposes? The first purpose would be to fund non-legal disbursements—essential medical reports, engineers' reports and so on. I understand that well in excess of 90 per cent. of legal aid money is paid to lawyers, so this preservation should not put undue strain on the legal aid budget.

The second—and, I emphasise, temporary—extension that I seek is that the existing cost protection should be left in place for legally aided plaintiffs. People have the benefit of knowing that their lawyers believe in the litigation because they are taking it on a conditional basis. However, for the short time of the exemption, if they were to lose, they would not suffer the effect of an adverse costs ruling—as they do under the present system. That would enable us to avoid insurance products not being available in time or being available only at extreme cost because the full effect of the Woolf reforms and the limitation of costs—and so the insurer's limitation of exposure on costs—had not worked its way through the system or was not fully appreciated by the underwriters.

The real benefit of all these proposals is that they will make money available to develop the important community legal services that are not funded by legal aid, and which are most needed by the people, rich or poor, inside or outside the legal limits. Many services are not included in the legal aid system. If the price that we must pay is a small trimming of the legal aid budget to finance a community legal service to provide these benefits to very many people, as my hon. Friend the Member for Salford (Ms Blears) eloquently said, it is a price well

worth paying. I invite the Government to see these proposals in the round. In the round, and subject to one or two small concerns, I whole-heartedly welcome them.

2.14 pm

Mr. Hoon: With the leave of the House, Mr. Deputy Speaker, I shall reply to the debate. It has been a serious, thoughtful and constructive debate. I hope that my hon. Friends will forgive me if I say that it has taken me a little time to get used to the idea of having more lawyers behind me than opposite me.

I will try to deal with the wide variety of issues raised; if I fail to deal with every point, I apologise. I am willing to take up any argument in correspondence if I fail to address particular concerns. I could have taken much more time to respond to the debate, but I hope that hon. Members will understand that, by limiting my closing remarks, I have allowed more speeches than would otherwise have been possible.

I congratulate my hon. Friends the Members for Calder Valley (Ms McCafferty) and for Hastings and Rye (Mr. Foster) on their excellent maiden speeches. My hon. Friend the Member for Calder Valley gave the House an enjoyable account of the history and present circumstances of her constituency, an area I know quite well from my days of living in Leeds. I had the chance to play cricket on many of the beautiful cricket grounds in and around my hon. Friend's constituency. I came to appreciate the Yorkshire approach to fair play and winning at cricket, which may be relevant to the subject of litigation.

I have not had the privilege of visiting the constituency of my hon. Friend the Member for Hastings and Rye. I suggest that he treats the advice he received about the Whips with some caution, as I would not want him to end up like King Harold. He is obviously used to the slings and arrows of outrageous fortune as he is, I note, a qualified Football Association referee. As I always agree with the referees' decisions on a Saturday afternoon, I congratulate my hon. Friend again on his maiden speech.

As congratulations are in order, I ought to congratulate the hon. and learned Member for Harborough (Mr. Garnier) on his complete conversion to the role of Opposition. Some of his Front-Bench colleagues are struggling with difficulties of adjustment; they do not know how to use public transport or how to write their own speeches. I assure the hon. and learned Gentleman that the next time the sweater-clad massed ranks of the Conservatives assemble at Eastbourne, he will be hailed as a star.

During the hon. and learned Gentleman's hour-long speech, he managed to avoid making a single reference to any aspect of his party's policy on these questions. During such a long contribution, we could have been treated to some idea of what he thought might be an alternative to our proposals. He seems to suffer from an obsession with spin doctoring; we had 10 minutes of concerns about spin doctors. Perhaps the hon. and learned Gentleman should instead congratulate journalists on the excellence of their articles.

The hon. and learned Gentleman made one or two points about the Government's proposals with which I shall endeavour to deal. He expressed some concern about consistency and about the speed of the introduction of fixed costs and fast track. I emphasise that Lord Woolf advised against piloting the fast track. He favoured the development of a series of hypothetical case studies; that is precisely what the Government are doing.

I seem to recollect that the previous Government recommended a rather earlier implementation date for the proposals than the one on which we have decided. Again, it seems a little unfair of the hon. and learned Gentleman to criticise the Government for undue haste. We are taking a little longer than the previous Government thought appropriate.

In respect of the Policy Studies Institute research and my authority for quoting 28,000 cases, the figure was obtained from the Law Society shortly before the PSI conference on 23 September 1997. It represents the number of agreements registered with Accident Line Protect, but, as that is only one of the insurance companies involved, it is likely that more cases have been agreed so far. I emphasise to the hon. Members who have contributed to the debate that we are determined to consult in respect of the description of cases that will be excluded from legal aid and in respect of what, if any, special arrangements may be required for difficult cases. I shall refer to some more examples in due course.

My hon. and learned Friend the Member for Medway (Mr. Marshall–Andrews) asked for tolerance of his views. Perhaps I should remind him that I was so tolerant of his views that I devoted a day of the general election campaign to driving from the north midlands to Medway and back in order to ensure that he would be here to express those views. That certainly demonstrates a degree of tolerance.

Mr. Marshall–Andrews: I thank my hon. Friend for his contribution.

Mr. Hoon: I think that I am grateful to my hon. and learned Friend for his remarks, but I have certainly never blaggarded legal aid lawyers and I do not intend to do so. Turning to his comments about caring lawyers dealing with medical negligence cases, I might be more impressed by their caring qualities had they not always been paid for their work.

The Government's difficulty in respect of legal aid is that far too many unmeritorious cases are supported by the taxpayer. It is clearly necessary to get legal aid under control, and that is our ambition. It is a matter not of being dictated to by the Treasury, but of finding mechanisms to control legal aid expenditure.

My hon. and learned Friend was most eloquent about the philosophy underlying legal aid and its introduction in 1949. However, if we are to ensure that legal aid continues to be available on any basis, we have to bear in mind the fact that since 1949 eligibility has continually fallen simply because successive Governments have been unable to afford its costs. In making judgments about whether to spend more money on education, the health service or legal aid, my hon. and learned Friend will know better than I do that Governments have not necessarily favoured the prospect of spending still more money on lawyers instead of teachers, nurses or doctors. All Governments have to face that judgment.

Despite his philosophical approach, my hon. and learned Friend should realise that at some stage we shall have to recognise that so few people are eligible for legal

[Mr. Hoon]

aid that the very principles that he so eloquently set out are being undermined. My hon. and learned Friend makes his criticisms now, but if we continued with the status quo, he would have to make them at some stage—if not against the present Minister, against whoever will be standing at the Dispatch Box in a few years' time—when tough decisions have to be taken. *[Interruption.]* That was not an announcement of my resignation.

My hon. Friend the Member for Salford (Ms Blears) emphasised the difficulties of eligibility. As I said in my opening remarks, all hon. Members have experience of constituents writing in or coming to their surgeries complaining that although they had properly paid their taxes for many years, they were not eligible for legal aid.

There have been complaints that the Government have not had sufficient contact with the insurance industry. As I have said, those contacts have continued over a very long period. We are not suddenly discovering the existence of the insurance industry. We have had regular meetings at ministerial and official level. I could read out the long list of contacts that has been supplied to me, but I am not sure that that would be appropriate at this stage. I assure the House that the Department is analysing very carefully how best risk can be borne. We will involve professions and the insurance industry in the work. It is clearly important that we achieve the right balance.

I emphasise that someone has to be responsible for paying the up-front costs of litigation. We may end up with some sort of compromise. We are considering such ideas. Lawyers may share some of the burden, as may the insurance industry. Indeed, it is not impossible that, in some cases, the taxpayer will continue to share some of the burden. We are engaged in such discussions and consultation.

My hon. Friend the Member for Great Grimsby (Mr. Mitchell), who kindly told me that he would not be present for the winding-up speech, said that the rise in legal aid spending was not solely attributable to civil cases. We are, however, concerned with civil cases today. He is not strictly accurate in suggesting that the rise in crime under the previous Government contributed so much to the rise in legal aid spending. There has been a very significant increase in the cost of civil legal aid, but it cannot be attributed to an increase in the number of cases, which he implied.

The hon. Member for Altrincham and Sale, West (Mr. Brady) said that he was not a lawyer. I must reveal that he is a political consultant by profession. Whether that is a more popular job than being a lawyer I am not so sure. Nevertheless, he made a serious point about the need for consultation, which we are undertaking. He emphasised the importance of the small firm. I would simply respond by saying that we want firms that offer expert, specialist and professionally competent advice to their clients. Such firms might be small or large. I want the taxpayer to support through legal aid lawyers who are competent in the work in question. I cannot see that anyone can object to that.

I largely welcome the contribution of the hon. Member for Epping Forest (Mrs. Laing). She is both a solicitor and a political consultant. How popular that will be remains to be seen.

I am grateful to my hon. Friend the Member for Hendon (Mr. Dismore) for his very thoughtful and detailed comments. He has already contributed to the general debate and I know that he will continue to do so.

My hon. Friend the Member for Wellingborough (Mr. Stinchcombe) described his concern about the impact on judicial review. I assure him that that is the kind of area in which we are carefully considering whether the 75 per cent. chance of success is entirely appropriate. Different criteria may operate in certain cases.

My hon. Friend the Member for Clwyd, West (Mr. Thomas) referred to the community legal service. That gives me an opportunity to emphasise that unless and until we gain control over spending in the traditional legal aid system, we will never be able to switch resources effectively to areas of legal advice that, over long periods, have been sadly neglected. Although we have been pressing down on eligibility and thereby reducing the number of people who are able to receive traditional legal aid, it has been quite impossible to provide advice and assistance in any other area. That is what we are consulting on with regard to the community legal service. That will give us an opportunity to redirect and refocus resources on new areas of advice and assistance.

My hon. Friend the Member for Wyre Forest (Mr. Lock) made a number of detailed points, as he has done at previous meetings with me. I appreciate his suggestion that it is necessary for us to put aside our respective professional interests for the sake of the public interest and I thought that his comments amply demonstrated the importance of that. We are consulting about the way in which we can support non-legal disbursements in money claims, and we have received a number of thoughtful proposals which we are considering carefully as part of our reform programme.

Our proposals form a far-sighted and radical package of legal reform for the 21st century, which is no less than people in this country deserve. Our plan is to create a legal system that provides access to justice for everyone, against a background of fundamental reform of the civil justice system and legal aid. I am grateful to all my hon. Friends and other hon. Members who have contributed to the debate.

It being half-past Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

SCOTTISH GRAND COMMITTEE

Ordered,

That—

(1) the Scottish Grand Committee shall meet at Westminster on Wednesday 3rd December at half past Four o'clock;

(2) at that sitting, notwithstanding the provisions of Standing Order No. 96 (Scottish Grand Committee (ministerial statements)), the chairman shall interrupt proceedings, if not previously concluded, at Six o'clock.—*[Mr. Jon Owen Jones.]*

Further Education Colleges

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jon Owen Jones.]*

2.30 pm

Mr. John Cryer (Hornchurch): I thank Madam Speaker for granting this debate on further education today and I thank the Under-Secretary, my hon. Friend the Member for Pontypridd (Dr. Howells) for being here to reply for a second time on a Friday afternoon. I know that it is never the most popular slot if a Minister has a long way to go for the weekend, as I know he has.

I shall dwell first on the financing of further education colleges. As my hon. Friend the Under-Secretary knows, many further education colleges are in severe financial difficulties and have been for the past four or five years—some for slightly less. Some 62 per cent. of further education colleges are now running a deficit, with a total deficit of about £90 million. The colleges also face the problem of convergence, as has been mentioned in debates before, which means that the finances of the colleges have to be drawn together so that they are within 10 per cent. of the average levels of funding.

I know that my right hon. Friend the Secretary of State has considered the funding of further education colleges and that my right hon. Friend the Prime Minister recently announced an injection of funding into the further education sector. I hope that my hon. Friend will be able to answer one or two questions about the funding. Specifically, how will the extra injection of cash be distributed and used by the further education sector? If the examination of the finances of the sector is to be on-going, what is the nature of the examination and what stage is it at?

I turn to the administration of the FE sector. My hon. Friend will be aware of some of the well-publicised cases of abuses of power by college principals and chief executives. Those cases have been covered mainly in the pages of *Private Eye* and *The Observer*, although some other journalists, including those from *The Times Higher Education Supplement*, have also covered them. The root of the problem is that college principals and chief executives now wield considerable power with few checks and balances on its execution. Principals have often shown a tendency to sack trade union activists and officials and to conduct anti-union policies. They often replace full-time and tenured staff with part-timers, usually from a company called Education Lecturing Services, which is the biggest agency supplying part-time, usually low-paid, staff. I shall have more to say about that firm later.

Examples of thuggish behaviour by principals and chief executives are widespread. For instance, some time ago, the branch secretary of the National Association of Teachers in Further and Higher Education at Accrington and Rossendale college, Pat Walsh, was summoned to a meeting with the college principal, Michael Austin. Austin then told Walsh that he had been made redundant and should leave the college immediately. Walsh, by the way, is a lecturer with 17 years' experience and no black marks against his name. As one might expect, the case went to an industrial tribunal, where the college's case collapsed and Walsh was awarded £27,000.

Probably the best publicised of the cases took place at Doncaster college where a lecturer, John Giddins, complained to *The Observer* that the chief executive, Terry Ashurst, had made his wife clerk to the governors. A week later Giddins was made redundant. As he already knew, if he had wanted to complain about that, the person to whom he had to go—happily for Terry Ashurst—was Mrs. Ashurst, as complaints went to the clerk to the governors.

In the past couple of days, I have had a letter from a senior manager who has worked at Doncaster college for many years, but who does not want to reveal his name because he is so worried. He wrote to say how intolerable he found the atmosphere of bullying and intimidation, and the principal's habit of slamming down on people who were at variance, even if only slightly, with his views on running the college. That is a sign of how far things have gone.

At Braintree college in Essex, the chief executive, Martin Bates, has refined the Ashurst system of appointing a relative to a key position, by appointing himself as the clerk to the governors. Now if there is a complaint about Martin Bates, the complainant has to go to—Martin Bates.

At Llandrillo college in north Wales, Guido D'Isidoro, a lecturer, was suspended after he complained to the Welsh Office about the propriety of the chief executive's appointing his wife as the college's finance officer. All he had done was to write to the Welsh Office, yet he was summarily suspended by the chief executive and now awaits disciplinary action.

The roots of all those problems go back to 1992, when the further education colleges were incorporated—a technical term which means that they were given their independence from local education authorities. At that point, the College Employers Forum—or the Association of Colleges, as it now is—was set up, and ever since then it has been run by Roger Ward, its chief executive.

Ward has been at the centre of the widespread policy of union breaking, of bringing in casualised staff and of bullying and intimidation. He has consistently encouraged colleges to get rid of staff and employ agency lecturers. To that end, with the Yorkshire tycoon and millionaire John Kirkland, he was instrumental in setting up the company Education Lecturing Services.

That company has always been the only staff agency recommended to further education colleges by Ward and his organisation, the Association of Colleges. In January 1994, a confidential policy letter from Andrew Wye of the Department for Education spelt out the role of the Association of Colleges:

"Roger Ward explained that the CEF"—

as the AOC was then called—

"has a definite strategy for moving the majority of lecturers onto the new, flexible contract".

Basically, that means moving most them out of work, then moving some of them back into work on a derecognised, casualised basis, on lower pay, with worse conditions, and usually with longer hours.

After visiting the Education Lecturing Services headquarters in Nottingham in June 1995, Roger Ward wrote to John Kirkland, the financier, as follows:

"Everyone is working hard to make our enterprise a success".

He said "our enterprise", not "your enterprise". That is how he saw it.

Roger Ward also has an interesting relationship with another company promoted throughout the country—Burke Ford Reed, a firm which provides

[Mr. John Cryer]

pensions and insurance to the education sector. In 1995, Ward handed Burke Ford Reed a copy of the Association of College's entire mailing list within further education colleges, so that it could write to all principals, clerks and personnel managers about its corporate health care plan.

For some time, Burke Ford Reed paid Ward £650 a month. As a result, the Association of Colleges took action against him, although to date it has been limited and fairly inconsequential action. The AOC commissioned a firm of Newcastle solicitors to inquire into Ward's relationship with Burke Ford Reed.

Some key questions concerning Ward, the AOC and the two companies—Burke Ford Reed and ELS—are well worth asking. These questions concern many lecturers who work in further education colleges, and others who are concerned with the sector. First, what is the relationship between Roger Ward and ELS? What is the exact nature of their financial relationship? Secondly, why has Ward remained in post during the inquiry into his dealings with Burke Ford Reed? That is quite extraordinary: if he was a policeman under investigation for corruption, he would be removed from his post pending the conclusions of the investigation and would then be dealt with accordingly. Thirdly, was there any breach of the Data Protection Acts when Ward handed information to Burke Ford Reed? Did Ward supply information about the names and addresses of people running the colleges to ELS?

To get to the bottom of this, I press my hon. Friend the Minister to do two things. First, it would help to produce transparency if all the correspondence relating to the founding of the AOC—or the College Employers Forum, as it then was—was placed in the Library. That would allow us all to examine what went on during the setting up of the AOC and would help shed light on to the founding of ELS. Secondly, a great many people, including myself, would like an inquiry into Roger Ward, the AOC, ELS and Burke Ford Reed, and the general campaign to de-unionise the further education sector.

It is worth pointing out that this sector has served the country well. The Government rightly talk in terms of lifelong learning which is a crucial part of the Government's strategy to put education at the centre of the Government's thinking and actions. The further education sector has a crucial role to play in placing lifelong learning and education at the centre of people's lives. It can provide access to education so that people can go back into education at any point and gain new qualifications.

If it is to do that, the further education sector must be run in a strategic fashion. The present way of running the sector is, to say the least, anarchic and must be put right. I should like a rapid end to the policies followed by so many principals and chief executives across the country of bullying, intimidating, de-unionising and finally casualising the work force. The work force at further education colleges, as elsewhere, is crucial. De-unionising staff suppresses morale and, in the long run, there will be trouble and the sector could start to crumble. I believe that the root of the problems in the further education sector rests with the AOC and the way in which it was incorporated, and the way in which Roger Ward and his organisation have conducted themselves, particularly in regard to the activities of ELS.

2.43 pm

The Parliamentary Under-Secretary of State for Education and Employment (Dr. Kim Howells): I thank my hon. Friend the Member for Hornchurch (Mr. Cryer) for bringing this matter to the attention of the House again. That is a long way to come from Pontypridd, as he knows, but it is worth it to hear him. He is a good advocate for further education and I am always glad to be here to try to answer some of his questions.

In answer to my hon. Friend, the Government take the funding of further education very seriously. That is why my right hon. Friend the Secretary of State announced just last week that a further £83 million is to be made available to further education. That is a lot of money in addition to the £3 billion that the sector receives year on year. We are keenly aware of many of the problems that my hon. Friend raised.

My hon. Friend will recall that the Prime Minister has already announced that there are to be 500,000 more students in further and higher education by the year 2002. That is a large expansion in students for the higher and further education sectors and we hope that FE will take a larger number of those. In turn, that will mean a good deal of buoyancy in that sector, in terms both of its academic and training function and of the energy that will be put in.

I urge my hon. Friend to realise that there is a great deal that management and staff of FE colleges can do. My right hon. Friend the Secretary of State announced that between £100 million and £150 million in services will be part of the new deal—welfare to work—and both he and I hope that FE colleges will bid for it. They have a major role to play in this great crusade to get people off welfare and into work.

As I have travelled around the country, I have met principals and staff who have been gloomy about the present situation, but I have also met some superb principals and staff who tell me that the crisis is not one of funding but of management. I am glad to hear my hon. Friend raise that matter. All too often, the first priority for a minority of principals and senior staff at FE colleges has been to assert their authority rather than delivering the goods, in terms of education, to a particular area. My hon. Friend knows that I have never believed that we shall solve the problems of training and skills shortages and of opening up access to many more people to enjoy the benefits of further education simply by throwing money at those problems. On the contrary, we already spend a huge amount of money on further education. I want that money to be managed much better.

I am distressed that craft training units—for welders and engineers, for instance—are being closing down and business schools opened in their place. That is not a good thing for FE colleges to be doing, although I can understand why they are doing it. Under the old system, with the demand-led element, they were getting more students for those facilities and in view of the unit price it was cheaper to educate and train them.

As a result, as my hon. Friend the Member for Cardiff, Central (Mr. Jones), who is on the Front Bench beside me knows, in areas such as south-east Wales, which have a buoyant manufacturing economy—there are sectors of the economy that are very buoyant where my hon. Friend the Member for Hornchurch comes from—growth is being constrained by skills shortages. Further

education ought to be right at the heart of supplying those skills, and I want it to do so. In that respect, there has to be much more discussion and co-operation—among the FE sector, the training and enterprise councils, central Government, local employers and other partners—in terms of how to go about it.

The future of further education does not lie in straitjacketed arrangements, whereby students and trainees go to campuses to receive that sort of training and lecturers teach courses in a time-tested and inflexible fashion. On the contrary, it was a great pleasure last week to open an open learning centre in my own town, Pontypridd, which is run by the Pontypridd further education college, a big college, and one which is doing a superb job in reaching out to people beyond the campus. I want the best examples of such practice to be disseminated everywhere.

My hon. Friend drew attention to some important problems. Under the old silver book agreements, the maximum limits on lecturers' weekly and yearly teaching commitments are 21 hours and 756 hours respectively. The overall working week is set at no more than 30 hours, and the working year at 38 weeks. I have many friends who are FE lecturers, and I have great respect for them, but I have to say that those seem pretty good terms and conditions. I think that there is a balance to be struck here. For colleges to respond to new demands for learning and to give access to many more people who have not hitherto benefited from education, there will have to be a great deal more flexibility, including flexibility in the deployment of teaching staff.

It is not surprising that many college staff in the best colleges, without bullying or coercion, have been offered and have decided to accept new contracts with better pay enabling colleges to develop new learning programmes at dates and times that are convenient for many new adult learners. Of course, I would agree entirely with my hon. Friend in deprecating any harassment or victimisation of lecturers who wish to remain under the silver book contract.

As my hon. Friend knows, at present the Secretary of State has only limited powers to intervene in local matters, such as contractual arrangements, concerning further education institutions. The Secretary of State has certain statutory powers to intervene under section 496 of the Education Act 1996 when satisfied that the governing body is acting or proposing to act unreasonably, in the strict sense in which that word has been interpreted by the courts; or under section 57 of the Further and Higher Education Act 1992, in the event of mismanagement or breach of duty by the governing body of an institution.

The Further Education Funding Council has a duty to take extremely seriously my hon. Friend's instances of abuses that have occurred; his examples are almost farcical in the injustices that they illustrate in the administration of colleges. We cannot officially become involved in the detail of particular local disputes, but the Government want to encourage a spirit of partnership between employers and employees in further education, as elsewhere. That can only be to the good of the colleges, the staff and students.

Casual contracts are a matter for concern. My hon. Friend deplored the use of agency lecturing staff in colleges. There are times when there is justification for using such staff, but not in the instances that he adduced. As with staff contracts, it is a matter for colleges themselves; in appropriate numbers such staff can provide a valuable flexibility, but I recognise my hon. Friend's concern. There may be questions, for example, about the depth of the general involvement of casual staff in the life of the institution, and colleges should do what they can to overcome any problems.

My hon. Friend may receive some comfort from developments that are occurring on a broader front. I understand that officials at the Department of Trade and Industry—who have overall responsibility for industrial relations matters—are about to review the employment status of agency and other staff whose position is less than clear. In addition, the DTI is about to review the protection afforded under the Employment Agencies Act 1973, to ensure that it properly reflects the modern labour market.

My hon. Friend asked about Roger Ward of the Association of Colleges. I understand that the association's board met on Monday 10 November. The chairman and chief executive issued a press statement at the conference saying that even though the Association of Colleges had no evidence to support the allegations made in the articles to which my hon. Friend referred it had suggested that the specific points relating to two of the sector's service suppliers should be the subject of an independent report by McKeag and Co., a leading and independent company of solicitors, who are to prepare a full report which will be made public. We shall try to ensure that my hon. Friend gets a copy of the report as soon as possible. It is important that he, and we, should have it so that we can take full cognisance of it. Mr. Ward has announced that he fully supports the initiative and is more than happy to make his personal files available; I hope that he will.

It is for the Association of Colleges to respond to articles about the matter in newspapers. It is the Government's position that further education colleges are responsible for their own staffing decisions, and for deciding whether to employ staff through employment agencies and, if so, which agency to use. That does not mean that we are not aware of the allegations of abuse. There should be absolute clarity so that we can explain to the public and to the various public spending watchdog agencies such as the Public Accounts Committee that we are convinced of the probity of the use of public funds. We shall watch the matter carefully.

My hon. Friend should be under no illusions about the Government's attitude to further education. We know that it has long regarded itself as the Cinderella of the education system, but we want a flourishing sector. That is why my right hon. Friend the Secretary of State announced the allocation of £83 million for further education. That will help the sector to get through the next year. We realise that further education has, like no other sector, the potential to involve people for whom there is no other opportunity in education and training. In the university for industry and our whole strategy for lifelong learning, we want further education to play a much greater role than it has before.

Further education has avenues into some of the most disaffected sections of society. Where universities and

[Dr. Kim Howells]

schools, for different reasons, cannot succeed, it can engage with perhaps 30 per cent. of the population for whom education means very little, people who left school with almost no qualifications and for whom education means something that they had to endure as school children. They have few skills, earn little money and have few prospects for furthering themselves or their careers.

We must turn our FE colleges out to meet their communities. I have seen the best—such as the Birmingham college of food, tourism and creative studies—do that. A couple of days ago, I visited Bristol college, which has opened a new engineering training centre to engage school children and local firms in a partnership approach to technical education. That is the way forward: good creative heads who involve staff in a democratic and creative way as part of the whole project.

In my constituency, principal Jeff Cox is beginning to open the college to the community. That process does two things—I will finish quickly because I am running out of time. Not only does it help the community, but it makes people employable, helps local firms to tap the expertise of trainers and staff inside colleges and makes the lecturers and staff in colleges realise that they have an important role to play in their community.

I hope that when our regional development agencies take off they will realise what enormous potential there is in further education and will ensure that never again will it lack funds or feel demoralised. It is as important as any other element in the education system and we want it to feel like that. We intend to ensure that it does, so that it can play that important role in shaping the future competitiveness of this country.

Question put and agreed to.

Adjourned accordingly at one minute to Three o'clock.

House of Commons

Monday 24 November 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Asylum Seekers

1. **Mr. Wilkinson:** If he will discuss with the Commission of the European Union the processing of applications for asylum status of refugees within member states. [15751]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): The Government regularly discuss the handling of claims for asylum at a number of European Union forums on which the Commission is represented. In addition, United Kingdom and Commission officials have had preliminary discussions about the United Kingdom's presidency's planned work programme on immigration and asylum.

Mr. Wilkinson: Does the Minister believe that the present position is satisfactory, given that a coachload of gypsies can be taken, at their request, from Dover to seek asylum status in London, whose boroughs are already overburdened with such applications? Is it not time to re-examine the whole procedure at European level? Is article 11 of the Dublin convention—whereby a country to which a refugee first applies for asylum status can pass the applicant on to another country, like the United Kingdom, which is already under enough pressure in that regard—appropriate?

Mr. O'Brien: The position is far from satisfactory, but we inherited it from the Conservative party. A number of local authorities have had an enormous burden placed on them as a result of the withdrawal of benefits, without much thought, by the previous Home Secretary. We have said that we wish completely to re-examine that problem. We also need to look at the operation of the Dublin convention, which we also inherited. It is proving complex and difficult to make progress on that. There are now provisions that the state concerned must accept responsibility for a case before the refugee can be returned, which makes matters enormously difficult. Article 11 is complicated by other articles in the convention. Basically, the situation that we inherited from the previous Government is a bit of a mess.

Mrs. Dunwoody: Will my hon. Friend hold urgent talks with his colleagues on the continent about the absurd situation that has arisen in relation to ferries, whereby staff are being threatened if they do not urgently take on board people who do not have permission to land in the United Kingdom? That is bizarre and should be remedied as quickly as possible.

Mr. O'Brien: They are not being threatened by us. Some ferry companies have expressed concerns about instructions that they are receiving at Calais from the local French authorities. I understand that Stena, P and O, and other ferry companies are negotiating with the local authorities in France on that point.

Mr. Fallon: Why should not Kent county council be fully reimbursed for the cost of looking after bogus asylum seekers and their families? Rather than council tax payers in my constituency having to fork out, why should not ferry companies have to bear the burden of asylum seekers who are subsequently sent home?

Mr. O'Brien: I have sympathy for Kent, but I should have thought that the hon. Gentleman would admit that the previous Government created the problem. We have been placed in the position of having to pay £140 a week to Kent county council for each adult asylum seeker because benefits were withdrawn. We are reviewing the whole problem, which was created by the previous Government. Although the hon. Gentleman did not serve in that Government, the problem is the responsibility of many of his colleagues on the Conservative Benches.

Electoral Registration System

2. **Mr. Barnes:** If he will make a statement on the effectiveness of the electoral registration system. [15752]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): The House will be aware that my hon. Friend has a distinguished record in the House on raising electoral register issues—*[Interruption.]*.

Madam Speaker: Order. The Minister is replying to Mr. Barnes, who is right behind him.

Mr. Howarth: The 1997 electoral register for the United Kingdom had the highest ever number of parliamentary electors registered to vote—44.2 million. We shall examine options for improving the effectiveness of the registration system still further in the coming months and shall consult the other parties in the House on that process.

Mr. Barnes: Is not this stakeholder idea a good notion, because there could be equal stakeholding in electoral registers for everyone? Millions of people are missing from the electoral registers, disabled people find it difficult to get to polling stations and the homeless face legal impediments to being on the register. Could we have an up-to-date, modern register? That is another good idea—modernisation. We could have it for electoral stakeholders.

Mr. Howarth: My hon. Friend is known as one of the great modernisers in the House. He raises some interesting

ideas, several of which I intend to pursue and one or two of which I do not. If he waits with some patience, he will find out in due course which falls into which category.

Sir Sydney Chapman: I share the view of the hon. Member for North-East Derbyshire (Mr. Barnes), but would the Minister also look at the converse of that point? It seems that, all too often, names are left on registers when people have moved from an area, even years ago. Will he look at the possibility of ensuring that electoral registration officers act together in dealing with that matter, which ought to be solved with the introduction of information technology?

Mr. Howarth: The hon. Gentleman raises a good point. Given the modern databases and computer technology that are available to electoral registration officers, the sort of phenomena that he has described should not happen. Certainly, such considerations will be taken into account during the review that we shall undertake. Hopefully, the practices that are involved in electoral registration can be improved as a result of some of the suggestions that we shall examine.

Sentencing (Consistency)

3. **Ms Shipley:** What plans he has to ensure greater consistency in sentencing. [15753]

The Secretary of State for the Home Department (Mr. Jack Straw): The Government are committed to implementing an effective sentencing system and consistency in sentencing. I therefore intend to include provisions in the crime and disorder Bill to require the Court of Appeal to consider producing sentencing guidelines when appropriate cases come before it and to review existing guidelines. The provisions will establish a sentencing advisory panel which will offer advice to the Court of Appeal. There will be a statutory duty on the panel to consult those who represent interested bodies, such as victims and the police. Further details of those provisions are set out in a note which I am placing in the Library.

Ms Shipley: Is my right hon. Friend aware of my early-day motion calling for the reform of rape law? In the context of that and on behalf of the many victims of rape, their families and the support services, I should like to know whether reform of sentencing will include rape sentences. Has my right hon. Friend any plans to reform the Crown Prosecution Service, which is causing many problems for victims and the police force? Can there be a prohibition on the circulation in prisons of the sexual history of victims, because that is causing distress to all concerned and is a completely disgusting practice?

Mr. Straw: There are already sentencing guidelines. It is one area in which they already exist, following a decision by the Court of Appeal in the Billam case. The problem in rape cases is not so much the sentencing practice of the courts but of securing effective convictions. We are greatly concerned about the way in which women victims and other witnesses in rape cases can sometimes be subjected to the most appalling cross-examination by defendants. For that reason, the Minister of State, Home Office, my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) has announced that we have established a full review of those practices and of whether laws of evidence ought to be changed. We hope to announce the results of that review very quickly. That will deal with the issue of whether a victim's previous sexual history should be adducible in evidence to the extent to which it is today.

My hon. Friend asked also about the reform of the Crown Prosecution Service. My right hon. and learned Friend the Attorney-General announced in May our determination to press ahead with major reforms of the CPS with the appointment of chief crown prosecutors for each of the police force areas in England and Wales—there are 42—and by establishing a full inquiry into other aspects of the CPS under Sir Iain Glidewell.

Mr. Ruffley: Is the Home Secretary aware that mandatory minimum sentences of three years for third-time burglars are popular with the public? May I therefore ask him when and how he proposes to implement that sentencing change?

Mr. Straw: Our position is exactly that of the previous Government. They willed the end, but failed to will the means. It was made absolutely clear in chapter 13 of the White Paper on sentencing, as it was on Royal Assent at the end of March this year, that decisions on implementing that part of the Crime (Sentences) Act 1997 depended on resources for which the previous Government had not made provision.

Mr. Bermingham: Does the Home Secretary agree that sentences should reflect not only the nature of the crime, but the means and conditions of the offender? For example, in any two motoring cases, one offender might be rich and the other poor and to give them exactly the same sentence would be unfair. Should not the Home Secretary and the courts take into account not only, as I have said, the offender and the crime, but the particular social and economic conditions in that region?

Mr. Straw: Courts have to take into account a range of factors in coming to a decision on sentence, but the most important factor is the gravity of the crime and the degree of harm or damage caused to the victim. I understand what my hon. Friend says, but sentencing should be capable of greater categorisation and greater use of science. The means of offenders should, of course, be taken into account, but I remain concerned that, when living standards have risen in the past 10 years and unemployment has fallen, the use of the fine has dramatically fallen—half as many fines are issued today as were issued 10 years ago. There is no good reason for that.

Mr. Beith: While I welcome the Secretary of State's announcements about sentencing, does he recognise that sentencing policy is only as effective as the prison and probation system to which it directs people, and that an overpressed Prison Service cannot work miracles or provide effective rehabilitation? In sentencing, should we not bear in mind what is faced by prison officers in their daily work, not least Friday's 19-hour ordeal involving a prison officer in my constituency at Castington? Will the Secretary of State pay tribute to the courage of those involved in bringing that to an end?

Mr. Straw: I am grateful to the right hon. Gentleman for raising the issue of what happened at Castington,

where a prison officer was taken hostage. I know a good deal about that circumstance. I join the right hon. Gentleman in paying tribute to the great courage of that prison officer in enduring that hostage situation, and to the skill and professionalism of the other prison officers in bringing the hostage situation to a satisfactory and peaceful conclusion, without making any concessions to the prisoners concerned.

On the right hon. Gentleman's wider question about prison and probation, of course we have to ensure that all punishment systems work effectively. That is one of many reasons why we are conducting a review of whether the Prison Service and the probation service could and should work much more closely.

Drug-related Crime

4. **Mr. Eric Clarke:** What estimates he has made concerning the amount of drug-related crime. [15771]

Mr. George Howarth: My hon. Friend may be aware that research by the Home Office shows that there is a strong relationship between drugs and crime—indeed, the figures show a much higher relationship than we expected. However, the results of that research are not yet complete. We hope to publish them early in the new year.

Mr. Clarke: I thank the Minister for his reply and congratulate the Government on the appointment of Mr. Hellawell as the anti-drugs co-ordinator—I do not like to call him a tsar because he is no royal; he is certainly not of that ilk. He is to visit Scotland, where drug-related crime is to the fore—police reckon that 70 per cent. of all thefts are drug related. Will the Minister guarantee that Mr. Hellawell will be given full authority to cross all the borders and break down all the barriers to ensure that crime does not pay and that we eradicate the crime of drug taking?

Mr. Howarth: I thank my hon. Friend for that question. He will be aware that the Scotland figures also apply in England and in some parts of Wales. I join him in congratulating Keith Hellawell and his deputy Mike Trace and assure my hon. Friend that the United Kingdom anti-drugs co-ordinator's writ runs throughout Government. Every year, £500 million of Government money is spent on dealing with the problem. We want to be sure that every pound of that £500 million is spent in the right place, either in treatment or in criminal justice interventions, to ensure that every part of Government works towards eradicating the evil of drugs.

Mr. Malins: May I help the Minister by telling him that, on best estimates, 40 per cent. of all burglaries are committed by drug addicts, who steal to get money to fund their drug habits? Does he agree that the way that the trend is going means that that statistic can only get worse? Does he further agree that it is important to make our streets an area of zero tolerance on drugs and ensure that our prisons are drugs free? Too many prisoners go into prison as drug addicts, stay as drug addicts and then come out as drug addicts. It is a vicious circle which must be broken.

Mr. Howarth: The hon. Gentleman raised three points. First, the most recent British crime survey showed that the incidence of drug taking is not rising, but has levelled off. However, we do not want to be complacent about it. Secondly, the hon. Gentleman's figure of 40 per cent. possibly underestimates the relationship between various sorts of acquisitive crime and drug taking; it may be even higher than he suggested.

Finally, the hon. Gentleman will be aware that the Government take very seriously the problem of drugs in prisons. At this very moment, officials at the Prison Service are reviewing all the statistics on drug abuse because we are not sure that they are sufficiently accurate to enable us to take proper action to eradicate the problem in prisons. Let it not be misunderstood—we are very serious about the problem, whether in prisons, on the streets, in clubs or elsewhere. The Government will not tolerate drug abuse and those who fuel it.

Ms Keeble: What work will be done looking at the problems of young people, especially very young people, and drugs-related crime? Will the drugs tsar be looking at that? Is my hon. Friend aware of the problems on the Blackthorn estate in my constituency where there is a large drugs problem; indeed, there was rioting there earlier this year? Will he or one of his hon. Friends visit the area to talk to people about the problems they face and the real loss in quality of life on that estate?

Mr. Howarth: I thank my hon. Friend for that question. I understand that my right hon. Friend the Home Secretary has already visited the area, but I am sure that one of us will be willing to come again if there is a particular problem. My hon. Friend will be aware that we shall shortly introduce measures in the crime and disorder Bill relating to drugs testing and treatment. She may also be aware that the drugs prevention initiative, which is funded by the Home Office, is implementing a number of different and interesting measures, which we are currently assessing. We are keen that community-based initiatives to eradicate drugs on estates and in the wider community should be assessed and evaluated and the best practice possible introduced to deal with the problems.

Mr. Clappison: The link between drugs and crime is indeed a serious matter, and those who fuel drug abuse are committing serious offences. Will those convicted of offences involving the supply of drugs, who are serving sentences of between three months and four years, be eligible for early release under the Government's tagging scheme?

Mr. Howarth: The hon. Gentleman will already be aware that we have introduced section 2 of the Crime (Sentences) Act 1997, which covers the point he raised. He should be under no illusion that we shall deal just as seriously with such problems as the previous Government did. Quite frankly, the problems escalated during the previous Government's period in office, so we shall not take any lessons from Conservative Members. However, we are prepared to work with the Opposition on those issues. If the hon. Gentleman has any serious points to make, we shall listen to them. It is a serious problem, and we take it seriously.

Mr. Lakhinder Reel

5. **Mr. McDonnell:** If he will review the investigation by the Metropolitan police of the case of the death of Mr. Lakhinder (Ricky) Reel. [15781]

The Minister of State, Home Office (Mr. Alun Michael): I am sure that my hon. Friend will appreciate that that is an operational matter for the Commissioner of Police of the Metropolis. From what I have been told, however, it appears that the investigation conducted so far by the Metropolitan police service has been thorough and sensitive. The Metropolitan police have promised to follow up any further information that may arise. The Met are also awaiting receipt of the coroner's report. There are no grounds for me to act further at this time.

Mr. McDonnell: I appreciate the nature of the reply, in view of the coroner's inquest. I am also grateful for the facilities that were provided last Friday for me to meet the investigating officer, with the family present. May I ask the Home Secretary, as the police authority for London, to examine with the Commissioner three policing procedural matters? The first matter is the liaison arrangements between investigating officers in cases in which the police station nearest the home of the missing person is different from the station that is nearest to the location where the person was last sighted; the second is the communication strategy between investigating officers and the family of a missing person; and the third is the impact of major investigations on outer London policing divisions, which have recently suffered personnel losses because of the funding formula for policing in London.

Mr. Michael: My hon. Friend raises three important issues, which are worthy of consideration, and I am sure that the Commissioner will examine each of them. We have to be careful, however, not to read general points into a specific investigation until we have full information. I reiterate that it is not appropriate to comment further on the detail of the case until the coroner's report has been received.

Police Officers (Beat Patrol Duties)

6. **Mr. Hawkins:** What proposals he has for increasing the number of police officers allocated to beat patrol duties. [15782]

Mr. Michael: Ministers have no direct control over police numbers or their deployment. Under legislation passed by the previous Government in 1994, it is for the individual chief constable or chief officer to determine the number of police officers in their force. However, we are working with police to reduce administrative burdens and to enable chief constables to put more officers on the beat and back into the community.

Mr. Hawkins: Does the Minister agree with Sir Paul Condon, the Commissioner of Police of the Metropolis, who was quoted in a recent article in the *New Statesman* as saying:

"I don't buy your notion that bobbies on the beat are anachronistic. If it reduces the fear of crime, I have to find ways to satisfy that"?

Does the Minister agree that—despite the answer that he has already given—it is the Government's responsibility to try to reassure the public that they will see police officers, and that police officers seen on the beat help to deter criminals and reassure the public, which is a crucial part of policing?

Mr. Michael: What the public want is to see police officers in their community, getting involved in tackling the problems of crime and disorder that have been allowed to grow in recent years. The Metropolitan police, like other police forces across the country, are suffering from the disadvantage of reduced police numbers and the previous Government's failure to keep their promises.

Mr. Mullin: Does my hon. Friend agree that what is required is not greater resources but more effective use of existing resources? May I draw his attention to the success of Northumbria police, for example, in shifting large numbers of police officers out of bureaucracy—thereby also ending a few scams—and back on to the streets? May I draw his attention also to the safer cities programme—it was officially launched today in my constituency—which is reintroducing police officers into some of the most crime-ridden parts of Sunderland? In the 1980s, police effectively abandoned those areas.

Mr. Michael: My hon. Friend raises some important points. Northumbria has shown the way in some of its approaches to dealing with crime, one of which has been getting police officers back into direct police work. Another one is the way in which Northumbria has worked in partnership with local authorities to tackle and prevent crime. Great gains can be made, which is why we are including a requirement in the crime and disorder Bill for a partnership between police and local authorities in ensuring that we mobilise all the strengths of the community to tackle and prevent crime.

Mr. David Heath: Does the Minister agree that tackling crime is a matter of both management and resources? Does he agree that, when budgets are squeezed, patrol duties are the most vulnerable part of police activity? Does he agree that patrol cuts are a result of the previous Government's lamentable failure to match their promises with action by putting policemen back on to forces? Will he give an assurance that, after next year's police settlement, there will be more officers—not less—on the beat?

Mr. Michael: My only quibble is that the hon. Gentleman should have said "fewer" police officers rather than "less". There was a failure by the previous Government, and it is a matter both of resources and deployment. We want police officers deployed to tackle the problems of crime and disorder experienced by the community. The Audit Commission did draw the conclusion to which the hon. Gentleman draws attention, but it also said that patrolling must be purposeful; it is not just a question of police officers standing at the end of the street or patrolling without purpose—there must be targeted activity aimed at the prevention of crime and disorder.

Mr. Campbell-Savours: If this is an exercise in reassuring communities that they can feel safe, why is

there not a substantial increase in the number of special constables who have always been supported by the general public and who, I understand, are cheap and effective in comparison to full-time policemen? Is it not the case that they allow us to concentrate our resources during peak periods of the week when crime is rife?

Mr. Michael: Again, my hon. Friend makes a good point. We want not only to reassure communities but to tackle the crime and disorder that is causing them problems. It is a question of being effective, not only of providing reassurance.

My hon. Friend's question gives me the opportunity to say that we value the work of the special constabulary very highly. Early next year, we shall be actively promoting the recruitment of special constables in the special constables week. I hope that my hon. Friend and other hon. Members will support that initiative and encourage people to join the specials.

Mr. Greenway: In spite of what the Minister says, in a written answer to me only three weeks ago, he confirmed that there are now 2,322 more police constables in post than there were in May 1992. Is it not clear that, unless police budgets are protected from the 1 per cent. increase in inflation caused by the Government since May this year, there will be fewer, not more, police constables on the streets? Is not the Government's continuing silence on the question of police funding a clear sign that fighting crime is a low priority for new Labour, just as it was for old Labour?

Mr. Michael: That was a pathetic attempt. There will be a statement on police finances next week, I believe, which follows the pattern established by the previous Government of when to inform the House of the intended finances for next year.

I notice that the hon. Gentleman cites the number of constables rather than the number of police officers—he is very selective. The number of police officers in England and Wales fell from 127,627 in March 1992 to 127,158 at the end of March 1997. Let me do the arithmetic for the hon. Gentleman: that means a cut of 469 officers, or 1,469 fewer than were promised by the previous Government in the 1992 election—another broken promise.

Crime Victims (Support)

7. **Mr. Salter:** If he will make a statement on the Government's plans to give greater support for victims of crime. [15783]

The Minister of State, Home Office (Ms Joyce Quin): We are firmly committed to helping victims of crime and to taking action to redress the balance of the criminal justice system in favour of the victim. We shall ensure that all criminal justice agencies give a high priority to treating victims with sensitivity and respect, that they listen to their views and that they continue to improve the services that they provide to victims. Within six weeks of taking office, we increased Victim Support's grant by £1 million a year.

Mr. Salter: I thank the Minister for that answer. Is she aware of the excellent restorative justice scheme operated by Thames Valley police, whereby offenders are confronted with the victims of crime? It has had quite startling results in reducing reoffending. What proposals do the Government have for extending the scheme to other areas of the country?

Ms Quin: I pay tribute to the work done in the Thames Valley area on restorative justice. That theme is also being taken up in other initiatives across the country. I have seen some good examples, such as the courses run by the Greater Manchester probation service, aimed at making offenders realise the effect on their victims of what they have done and at promoting reparation and restorative justice. We expect to highlight the approach in our forthcoming White Paper on youth justice.

Mr. Jenkin: Does the Minister agree that the most distressing experience for victims is when the police have to tell them that they do not have the resources or the manpower to pursue the criminals? Will she give the commitment that my right hon. Friend the previous Prime Minister gave, that there will be more bobbies on the beat, or are the Government going back on that?

Ms Quin: A commitment was given, but the promise was broken, as has just been pointed out. My hon. Friends have spoken of initiatives that are being taken in particular police forces. We need to build on those initiatives so that communities can feel safer than they did under the previous Government.

Helen Jackson: My hon. Friend will be aware that one in four victims of violent crime are likely to have been victims of domestic violence. Many more such victims are too scared to report the fact to the police. Does my hon. Friend agree that they are not always treated as sympathetically as they could be, not so much by police officers as by some of the other statutory agencies? What plans does she have to develop inter-agency working, involving housing bodies, the Benefits Agency, the police and others, to ensure that victims get the support that they need?

Ms Quin: My hon. Friend raises an important point, although I believe that a lot of progress has been made by the police and other authorities towards being more sensitive and aware of the issues. I am also glad that the Home Office and the Ministerial Sub-Committee on Women's Issues are addressing the problem of domestic violence with considerable urgency.

Sir Brian Mawhinney: Does the hon. Lady accept that all hon. Members are pleased that the Government are continuing the record of the previous Government in increasing the grant to Victim Support? Does she agree that victims of burglary would greatly appreciate the knowledge that repeat burglars will be locked up for a considerable time? As the Home Secretary always mis-states the previous Government's position and then hides behind it, may I ask the hon. Lady a different question? If the Chancellor of the Exchequer makes the resources available, would she be in favour in principle of mandatory minimum sentences for repeat burglars?

Ms Quin: We made it clear in opposition that we were in favour in principle. The right hon. Gentleman is

mis-stating the situation under the previous Government, because resources were not made available. That was clear from the Home Office press release at the time.

On the right hon. Gentleman's first point, rather than supporting Victim Support, as he suggests, the previous Government froze the grant.

Mr. Dismore: Does my hon. Friend agree that one of the best ways of supporting victims is through the criminal injuries compensation scheme? Does she also agree that the previous Government made a terrible mess of that, having their first attempt thrown out by the courts? Does she further agree that various aspects of the scheme need to be looked at? The eligibility rules for victims of domestic violence have not been reviewed for nearly 30 years. Some 200 families of victims of murder or manslaughter slipped through the net because of the hiatus caused by the previous Government's mess-up when they tried to review the scheme.

Ms Quin: My hon. Friend is right. The previous Government made a tremendous mess of the scheme. We soundly criticised them at the time.

Travellers

8. **Mr. Laurence Robertson:** What assessment he has made of the adequacy of the present laws relating to the occupying of land by groups of travellers. [15784]

Mr. George Howarth: The hon. Gentleman may be aware that the Criminal Justice and Public Order Act 1994 gives two sets of powers—one to the police and one to local authorities—to deal with problems as and when they arise. The police can remove trespassers in justified circumstances. My right hon. Friend the Secretary of State for the Environment, Transport and the Regions is looking at the powers given to local authorities and is conducting a review. He hopes to publish guidelines in the spring which will make it easier for local authorities to deal with the situation.

Mr. Robertson: I thank the Minister for that reply; I am encouraged by what he said. Is he aware that at least 100 people descended on my constituency of Tewkesbury this summer? It took a full two weeks to clear them from the land, during which time there was great mayhem in the town, which is trying to regenerate itself. Will the Minister assure my constituents and the House that he will carefully monitor the situation?

Mr. Howarth: I can give the hon. Gentleman that assurance. I understand that the problem to which he refers occurred as a result of a wedding among some travelling people; there was a similar incident a few years ago in my constituency. Such incidents cause difficulties and the hon. Gentleman is right to make that point. We are keeping the matter under review and, as I said, my right hon. Friend the Secretary of State for the Environment, Transport and the Regions will publish helpful guidelines in the spring.

Dr. Tony Wright: The present law is not working, so the need for the review is extremely urgent. Areas such as mine suffer not from new age travellers but from old age travellers, who give rise to considerable cost and considerable nuisance. The previous Government removed the obligation to provide sites and, in doing so, made the problem a lot worse. Will my hon. Friend ensure that we reimpose and strengthen the obligation to provide sites, preferably on a regional basis? We can link that to tougher enforcement powers.

Mr. Skinner: Are there any new Labour travellers?

Mr. Howarth: I hope that, in referring to old age travellers, my hon. Friend the Member for Cannock Chase (Dr. Wright) was not referring to my hon. Friend the Member for Bolsover (Mr. Skinner).

This is, however, a serious subject. If my hon. Friend needs reassurance, he can have it. My right hon. Friend the Secretary of State for the Environment, Transport and the Regions recognises the problem, and that is why he is conducting a review. He will consult local authorities and we hope that the end of that process will be very helpful.

Mr. Garnier: Will the Minister urge local authorities, at both district and county level, police forces, the Home Office and the Department of the Environment, Transport and the Regions to co-operate in the exchange of intelligence so that local areas know when a group of new age travellers are about to descend? The provision of sites, such as happened under the old law, will not assist, because new age travellers are not interested in static sites: they want to go where they please.

New age travellers are a nuisance. In my constituency, there have been two large encampments and a huge number of sheep were killed as a result of their activities. They even had the nerve to say, during the court case to decide whether the local authority could remove them, that their dogs did not kill the sheep because their dogs were vegetarian. Will the Minister ensure that local authorities take a grip of the law? The law is there; it just needs using.

Mr. Howarth: The hon. and learned Gentleman may or may not be right; we need to wait for the outcome of the review. Clearly, the dogs were new age dogs. It is important that, when intelligence can be shared between local authorities, the police and any other agencies concerned, it should be. I suspect that the difficulty is that the intelligence the hon. and learned Gentleman describes may not exist in a form in which it can be easily shared. Where it does, we would encourage those concerned to share it.

Human Rights

9. **Ms Jenny Jones:** What measures he intends to introduce to safeguard the rights of British citizens under the European convention on human rights. [15785]

Mr. Straw: We introduced the Human Rights Bill in another place last month and published a White Paper at the same time. The Bill gives further effect in domestic law to the rights and freedoms set out in the convention and will significantly improve the ability of people in the United Kingdom to have access to their convention rights before our own courts.

Ms Jones: I thank my right hon. Friend for his welcome reply. May I clarify with him the position of

British citizens who are already bringing cases to the Strasbourg Court and are thereby locking themselves into a lengthy and expensive procedure? Will British citizens be able to transfer their cases into the British legal system when the incorporation of the European convention on human rights into our law is complete?

Mr. Straw: We thought about that issue carefully in preparing the Bill. However, we decided that it would not be practicable to allow for cases to be brought retrospectively in the British courts. For that reason, the Bill provides for a right of action in the British courts that will come into force at the same time as the Bill.

Mr. Green: Does the Home Secretary accept that one effect of incorporating the European convention on human rights into our law will be the politicisation of the judiciary? If he does not, will he explain his position to the Lord Chancellor who, in 1996, wrote an article expressing those very dangers?

Mr. Straw: I do not accept that for a moment. I am interested to learn that the hon. Gentleman disagrees with the shadow Lord Chancellor. It was Lord Kingsland, the shadow Lord Chancellor, who said on the radio on the day we published the Bill:

"One thing you could say in favour of the Bill is that it domesticates the powers of the institutions of the Convention with the result that our own judges are now making these decisions instead of the judges in Strasbourg."

The Conservative party needs to get its act together on this, as on so many other issues. Of course we are not remotely politicising the British judiciary; indeed, we have constructed the Bill carefully to ensure that there remains a clear separation between the role of the judiciary and the role of Parliament.

Mr. Gordon Prentice: Do prisoners have any rights under the European convention? In particular, does Myra Hindley have any way of challenging my right hon. Friend's decision to keep her in prison until she dies, while other people convicted of heinous, revolting and repulsive crimes may be released early?

Mr. Straw: Any individual, whether or not he or she is a British citizen, who is resident or in Britain has a right under the European convention at the moment and subsequently upon incorporation. Myra Hindley has such rights. Indeed, she is seeking to exercise her rights under British law by bringing an action for judicial review of my predecessor's and now my decision in respect of the whole life tariff which he set and which I confirmed last week.

Sir Brian Mawhinney: What the Lord Chancellor actually said about the incorporation of the European convention on human rights into British law was that it offers

"immense scope for political and philosophical disagreement"

between the House and the courts. I have a simple question for the Home Secretary: does he agree?

Mr. Straw: The Lord Chancellor made it absolutely clear that he accepts—and, indeed, he was one of the architects of the scheme—the arrangements which we have laid down in the Human Rights Bill to separate the role of the judiciary from the role of the House. One of the important parts of the scheme of incorporation that we have adopted—views have moved on since the Lord Chancellor made that point—was to ensure that the sovereignty of Parliament was absolutely protected. As the right hon. Gentleman knows, there will be no provision in the Human Rights Bill by which the courts will be able to override and render void a Bill or an Act of Parliament.

Criminal Justice System

10. **Mr. Burstow:** What plans his Department has to ensure equal treatment for people with communication or learning difficulties under the criminal justice system. [15786]

Ms Quin: As the hon. Gentleman is aware, on 13 June we announced an urgent, wide-ranging examination of the way in which vulnerable and intimidated witnesses, including those with communication or learning difficulties, are treated by the criminal justice system, with the aim of assisting them to give their best evidence in court.

There is existing protection for suspects in the Police and Criminal Evidence Act 1984 and the accompanying codes of practice which provide safeguards for people in police detention, including suspects who may be considered vulnerable and in need of additional protection.

Mr. Burstow: I am grateful to the Minister for that reply. Is she aware of the campaign being run by *Community Care* magazine to highlight the failings in the criminal justice system in respect of disabled people? Will she ensure that the interdepartmental working group that is looking into these matters takes a close look at the guidance and training that are available for judges and others involved in the criminal justice system to ensure that ignorance does not represent a barrier to people with learning and communication difficulties obtaining their right to justice?

Ms Quin: The hon. Gentleman makes an important point. The interdepartmental working group is aware of the campaign to which the hon. Gentleman referred and will look into the issues that he raised.

Mr. Olner: This is a very important point. All levels of the criminal justice system should be brought into the review. I would welcome an early end to the review so that people from all levels can get the justice and respect that they deserve but on occasions are missing.

Ms Quin: I agree with my hon. Friend. Indeed, I have come across examples in my constituency which very much reinforce that point of view. The group is aiming to report to us by the end of the year. We certainly intend wherever possible to improve the situation.

Crime (Young People)

11. **Mr. Linton:** What plans he has to tackle crime among young people. [15787]

Mr. Straw: The Government's plans to tackle youth crime were set out in three consultative documents which

were issued this autumn. The main features include proposals to speed up the youth courts, replace cautions with a new final warning scheme, introduce new community-based sentences, strengthen arrangements for custodial punishment for young people and establish a youth justice board for England and Wales with local youth offending teams. Many of those features will be contained in the forthcoming crime and disorder Bill. I intend shortly to publish a White Paper which will reinforce the proposals and look to future reforms of the youth court system.

Mr. Linton: Is my right hon. Friend aware that there is already widespread agreement that one of the most effective proposals in his consultation documents is the reparation order, which will force young people to face the consequences—and, indeed, the victims—of their actions and give victims the chance to come face to face with the perpetrators of the crimes from which they have suffered? Does he think that the principle of reparation can be allowed further to permeate the youth justice system, as it is far more likely to be effective than traditional forms of punishment? Does he believe that child mentoring will also play an important part in preventing youth crime?

Mr. Straw: I disagree with my hon. Friend in one respect only: in suggesting that reparation is not a traditional form of punishment. Reparation is the most effective and traditional form of punishment, by which one forces the offender to say sorry and repair the damage which he or she has caused. One of the problems with the youth justice system is that it effectively ignores the interests of both the victim and the wider public, and detaches the system to some high level of abstraction, where even the offender is simply a spectator in an endless and often useless process. We are determined to tackle that.

Mrs. Virginia Bottomley: Does the right hon. Gentleman agree that prison institutions for young people are rather like an old school tie: a costly way of confirming a young person's identity for life? Although those who have committed the most grievous offences will need to be imprisoned, will he build—*[Interruption.]* New Labour is so hard-hearted. I am urging the Home Secretary to assume more enlightened colours rather than subscribe to the harsh face of new Labour.

Rather than shunting on troubled and troublesome young people, will the right hon. Gentleman urge education, social services and health departments to work with his agencies to reduce the number of young people in prison institutions?

Mr. Straw: No one wants to see young people gratuitously put in prison, but they are there because they have committed a series of crimes and have to be put away. The major problem that we face of the large number of 16, 17 and 18-year-olds who are sent to prison or young offenders institutions arises as a result of the wholesale failure of the youth justice system to deal effectively with those young offenders at an earlier age. The system is so soft for so long before, to compensate, it becomes over-harsh.

A major part of my reforms is designed to cut delays in dealing with young offenders, especially very young offenders. It is designed to ensure that the system is consistent, and that, when it gives a final warning, it really is a final warning. Where the courts come to the view that 12 to 14-year-olds have offended so badly that the need for protection of the public and their own protection requires them to be locked up, not in prison but in secure accommodation, the provision exists to enable that to happen.

Ms Abbott: Is my right hon. Friend aware that the reconviction rate for young people who enter young offender institutions under the age of 17 is 88 per cent? Does he therefore agree that putting more and more young people inside for longer and longer is not necessarily the answer to rising levels of juvenile crime?

Mr. Straw: My hon. Friend is right, but the depressing fact is that the reconviction rate for such offenders after any kind of punishment—custodial or non-custodial—is far too high. It is also true, and it has emerged from a number of inspectors' reports, that that average—which she quoted correctly—disguises large variations in performance between different young offenders institutions. With the same resources, some are remarkably successful in ensuring that young offenders lead more successful lives when they get out and some are less successful. As with the effective schools programme, the challenge today is to ensure that the resources available to those institutions are used more effectively, to establish more constructive regimes and to ensure that there is a path back into work for young offenders. That is why it is important to link work with young offenders with the welfare-to-work programme.

Sir Brian Mawhinney: Will young people—16 to 18-year-olds—be covered by the tagging proposals that he announced to the House last week? Perhaps the Home Secretary might also care to answer the question put by my hon. Friend the Member for Hertsmere (Mr. Clappison) about whether tagging will cover those guilty of drug offences, because his frantic briefing did not quite make it to the Under-Secretary, his hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth). *[Interruption.]* Indeed, it seems to be continuing.

Mr. Straw: The answer to the first question, as I made clear last week, is that the tagging arrangements will be rolled out first to individuals in prison establishments. On the second question, I made it clear in the statement on Thursday that risk assessments will be made of any offender with a nominal sentence of between three months and four years. Such offenders will not be released under the tagging arrangements unless the governor of the prison judges that it will be safe to do so.

Closed Circuit Television

12. **Mr. Bill O'Brien:** If he will make a statement on the introduction of CCTV cameras into smaller towns and public places; and if he will make a statement. [15788]

Mr. Michael: I strongly support the use of closed circuit television—CCTV. I can announce today that the Government will support CCTV in the next financial year with a further CCTV challenge competition. In total, £9 million will be spent on CCTV in 1998–99.

Although a large proportion of that expenditure was already committed by the previous Administration, I expect to be able to spend at least £1 million on new schemes. Full details will be issued in bidding guidance soon, but I intend to give priority to imaginative and innovative schemes that expand the boundaries of CCTV use.

Mr. O'Brien: I thank my hon. Friend for that reply. Does he agree that CCTV helps police and local authority strategies to combat crime? Does he accept that, under the former Government, the small, former urban authorities, of which there are four in my constituency—Ossett, Horbury, Normanton and Stanley—were left out and let down? Can he assure me those smaller authorities will now be considered by a Labour Government?

Mr. Michael: My hon. Friend is right to draw attention to the success of CCTV, especially when linked to other approaches to reducing and preventing crime. In the bidding process, we will look for innovative schemes, not necessarily those in major town and city centres. In places where there is a critical mass of CCTV, it is possible to link smaller towns or out-of-town areas to the same monitoring system and that is often extremely valuable.

Mr. Gray: I welcome the Minister's announcement that he will follow our support for CCTV. Does he agree that the £1 million that he intends to add to the spending that the previous Government announced is pitiable? If CCTV is to be useful, it must be a national scheme, in Conservative as well as in Labour areas, and £1 million will go nowhere.

Mr. Michael: It is interesting that Opposition Members wish to spend money now that they are in opposition and not in government. Immediately before the election, the previous Government spent money that they did not have. Some £8 million of next year's finances was allocated by the Ministers who left office in May and that has left us with limited flexibility, but we will do the best with what we have.

Racially Motivated Crime

14. **Mr. McNulty:** What proposals he has to curb the incidence of racially motivated violence. [15790]

Mr. Mike O'Brien: The lives of far too many people have been damaged or destroyed by racial violence and harassment. Labour promised in its manifesto to crack down on mindless racist thuggery, and we will do so. The crime and disorder Bill will create new offences of racial violence and harassment; it will send out a clear message that racist crime is unacceptable.

Mr. McNulty: I thank my hon. Friend for that reply. The figures published this morning were extremely disturbing, especially as they included only reported crimes of racial violence, and the problem is in fact much bigger. Will my hon. Friend welcome the comments of the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) in the policing for London debate about continuing with a bipartisan approach to racially motivated violence, but agree that the right hon. Gentleman will be judged by his actions in the way in which he votes on the provisions concerning racial violence in the crime and disorder Bill, rather than by his words, because words are easy?

Mr. O'Brien: I agree. I hope that the new offences will have broad support in the House. I noted that the new Leader of the Opposition dissociated himself from comments about multiculturalism by the noble Lord Tebbit some weeks ago. I hope that that is a sign of a new attitude in the Tory party.

Britain is a multicultural society, and in many ways a successful one, but we still have problems of racist violence to resolve, and I invite the Conservatives to join the Liberal Democrats and the Government in backing a multicultural Britain to be proud of and in sending a clear message to all racists that if they have not yet learnt the lesson that this is a multicultural society in which we will crack down on racism, some of them will learn it from behind bars.

Jobs Summit

3.30 pm

The Prime Minister (Mr. Tony Blair): With permission, Madam Speaker, I shall make a statement about the special European Council on employment in Luxembourg on 21 November, which I attended with my right hon. Friend the Foreign Secretary. The Council conclusions have been placed in the Library.

Unemployment in Europe represents not only personal tragedy on a huge scale but a tremendous waste of economic talent and potential. At the Amsterdam European Council in June, jobs were given the top priority that they should always have had. We agreed a new treaty framework for action on employment: the employment chapter.

The aim was a co-ordinated strategy to promote a skilled, trained and adaptable work force and flexible labour markets responsive to economic change. At Luxembourg, the first time that the European Council has met just to discuss jobs, we decided how to put that Amsterdam aim into effect.

Let me make it clear at the outset that we are not creating new European Union competences or, indeed, new European Union spending programmes, although we have agreed some useful redeployment of existing resources. We can agree at European level the broad lines of a practical approach to job creation. We can commit ourselves to finding and following best practice wherever appropriate. We therefore sought and agreed a set of common, practical objectives to be enshrined in non-binding guidelines for national employment policies.

At the heart of Europe's new approach is the need to create the right macro-economic framework and to move more rapidly on the structural reform of labour markets. Removing barriers to the completion of the single market remains crucial, but the role of small firms in creating jobs is now recognised as central, as is the need to create a simpler regulatory and administrative environment for business. Those are all ideas which we have promoted and to which we can subscribe whole-heartedly.

There were three points at the heart of our discussions. First, we need an adaptable and skilled work force responsive to economic change. The emphasis must be on education, skills, technology, and an active employment service. We need flexibility, in the sense not of hire and fire management, but of businesses and employees being able to respond to new and changing economic conditions.

Secondly, we need entrepreneurship, especially in small businesses. That is where many of the new jobs that we need must come from, and we must nurture the sector.

Thirdly, we must tackle structural unemployment. That cannot be lowered simply by demand management. We want neither laissez-faire nor old-style state intervention, but targeted measures specifically directed at the long-term and young unemployed.

Under adaptability, the Council endorsed the idea of modernising work organisation, including flexible working arrangements to help companies to be both productive and competitive. In an important step forward, it also agreed to examine any new regulations, to make sure that they reduce barriers to employment and help labour markets adapt to structural economic changes. That was a particular initiative of ours.

Under entrepreneurship, the focus was the vital role of small and medium-sized enterprises. It was agreed that member states should make starting and running businesses easier by reducing the overhead costs and administrative burdens, in particular those of taking on extra staff. More widely, it was agreed that taxation and benefit systems should be made more employment-friendly; for example, by reducing the tax burden on both labour and other non-wage labour costs, where they are at levels that hinder job creation. Some countries are keen to consider the reduction of VAT on labour-intensive services not exposed to cross-border competition.

To tackle structural unemployment, the Council agreed an approach based on employability. There should be specific commitments to improve the ability of individuals to get and retain jobs, with special emphasis on youth and long-term unemployment. In particular, all member states undertook to offer a fresh start, in terms of training or similar measures, to all young people unemployed for six months, and to all adults unemployed for 12 months. A specific target of 20 per cent. was set for the number of unemployed in total benefiting from active measures to improve their employability. There was also extra emphasis on ensuring that young people do not leave the school system too early and inadequately equipped for the jobs market.

The Council also emphasised the importance of equal opportunities. In particular, there should be commitments aimed at tackling gender inequality, making it easier for parents to reconcile work and family life, and addressing the problems of the disabled in the workplace.

The guidelines setting out those practical objectives and commitments in more detail will be adopted by the end of the year. It will then be for member states to prepare national action plans on how they intend converting them into action. The plans will be subject to scrutiny by other partners. Each member state will be able to apply them in accordance with national circumstances but will be expected to address all the objectives in one way or another. We will review progress first at the Cardiff European Council in June.

The Luxembourg Council also welcomed extra mobilisation of the resources of the European investment bank to improve economic performance. One billion ecu from the bank's reserves will be used over three years to finance new initiatives to help high-tech small and medium-sized businesses: 125 million ecu of that has already been earmarked for a new European technology facility. The EIB is also starting to lend in the health, education and environment sectors, and is stepping up its support for trans-European network projects.

In addition, the European Council agreed in principle to redeploy 450 million ecu from the existing European budget over three years to help job creation, again particularly supporting innovative and job-creating small and medium-sized enterprises.

Those financial measures will be helpful, but, of course, they play only a supporting role: reform of labour and product markets is the real key to improving Europe's employment performance.

The jobs summit marks Europe's commitment to a new approach to create jobs and security for the future—not the old-fashioned free-for-all resulting in widespread social exclusion, nor loading more costs and regulations

onto business, but a third way: investing in people, in their skills, in small businesses, and setting a stable long-term framework for business and industry to plan for the future and create jobs. Education and training are the keys. The so-called European social model is being refocused, based on a modern approach of reform, flexibility and investment in people. We aim to involve both sides of industry fully in that approach.

We will use the UK presidency next year to ensure that this is carried through in order to make a real difference to employment, employability and social inclusion. Luxembourg agreed an approach for the long term. Effective follow-up is vital and will happen.

At Amsterdam, we showed how a united British Government with a clear direction in Europe could make Britain's voice heard. At Luxembourg, we showed how a constructive British approach could result in a new direction on tackling unemployment; an approach based on competitiveness, employability and reform, combining job creation with a fair and cohesive society.

We recognised at a European level the terrible personal damage which occurs each time an individual who is willing and anxious to find work is still unable to do so through no fault of his or her own. That is why this Labour Government are working for a Europe that is working for jobs. This approach is right for Britain, right for Europe and right for the people of Europe.

Mr. William Hague (Richmond, Yorks): I thank the Prime Minister for his statement. The Opposition welcome the concept of a European summit focused wholly on jobs, and we welcome the recognition that Europe should aim for flexible labour markets responsive to economic change.

Did the Prime Minister describe the achievements of the British people over the past 18 years, which have led to an unemployment rate way below the European average? Does he agree that there is a huge amount to be learned from the UK experience over the past 18 years, and that those who opposed the measures that we took must now be regretting it?

We agree with the sentiments expressed at the summit and with many of the objectives. However, does the Prime Minister understand that we are entitled to be a little suspicious of a summit which both the British and French Governments claim as a triumph, when they arrived with completely different agendas? Can he give more evidence that other countries will adopt more flexible labour market policies? What specific measures does he expect them to adopt? Can he give any evidence that he is committed to flexible labour market policies, given the contrast between the guidelines to which he signed up and the policies that he is pursuing at home?

The Prime Minister talked about reducing barriers to employment, and we all agree with that. How can we square that with what the Minister of State, Department of Trade and Industry said last week, when advocating the minimum wage at its most onerous? Only last Thursday, the Minister said:

> "There will be no sectoral, regional or company derogations and it will be available from day one of employment."—[*Official Report*, 20 November 1997; Vol. 301, c. 441.]

Which will the Prime Minister choose—Government policy or the European guidelines?

The Prime Minister talked about entrepreneurship, and we all agree with that. How does he square that with signing up to the social chapter, making him unable to stop new burdens being imposed on small businesses by extending works councils to them? Which will he choose—the policy or the guidelines? The summit guidelines talked about

> "making the taxation system more employment friendly"

and we all agree with that. Does the Prime Minister realise that companies now have to pay higher contributions because of the new tax on their pension funds imposed by the Chancellor? Which will he choose—the policy or the guidelines?

The summit guidelines finished with a call to

> "promote the integration of people with disabilities into working life"

and I particularly welcome that sentiment. However, are not the Government trying to cut benefits for disabled people, which often give them the help that they need to be independent and to go to work? Which will the Prime Minister choose—his policy or the European guidelines?

How convinced is the Prime Minister that other countries will follow the spirit of the guidelines when there is precious little evidence that he himself will do so?

The presidency conclusions call for clear objectives for each country. Can the Prime Minister tell us what the objectives for Britain will be? Will he endorse the target set by the Minister for employment that the current trend rate of decline in unemployment should improve further?

Can the Prime Minister explain some of the language used in the presidency conclusions? What has he agreed to in signing up to the idea of bringing an end to unfair tax competition? What does this mean for British companies? What has he agreed to in signing up to the creation of an expert working party to guard against the economic effects of industrial change? What has he agreed to in signing up to a six-monthly meeting of social partners and Heads of Government before European Council meetings? Does he expect that to lift burdens on business?

The Prime Minister says that new regulations will be examined to make sure they help labour markets adapt. What about looking at all the old regulations across the continent which have kept millions out of work?

The Prime Minister talks of national plans being subject to scrutiny by other partners. Does that mean that other countries will be able to interfere in our employment policies, or does he optimistically assume that it will only be us interfering in theirs?

Will the Prime Minister confirm that the idea of this summit originated with the French Government's worries that economic and monetary union could make their serious jobs problems even worse? Can he confirm that there is a widespread fear in Europe that a single currency could bring more unemployment in the next few years? Does he believe that all the advocates of a single currency in the near future are also committed to the essential corollary of making labour markets more flexible?

In summary, we agree with the objective of ending the old ways of state intervention, corporatism and over-burdensome regulation for companies, but does the Prime Minister realise that many people will find it hard to understand how that fits with signing the social chapter,

[Mr. William Hague]

compulsory union recognition, adopting the employment chapter and bringing in the minimum wage, all of which are more likely to destroy jobs than to create them?

The Prime Minister: All I can say is, thank goodness the right hon. Gentleman was not negotiating for us at the employment summit. He and his colleagues still have absolutely no idea why they lost the general election. They have no idea why one of their former hon. Friends is now sitting on the Government side. They have totally lost touch with mainstream, one-nation values, which people believe now reside in the Labour party, not the Conservative party.

I shall deal with the points that the right hon. Gentleman made. First, he said that he supported the summit. Before the election, the Conservatives opposed the new employment chapter under which the summit was held. They opposed the very idea of this summit, which was not a French idea: actually, it was a British idea which came from the Government.

Secondly, if the right hon. Gentleman examines the figures, he will see that we have problems with long-term and youth unemployment. They are being addressed by the new deal for the young and long-term unemployed, which was also opposed by the Conservative party. We inherited a situation in which 20 per cent. of non-pensioner households with people of working age were without work. That it is precisely why it is important that we are not complacent about this problem from Britain's perspective, but realise that we still have a lot to do.

Thirdly, the right hon. Gentleman said that no specific proposals were made. There are specific proposals, not just in the guidelines for the long-term and youth unemployed, but in the 1 billion ecu programme for small and medium-sized enterprises and the 400 million ecu programme for specific job and skills programmes for the unemployed.

Fourthly, the right hon. Gentleman gave us the usual litany about the social chapter and asked how it can be squared with the guidelines. It can be squared very easily. Most people in Europe—indeed, most sensible people in the world—do not believe that there is anything inconsistent in having a highly effective, efficient work force and treating people with minimum standards of fairness. Unlike the Conservative party, they do not have a problem with that. The social chapter has two parts so far: the first allows companies that operate Europewide to consult their work force, and the second gives unpaid, parental leave to people who have just had a birth in the family. Why it is thought those measures are so terrible and will hamper British industry, I do not know. As far as I am aware, business is perfectly happy with them.

As for disability benefit cuts, it was the former Government who undermined disability benefit provision, not us.

On unfair tax competition, the right hon. Gentleman has again got it wrong. Discussion has been going on for a long time—under the previous Administration as well as ours—to try to prevent specific benefits from being given to non-resident companies in the tax treatment of those companies in particular countries. British companies are victims of that problem, rather than perpetrators, so it is in our interest to be part of those discussions. All that is being suggested is that a Europewide code of conduct should be drawn up: it is not a proposal for legislation.

Mr. Nick Gibb (Bognor Regis and Littlehampton): It is the same thing.

The Prime Minister: It is not the same thing—it is different.

Finally, on the national action plans that each country is supposed to draw up, we have been at the forefront because the whole purpose of what we are trying to achieve is to refocus attention in Europe away from some of the older methods of assisting job creation and on to the things that will make people more employable in today's labour markets, in particular education in skills and technology and help for small businesses. That is precisely the agenda of the Government here at home. It helps us if that is the agenda abroad as well. I must point out to the Leader of the Opposition and his hon. Friends that there is a tremendous opportunity for Britain to get that agenda accepted at the moment, but it will be accepted only if it is advanced constructively and sensibly.

Mr. Rhodri Morgan (Cardiff, West): One of the omissions from the jobs summit was the job-creation significance of north American and far eastern investment in Europe's regional development areas. Therefore, was there a special study at the summit of the Irish Republic's tremendous success in 1996, when it won more new green-field, inward investment projects than all the United Kingdom's assisted areas put together, by an emphasis on the quality of its labour force and environment and not on low wages and deregulated labour markets?

The Prime Minister: My hon. Friend will know that we have received a lot of inward investment here and we continue to do so. However, he is entirely right in that we do not want people to come here for reasons of low wages and, by and large, that is not why they are coming. They want to come here. If we can show that we have an educated and skilled work force that is adaptable to the forces of economic change and if we can make the improvements in our education and welfare systems that the Government are undertaking, we can attract more inward investment to this country and not less.

Mr. A. J. Beith (Berwick-upon-Tweed): While welcoming the involvement of the European investment bank in new lending and the emphasis on small business, labour market flexibility and a genuine internal market, may I ask when we will get the comparable statistics of which the statement speaks, so that we can compare properly unemployment figures in our and neighbouring countries, bearing in mind what the previous Government did to the employment figures?

Does the Prime Minister recognise that regional funds will continue to be vital to the older industrial areas, such as the coal mining and textile areas in Britain, if we are to create jobs there and that the amount of increased investment that we will need in education and training is beyond anything that has been committed so far?

Finally, does the right hon. Gentleman fully support the wording in the presidential statement, for which I presume he is also responsible, that proceeding to the third stage of economic and monetary union will indeed be conducive to stability, growth and employment?

The Prime Minister: In relation to the figures given and to comparable figures, the national action plans should provide some basis for proper comparison, although I agree that there is a longer-term problem in that statistics are compiled in different ways in the individual countries. There is a separate European initiative to bring those statistics into line with one another, which is on-going, as they say. In due course, we should get a better series of comparable statistics than those we have.

On industrial restructuring, there is a very different approach here, which is to accept that there will be restructuring in Europe. Obviously there can be a debate about how far monetary union will be conducive to economic stability, but the one thing that people are sure about is that with a single currency in Europe there will undoubtedly be enormous transparency of costs. That will of itself force an enormous amount of restructuring. The approach set out here is not to try to ward off that restructuring, but instead to cope with it by bringing new investment into the areas where it is taking place and ensuring that we have the measures in place for the long-term unemployed in particular, who will require retraining in the longer term.

As for education and investment, I do not want to go over what we say at every Question Time on Wednesday, but we are putting a substantial additional sum of money into our schools next year with the school repairs programme of £1.3 billion. If the right hon. Gentleman will forgive me for pointing it out once again, that is more money than the Liberal Democrats asked for before the election.

Mr. Tam Dalyell (Linlithgow): Did any of the Prime Minister's European colleagues offer so much as a scintilla of regret that we were not joining the single currency in 1999?

The Prime Minister: I have to say that it was not a subject discussed by us at the meeting.

Mr. James Paice (South–East Cambridgeshire): To what does the Prime Minister attribute the fall in British unemployment?

Hon. Members: A Labour Government.

The Prime Minister: Yes. It is correct that British unemployment has come down, though I have to say that there are still other countries in Europe that are committed to the social chapter. Indeed, they have a minimum wage and have lower unemployment rates than in Britain. We have always said that we must focus on those households with people of non-pensioner age which have nobody working. That is why I say that we still have a long way to go in this country, which is why we have introduced the new deal for the unemployed.

Ms Diane Abbott (Hackney, North and Stoke Newington): If the Prime Minister supports one of the aims of the jobs summit, which is to encourage previously excluded groups to go back to work, why are the Government introducing cuts in child benefit to single mothers, proposed by the Conservatives when they were in government? Because they affect single mothers who are out of work, as well as those who are in work, they will tend to act as a disincentive to their returning to work.

Hon. Members: Answer.

The Prime Minister: I do not think that Conservative Members are in a position to put those questions to us, as they were the ones who introduced the benefit cuts. If my hon. Friend looks at the Budget proposals put forward by the Chancellor in July, she will see that single parents are given specific additional help with child care to help them find work. Measures are being put in place to take people off benefit and into work. However, it is extremely important that we keep within the tough spending guidelines that we have set, because they are right. Whatever irresponsibility may have occurred on the part of the previous Government, it does not occur here.

Mrs. Angela Browning (Tiverton and Honiton): If the Prime Minister thinks that the minimum wage has nothing to do with unemployment figures, to what does he attribute the high youth unemployment in France and particularly in Spain, where it is nearly 40 per cent? Does he think that the minimum wage has nothing whatever to do with unemployment?

The Prime Minister: If one looks at France, for example, a criticism that we have made is that if the minimum wage is applied in full, even to young people in training, it can cause problems for young people. That is why we have said that that will not happen here. There are many countries with lower unemployment rates than Britain that have minimum wages. Austria, the Netherlands and the United States of America all have minimum wages but lower unemployment rates than Britain. It is important to introduce a minimum wage sensibly and make it part of a general system of reform, so that this country does not end up, as we did under the previous Government, spending £3 billion a year through family credit subsidising low pay. That is not a sensible use of public resources. It is far better to introduce a proper minimum wage and ensure that people are paid at the proper rate for the job.

Mr. Dennis Skinner (Bolsover): Does my right hon. Friend agree that, in view of what has been happening in the Asian economies in the past few months and particularly the past few days, we want to hear no lectures of the kind that we heard constantly from the last Government about using undiluted market forces to resolve the problems of the economy and particularly jobs? Many areas of Britain—some 20 or 30 in total—used to have old smokestack industries that were closed by the Tory Government, who are still downsizing the Tory party. Even if there were an economic upturn over and above what is happening today, there is a legacy in each of those areas: the last five or six years of pit closures meant that hardly a single miner had another job to go to, and the social fabric is in decay. We need to deal with those issues, not by means of a European job summit but through old-fashioned intervention from this Labour

[Mr. Dennis Skinner]

Government to make sure that those areas and pit villages, where as many as 40 per cent. of people are unemployed, have a chance to work again.

The Prime Minister: I agree with my hon. Friend. Inevitably, no matter how well the economy is doing in general terms, some areas will be left behind by industrial restructuring and change. That is why the jobs summit focused specifically, as a separate item almost, on those who will be long-term unemployed and who cannot get back into work simply because of the general upturn in economic circumstances. Of course, that is why we have the welfare to work new deal programme here. It is precisely to help to tackle some of those pockets of structural long-term and youth unemployment. It is precisely by investing in their skills and through additional resources to improve the education system that we shall give those people a better chance and a better opportunity.

That is what I would call the third way. It is not old-style intervention, but it is intervention and a recognition that markets fail. We should live in a market economy and we want a dynamic market economy, but in some areas the market will fail. One of the things that mark out the Government from their predecessor is that we recognise that, and are prepared to intervene where that is necessary.

Mrs. Margaret Ewing (Moray): Was there any consideration at the summit of the issue of structural funds? They have been extremely important in areas such as mine, which benefits from objective 1 and objective 5b in the creation of employment. What is the Government's attitude to the continuation of structural funds and will the Prime Minister guarantee that this matter will at least be discussed in Cardiff in June?

The Prime Minister: Yes, I can give the hon. Lady that assurance. Paragraph 34 of the European Council's conclusions deals with structural funds. In essence, it says that it is important that we reform those structural funds; that will be necessary as part of the process of enlargement and to make sure that the money goes to the areas in which it is really needed. It is also important to recognise that it made a clear commitment in principle to continuing the basis of structural funds for the future.

Mr. Gordon Marsden (Blackpool, South): In welcoming the Prime Minister's statement, may I ask whether he agrees that, both in philosophy and in specific direction, the summit is tied in very much in accord with the Government's policies? Will he ask his Ministers at European level and specifically at Government level to take into account the question of flexibility of seasonal employment, which is a major issue in my constituency and in many others?

The Prime Minister: I think that people recognise that seasonal employment, particularly in areas such as the one that my hon. Friend represents, is a particular subject which needs care and attention. Of course he is right to say that the measures that we have outlined at the European summit chime in very much with the Government's priorities both in terms of the new deal for the long-term and young unemployed, and in the treatment of small businesses. This Government have cut corporation tax and taxation on small businesses to their lowest ever level. That is precisely the right direction for Europe to go as well.

Mr. Eric Forth (Bromley and Chislehurst): The Prime Minister has rightly emphasised the importance of reducing the cost burden on business, and particularly on small and medium-sized businesses. Will he remind the House how he thinks that that objective will be served by, for example, the Chancellor's recent measures on pensions, which are bound to increase the cost burden on businesses? The minimum wage, if it is to have the effect that the Prime Minister and the Government want to claim in social terms, must surely also have the effect of increasing business costs.

The Prime Minister: As I have just said, it was this Government who cut corporation tax for business and particularly for small businesses. In July, we took the measures that were necessary to bring the structural budget deficit under control. We did that because the worst thing that could happen for business and in particular for small businesses is to go through an economic cycle of boom and bust as has happened many times in the past. I know from the conversations that I had with small businesses at the end of the 1980s and in the early 1990s, that the worst thing that happened to them was that they were plunged from a boom into a deeper recession than they had ever known. Many of them went out of business. Stability for them and prudence in public finances—prudent monetary policy—are absolutely essential.

As for the minimum wage, I think that many small businesses will welcome the fact that they will compete on the basis of some minimum standards of fairness. Of course it must be set at a proper and sensible level, but if it is set at that level we shall find, as people in the United States and elsewhere find, that it is of assistance to businesses, not a burden on them.

Mr. John Hutton (Barrow and Furness): I welcome my right hon. Friend's statement and the sensible measures that were agreed at the jobs summit in Luxembourg, but does he agree that it is a matter of regret that the Opposition have expressed their continuing opposition to improvements in the social dialogue between employers and employees in the European Union?

The Prime Minister: Yes, I agree with that entirely. Raucous scorn greets any mention of discussing things with the social partners—with employers and unions. I should have thought that it was perfectly sensible that, before a European summit on jobs, we discuss with both sides of industry how this programme should be carried through. Why that is going to be detrimental to the interests of the European economy, I do not know. What is surely important is that, if we are making structural change in Europe, we try to take both sides of industry with us, that we listen to their concerns about some of the costs and burdens that they face, and that we consider

how we might remove them. Our meeting with employers and unions before the summit was constructive and we will meet them again before our summit in Cardiff.

Sir Peter Tapsell (Louth and Horncastle): Will the right hon. Gentleman tell the House what the minimum wage rate is in the United States and the reasons why the Clinton Administration have kept it so low that it is almost irrelevant?

The Prime Minister: No, I do not believe that that is true at all. Indeed, before the last presidential election, there was agreement even between the republicans and the democrats to raise the minimum wage. If the hon. Gentleman considers the recent work that has come out of the United States, he will find that most people believe that having some form of minimum wage assists the way in which the labour market functions. I am sorry to say to Conservative Members that they will be left behind on this issue as they have been on many others.

Mr. Barry Jones (Alyn and Deeside): Can the Prime Minister tell us whether the jobs summit discussed the renewed challenge by the Boeing corporation to the European Airbus consortium? Is it possible for him to say when the Government will decide on the application by British Aerospace for launch aid on a new version of the A340? May I tell him that 2,800 of my constituents make the wings for Airbus aircraft, and hope that the application might go forward and that jobs are not exported abroad?

The Prime Minister: Of course the application for launch aid must be considered in the normal way and I would not want to comment on that at this stage. But our support for the Airbus project is well known and total. We believe that Britain has an important role to play in that, but, of course, all applications for launch aid must go through the normal business of determining whether they meet the criteria. We welcome those skilled jobs and the work by the British work force in relation to Airbus and of course we will do everything that we can to keep them.

Mr. John Wilkinson (Ruislip–Northwood): Does the right hon. Gentleman believe that the process of artificial convergence to achieve the criteria for establishing a single currency within certain core countries in the European Union has benefited employment? Is it not true that, on the evidence, the opposite seems to be the case? This winter, the federal German republic will have unemployment of probably 5 million and Spain's unemployment rate is at 20 per cent. In this country, is it not true that an independent central bank has masterminded four out of the five interest rate increases that have taken place under this Administration?

The Prime Minister: No, I cannot agree with that. Interest rates have had to go up since the election. They should have gone up before the election. That was the clear and obvious advice because an incipient inflation problem was back in the system again. The last thing that we should do is repeat the mistakes at the end of the 1980s and in the early 1990s, when, under Tory boom-and-bust policies, interest rates went to 15 per cent. and stayed there for almost a year. We have to avoid that. The best way of doing so and the best way for this country's future is to ensure that interest rate decisions are taken not on a political, short-term basis, but on a genuine assessment of the right monetary policy for this country.

In relation to convergence in the rest of Europe, of course other countries would dispute what the hon. Gentleman has said. All I can say is that, at present, their interest rate and inflation rate performance is low. Britain is in a different stage of the economic cycle and in a different position. That is one of the reasons for our position on monetary union, but each country has to decide what is in its best interest.

Mr. Harry Barnes (North–East Derbyshire): Did the jobs summit deal with the paradox of investment: it is required to create new jobs, but it can, on occasions, get rid of old jobs? It is needed for competitive purposes, but, unless it takes place within a framework of intervention, there will be problems about whether the investment delivers more jobs in the long run. *[Interruption.]*

The Prime Minister: What my hon. Friend has said is sensible, contrary to what Conservative Members think. It is important that we recognise that we need high levels of investment, which is precisely why we want a stable long-term economic strategy, both for this country and for Europe. Obviously, some of that investment—if it is in new technology, for example—can displace jobs. The answer is not to fail to put in the new technology; it is to focus, as the employment summit did, precisely on what is needed: reskilling, better education, lifelong learning and ensuring that when people do become unemployed they have the chance to get a fresh job. I should have thought that that was a sensible approach.

Mr. Jonathan Sayeed (Mid–Bedfordshire): Can the Prime Minister say whether non-wage labour costs will increase under his Government?

The Prime Minister: We have made a specific commitment here to try to keep them as low as possible, and that is precisely what we will do.

Mr. Hugh Bayley (City of York): Does my right hon. Friend share my feeling of dismay that when he comes to the House to make a statement about what this Government and other Governments in Europe are doing to create job opportunities for young unemployed people, the Opposition resort to howls of derision and jeers? Does he agree that every time an hon. Member crosses the Floor of the House from the Opposition side to our Benches, he leaves behind a Tory rump both leaner and meaner?

Does my right hon. Friend further agree that an economy the size of Europe has the potential to be as successful an engine for creating jobs as the economy of the United States of America, which, under President Clinton and with a minimum wage, has created so very many more jobs than have been created in Europe, with Europe not pulling together? Now that we are pulling together, will we see the benefits in Europe?

The Prime Minister: My hon. Friend is absolutely right in his description of what happens with the Opposition. I find it extraordinary that they should disparage the idea of a European jobs summit that focuses on some of the issues of long-term youth unemployment. If they look at the figures, they will realise that it is not

[The Prime Minister]

true that Britain is miles ahead of everyone else. There are countries with lower rates of long-term unemployment, with lower rates of youth unemployment and with lower overall rates of unemployment. It is true that the measures that we take will improve that position enormously, but it is also true that there is a long way that we need to go.

It is tremendously important that we are in Europe, able to play a constructive role and able to provide leadership and direction, not just for our own country, but for Europe. The single market is tremendously important for British business and British jobs. It is in our interests to be able to complete that single market and to be able to play a leading role and influence the rest of Europe in our own direction—but we cannot do that if the country is represented by people who simply continue shrilly and irrelevantly to shout against Europe rather than get in and make it work.

Mr. Michael Fallon (Sevenoaks): How can the Prime Minister boast in Luxembourg about ending burdensome regulation when he is sentencing British companies to compulsory new laws under the social chapter? Does his earlier answer suggest that neither of the existing directives nor any of the four proposed directives under the social chapter will impose any cost on British business?

The Prime Minister: What the directives do is allow a perfectly fair framework of employment regulations in this country.

Mr. Fallon: They impose costs.

The Prime Minister: Is the hon. Gentleman saying that the unpaid parental leave directive, which gives people a bit of unpaid parental leave, will destroy British industry?

The hon. Gentleman also refers to a directive that allows consultation with people in companies with 1,000 or more employees operating on a Europewide basis. Before the election, when the Conservative Government had opted out of the social chapter, British companies were joining it because they found it sensible to do so. I remember that, during the election campaign, the hon. Member and other Conservative Members said that if we signed the social chapter 500,000 jobs would leave Britain. That was nonsense. However, he and his hon. Friends continue to say that with all the certainty and conviction of mediaeval school men, which is precisely what they are becoming.

Dr. Howard Stoate (Dartford): Will my right hon. Friend agree with me that the new Labour Government's attitude towards training and education will help to inspire employers to create the 50,000 new jobs expected in Kent's Thamesside, which includes my constituency?

The Prime Minister: Yes, that is absolutely right. By focusing on raising education standards, we raise the value of human capital, thereby raising the performance of the overall economy.

Mr. David Prior (North Norfolk): Does the Prime Minister accept that joining a European single currency will inevitably lead to high levels of regional unemployment? Was that discussed at the summit?

The Prime Minister: No, I do not accept that. It will depend on whether a single currency is successful. If it is successful, I do not believe that what the hon. Gentleman describes will occur.

Madam Speaker: Thank you, Prime Minister. We will bring the statement to an end now.

British Board of Film Classification

4.15 pm

Mr. Julian Brazier (Canterbury): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 24, to debate an important matter that requires specific and urgent consideration, namely,

the conduct of the British Board of Film Classification.

I am most grateful for the opportunity to raise this issue, and for the support of the hon. Members for Nuneaton (Mr. Olner) and for Swansea, East (Mr. Anderson) and of some Conservative Members.

Since 1984, the BBFC has had absolute power to determine which videos are or are not legal to watch in the United Kingdom, yet it is accountable to no one, other than furnishing the occasional opaque and bland report. Lately, its director, James Ferman, has passed a series of extremely violent and unpleasant videos, including one depicting people gaining sexual gratification from serious motor accidents. Certification for that film was given against the advice of the child psychologist whom the board itself had consulted.

It has been widely leaked that, as a consequence of the passing of such films, the Home Secretary is contemplating sensible measures to appoint a stronger chairman to replace Lord Harewood and to take action to make the organisation more accountable.

I ask for a debate today because it appears that Mr. Ferman and his cronies are using what may be their last few weeks of freedom to rush through certification of a series of films that a Customs official has described as "hard-core pornography", undermining Government action to prevent pornography.

This is not simply a matter of taste. Such films are widely used by paedophiles not only to cultivate their own tastes but to corrupt children. As I have one of the United Kingdom's best special investigation units in my local police force, I am very conscious of that fact. Once a video has been classified as acceptable, we have removed the statutory power to prevent it from being shown.

The British Board of Film Classification exists to protect vulnerable people, particularly children, from becoming victims of those who swallow a diet of mindless violence and filth. The board is manifestly failing in its duty. The Government need quickly to appoint a new chairman, and Parliament needs an urgent debate on the matter.

Madam Speaker: I have listened very carefully to what has been said, and I have to give my decision without stating a reason. I do not consider that the matter raised by the hon. Gentleman is appropriate for discussion under Standing Order No. 24. I cannot, therefore, submit the application to the House.

Orders of the Day

Greater London Authority (Referendum) Bill

4.18 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): On a point of order, Madam Speaker. Today is the second day of the Bill's Committee stage, as you—

Madam Speaker: Order. If this is a point of order on the Committee stage, it is a matter for the Chairman of Ways and Means.

Mr. Hughes: It deals with the Bill's Report stage and Third Reading.

Today is the Bill's Committee stage. At last Thursday's business questions, the Leader of the House, in the conventional way, announced this week's business. She said that, this Wednesday, the Bill would have its Third Reading. No provision has been made for a Report stage. No one can know—not even the Government, in their arrogance, can presume—that no amendments will be agreed in Committee.

I therefore ask you, Madam Speaker, to make it absolutely clear that the House is entirely free to amend the Bill in Committee; that, if it is amended, there will be a Report stage; that time will have to be found for the Report stage; and that time will have be found to table amendments between the end of the Committee stage and the Report stage.

Madam Speaker: The hon. Gentleman is absolutely correct. Hon. Members must be given ample opportunity to table further amendments on Report, if we have a Report stage. That is the normal way to proceed, and it will be the way that we deal with this Bill.

Considered in Committee [Progress, 19 November.]

[SIR ALAN HASELHURST *in the Chair*]

Clause 1

REFERENDUM

Amendment moved [19 November]: No. 15, page 1, line 9, leave out 'an elected assembly' and insert

'an assembly of leaders of London boroughs'.—*[Mr. Ottaway.]*

The Chairman of Ways and Means (Sir Alan Haselhurst): I remind the Committee that with this we are discussing the following amendments: No. 16, page 1, line 10, leave out 'separately' and insert 'directly'.

No. 17, in schedule, page 6, line 4, leave out 'an' and insert 'a directly'.

No. 28, in schedule, page 6, line 4, leave out 'a separately elected assembly' and insert

'an assembly of leaders of London boroughs'.

Mr. Ottaway: Conservative Members wish to associate themselves with the comments by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes).

The amendment would ensure that, in the referendum, we were voting for an assembly of borough leaders rather than for the directly elected assembly proposed by the Government. Our objections to the directly elected assembly are many, the first being that there would be no formal links between the boroughs and the authority. The Minister for London and Construction has several times said that there would be no such links. Those of us who remember the old Greater London council know that an anti-borough culture persisted throughout the life of that organisation, but it worked both ways—the boroughs were hostile to the GLC, too. None of us felt that that was conducive to the effective operation of local government.

Our second objection to a directly elected assembly is the resentment that the idea is currently creating among the boroughs. It is clear from the briefest scrutiny of the Green Paper that there will be an erosion of the boroughs' powers.

Having read the Green Paper, I calculate that there are no fewer than 15 points where the boroughs' powers will be eroded, despite the denials made before the election—and, indeed, since. There are, in fact, four main areas where those powers will be eroded—planning, transport, waste management and finance. Individually, they may be small items, but collectively, they add up to significant dangers for the boroughs, and represent an opportunity for two large secretariats to be established—one for the mayor and one for the assembly.

The Minister for London and Construction (Mr. Nick Raynsford) *indicated dissent.*

Mr. Ottaway: The Minister shakes his head, but if we have the sort of intrusion into the boroughs' powers outlined in the Green Paper, either we shall have a highly intelligent load of assemblymen who are capable of doing everything on their own without any secretarial back-up—if that is the case, we shall see pigs flying down Whitehall—or there will have to be a large secretariat.

Our third objection is that the proposals will result in rather oddball jobs for the assemblymen. These assemblymen will have no borough links, and that will mean nothing but trouble. Their only job will be to hang around city hall and veto the mayor. The only way that they can get into the headlines will be to cause trouble. After a while, they will realise that if they go on saying yes to the mayor, their insignificant lives will continue to be insignificant; but if they say no, on will go the television lights, out will come the notepaper and pads, and pencils will grind away. If the assemblymen have no borough links, the assembly will be nothing more than a talking shop, and it will lead to conflict, deadlock and indecision.

Let there be no doubt; the Conservatives want an assembly. It is wrong to suggest that our proposed assembly of borough leaders is not an assembly. We accept that if there is to be a mayor, it is essential to hold him to account. We believe that that will be best done through an assembly of borough leaders. We do not want a Greater London council mark II, or a slimmed-down version. We want an assembly of people with local knowledge at the heart of decision making—people who understand local issues and can represent them in London's authority. They work with their chief executive every day, solve borough problems, and deal with matters that affect people at a local level.

[Mr. Ottaway]

The great advantage is that an assembly of borough leaders would form a bridge between the mayor and the boroughs. A directly elected assembly would be a barrier between the mayor and the boroughs. That is at the heart of our objection.

An assembly of borough leaders would be more skilled, would have more talent, would be cheaper, would avoid the bureaucratic costs and secretariats that I have described, and, above all, would avoid the anti-borough culture that concerns us. It would strengthen links with the local community.

The Minister has given us a clue that he does not agree with our proposals. The leader in *The Times* on 30 July said:

"Political power must be placed with the Mayor. The functions of the Greater London Authority should be two-fold: an open forum for the proper accountability of the chief executive and a facilitator of co-operation between the Mayor and the boroughs. That would be best achieved through an indirectly elected entity consisting of the 32 borough council leaders and the Corporation of London. This arrangement would ensure the unique mandate of the mayor and provide a direct link"—

a direct link—

"between the two most significant aspects of London's administration."

I could not put it better myself.

The hon. Member for Brent, East (Mr. Livingstone) said on an earlier amendment that we have had one or two lines from the Minister and his colleagues, but there has been no explanation why our proposal is not right. The majority of London councils are controlled by the Labour party. The Minister may not trust them to do a good job, but that situation will not continue for ever. Come the local elections next May, there will probably be a significant change in the composition of our proposed assembly. The Minister must convince the House why our proposal is not better than his.

Not surprisingly, the Minister could not resist responding to the editor of *The Times*. He said:

"In these circumstances we are absolutely convinced that the mayor must be held to account. This can be best done by an elected body with specific powers to scrutinise what the mayor proposes and does."

There again are the words "can be best done", without any explanation. Explaining why he does not think that our proposals will work and why the editor of *The Times*—and the editor of *The Daily Telegraph*, for that matter—is wrong, the Minister goes on:

"Each leader would, quite rightly, see his or her first loyalty as fighting for his or her own patch rather than the wider interests of London as a whole."

That sums it up. The Minister cannot stand the thought of someone fighting for his or her own patch. It also confirms our long-held suspicion. Although the Minister said on Second Reading that he had an open mind on the electoral system to be used, he has already decided on one. First past the post would allow people to fight for their own patch.

The Minister is, in effect, saying that he wants to sever the constituency links so that people think strategically. He has, however, created a hurdle for himself, because no one will be able to fight for his or her own patch. Labour is not going that far, even in Scotland or Wales.

4.30 pm

What message does the Government's proposal send to voters? The Green Paper makes it clear that the proposed London transport authority will have a hands-on role with regard to roads. I come back to an example I gave the Minister on Second Reading. I believe that the Coulsdon bypass is important. I have written to the Minister for Transport in London, and she has replied. She told me, through her noble Friend the Minister for Roads, that I was one of about 150 people who had written in a similar vein. In fact, so many people have written that we are having a job lot meeting in a few days' time, when we can make our points together. I am fighting for that bypass on behalf of my constituents. In future, that job will be handed to the LTA. Who will fight for that road?

I shall not be able to fight for the road, because I shall not be a member of the LTA. Local councillors will not be able to fight for it because they will have no link with the LTA. The assemblymen on the LTA will not be able to fight for the road, because they will not be allowed to fight for their own patch. The lobbying will be done by public relations firms, which means that it is the people with the most money who will win.

Mr. Raynsford: We shall see about that.

Mr. Ottaway: In that case, there will be no lobbying for the Coulsdon bypass. What is the point of an authority such as that proposed in the Bill? The Minister is saying to prospective assembly members, "Once you have been voted in, we do not want to hear from you, because there will be no fighting for your own patch and local views will not be welcome."

There is no doubt that our proposals for an assembly have considerable merit. They also have some support inside the London Labour party. One of the joys of being in opposition is the brown envelope that suddenly turns up. I have here an extract from a report of a meeting of the Greater London Labour party executive, which says:

"For the London executive, the discussion has been going on for a couple of years, for others, less. But we keep coming up with the wrong answer: No to a directly elected mayor. It appears that Londoners are a little dim. Ask them two separate questions ('Do you want an elected assembly?' and 'Do you want a directly elected mayor?') and they come over all faint. According to our leaders"—

I can only assume that that means Ministers—

"if we ask two questions we are likely to end up with a mayor but no assembly."

That is no surprise, but this is the first news we have had that it is the view of the Greater London Labour party executive.

Mr. Raynsford: It is not.

Mr. Ottaway: The Minister may say that it is not. The report continues:

"The Chair Jim Fitzpatrick MP manipulated the meeting shamelessly to avoid even indicative votes."

That is the way in which the Labour party has been considering the proposals. We know that there is deep-rooted support for a London assembly, and I urge the Committee to support the amendments.

Mr. John Wilkinson (Ruislip–Northwood): I want to stick to the detail of amendments Nos. 16 and 17.

I believe that they have merit, in that they will clarify to the electorate and make certain in statute a phraseology that will be appropriate for the purpose of establishing a directly elected mayor and a directly elected assembly in separate elections. The manner of election could not then be altered by the White Paper, or by the Government changing their mind after the passage of the Bill.

We have heard from the hon. Member for Brent, East (Mr. Livingstone) his strong desire for an indirectly elected mayor drawn from the ranks of the assemblymen. If, as amendment No. 16 seeks, a directly elected mayor were written into the phraseology of the Bill, that could not happen.

There is a strong body of opinion within the Labour movement in London, particularly in municipal circles, for the mayoralty to be indirectly elected and drawn from the ranks of the assemblymen. In that way, the assembly would have much more control over who would be appointed to the job. He or she would be in essence one of them, sharing the same culture and the same roots in local government within the Labour movement in London.

It is also exceedingly important that the electorate should know that the assemblymen would be directly elected. In that respect, I take a slightly different view from my hon. Friend the Member for Croydon, South (Mr. Ottaway), but not as regards objectives.

Like my hon. Friend and others on the Opposition Front Bench, I believe passionately in the importance of ensuring that borough opinion is represented on the assembly in the most effective manner possible. After all, Londoners identify with their boroughs. Traditionally, they draw most of their services from and elect their councillors for their boroughs, and, to a greater or lesser extent, there is a geographical, social and economic identity within a borough boundary.

In promoting the Bill, the Labour party seeks to move away from the traditional roots that are of the essence of our local democracy in London. We are led to believe that there may not even be constituencies, or, if there are, that they will be very large and not in any sense conterminous with the boroughs. They will be based on the prospective European Parliament constituencies within London, which encompass much greater areas.

I would argue that the assemblymen will require different personal qualities from those necessary for a borough leader. Assemblymen will be scrutineers. They will not need the talent, aptitude and background of executive action—the qualities necessary for an effective borough leader. The better they do their job on the assembly at the Middlesex Guildhall or wherever, the more time they will spend scrutinising the mayor's budget and challenging and testing his programmes, his policies and his projects for London.

It would be better if the assemblymen were directly responsible to the electors in their boroughs in exercising that scrutineering function. Furthermore, it would be much more appropriate if their term of office exactly coincided with that of the mayor—which could not happen if they were indirectly elected. In fact, halfway through the term of a particular borough representative on the London assembly, a borough leader could find himself out of office by virtue of a local borough election.

In respect of continuity and from a practical perspective, borough leaders are exceedingly busy people. Their primary duty is managing a very complicated municipal operation on behalf of their electors. Most of them also have other careers. They are not full-time, paid politicians, as are many right hon. and hon. Members, and certainly Members of the European Parliament. The additional burden of travelling large distances across London to attend assembly meetings will not always be either easy or possible to fit in with the borough leaders' primary responsibility to their borough councils and electors.

If borough leaders fulfil poorly their responsibilities as scrutineers of and checks on the executive power of the mayor, their borough electors should be able to replace them or place some sanction on them. If they are merely indirectly representative of their boroughs—borough leaders seconded from their primary purpose of fulfilling a role on the assembly—and fulfil the role badly, it will be much harder for their electors to exercise any sanction on them, especially if they fulfil their primary responsibility of running their own borough well.

I whole-heartedly support my hon. Friends' strong determination to make absolutely sure that the voice of the boroughs is heard because that is what matters to Londoners. The concerns of my electors in west London and people in Hillingdon are utterly different from those in the City or the east end.

Under the electoral arrangements proposed by the Opposition, there is no way of ensuring that local interests are represented directly on the assembly and have an effect on the policies being promulgated and enacted by the mayor. There is much greater likelihood of ensuring that local interests are represented if there is a directly elected assembly—especially if the representatives on the assembly come from the borough. I would suggest one directly elected representative for each borough.

That said, I support the aims of my hon. Friends' amendments. I also hope that the Government realise that specifically inserting the words "directly elected mayor" and "directly elected assembly" would ensure that there was no possibility of jiggery-pokery after the Bill is passed.

Mr. Paul Burstow (Sutton and Cheam): The Liberal Democrats will not be supporting amendment No. 15, for many of the reasons that the hon. Member for Ruislip–Northwood (Mr. Wilkinson) has just described. He made a very powerful set of arguments for not supporting the idea of London borough leaders attempting to hold to account a directly elected mayor, as the Conservative party favours. I shall expand on that slightly.

The hon. Member for Croydon, South (Mr. Ottaway) argued strongly for a role for borough leaders, and we on the Liberal Democrat Benches would not disagree. One of the concerns that we will have, especially in the detailed consideration of the Bill that will bring the authority into its final shape, will be the relationship between the boroughs and the new authority. The danger is that, if that relationship is not clear in the referendum, the credibility of the Government's advocacy of a mayor and an authority could be undermined.

We want to ensure that we have a regional authority which gives strategic direction and a clear strategic lead in London. We want that authority to work full time on behalf of Londoners, dealing with matters that are not about hoovering up powers from local government but about taking powers away from the House and Whitehall.

[Mr. Paul Burstow]

One of the lessons that we should be drawing from the experiences of the Greater London council is that, all too often, there were turf wars between the GLC and London borough councils about who had responsibility for taking matters forward. The hon. Member for Croydon, South highlighted some areas where that tension could recur under the proposed arrangements.

The solution is not simply borough leaders holding an elected mayor to account. It is the Liberal Democrats' view that that is a recipe for blurred accountability. A question mark would hang over such an indirectly elected assembly about its mandate from the people of London to stand up to a directly elected mayor. Such a directly elected mayor could legitimately question the authority of such an indirectly elected body.

We have seen how inadequate the joint boards of representatives from each London borough—which were set up in 1986 when the GLC was abolished—have been as a means of holding services across London to account. Creating a larger joint board of London borough leaders as a way of holding an elected mayor to account is inappropriate.

For those reasons, we do not support the amendments. However, we believe very strongly that they represent a view which needs to be reflected in debate on the referendum. I hope that Ministers will reflect on the points that have been made. Those made by the hon. Member for Croydon, South have some support in London, although we would argue that they do not have adequate support.

Let the people decide, and be able to express their view. The Minister should explain in more detail his reasons for advocating his position. Let us have a chance to campaign and advocate our position. It should not be for this place to decide the structure of government in London: it should be for the people of London to decide.

4.45 pm

Mr. Andrew Lansley (South Cambridgeshire): I support amendment No. 15, for two reasons.

The Government are setting some precedents about the way in which they are proposing to establish regional government. The Minister was rightly rebuked by the Liberal Democrats on Second Reading for construing the Bill as a strengthening of local democracy. It is in practice no such thing, but the establishment of a regional tier of bureaucracy.

If that regional tier is established in the way the Government propose, with no direct relationship with the boroughs, as my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson) eloquently explained, emphasis on the supposed strategic overview will simply lend distance to the body, as distinct from the day-to-day concerns of boroughs, which are often the most important aspect of the scrutiny, and must be applied to the directly elected mayor.

It is clear that many aspects need to be applied to the scrutiny of the executive actions of the directly elected mayor in appointments, and so on. At the heart of that scrutiny is that done on behalf of the boroughs and the interests of many London communities. If such interests are not—by means of the amendment—represented directly on the authority, there will be tension between the authority and the boroughs, most likely represented by the borough leaders.

It is far preferable that we legislate now for a constitution that puts those principal tensions, interests and concerns together in an authority, where they can be properly resolved, than leave them to be determined in a non-constitutional manner, perhaps through disputes such as those between the GLC and London boroughs, to which the hon. Member for Sutton and Cheam (Mr. Burstow) referred. It is better to bring such tensions inside the authority and ensure that the boroughs' interests will be positively represented.

Mr. Raynsford: Last week, the Opposition argued that the people of London should be given an opportunity to vote on whether they wanted a directly elected assembly. That was the proposition that the right hon. Member for Sutton Coldfield (Sir N. Fowler) put to the House. The amendments before us reveal that argument as humbug, because they would rule out the possibility of a directly elected assembly. Opposition Members should think more carefully about their intentions, instead of tabling amendments that show that they can only oppose, and have no coherent view of their own.

The amendments would give Londoners the opportunity to vote not whether they are in favour of a mayor plus a directly elected assembly, but whether they want a mayor plus an assembly made up of the leaders of the 32 London boroughs. We have made it clear that that is not an option for the Greater London authority. We promised an elected assembly in our manifesto, and that is what we shall deliver.

The leaders of the London boroughs do an excellent job in representing the interests of their areas. That is their rightful role and one which we expect them to play in relation to the GLA. An effective borough leader will be in regular contact with the GLA, and an effective mayor will be in regular contact with London borough leaders.

However, the GLA should not be governed by local interests. It must be able to take a strategic overview, for the benefit of London as a whole. That will not mean riding roughshod over borough interests, but it will mean weighing up different positions and reaching conclusions to the benefit of the whole of London. Only a mayor, working with a directly elected assembly, can do that job.

The assembly will have a vital role to play in the new GLA. It will monitor the activities of the mayor and work with the mayor to devise strategies for London's development. We propose that the assembly should be able to choose Londonwide issues and investigate them, producing reports and recommendations. Those are significant jobs.

Mr. Wilkinson: Will the Minister bear in mind the fact that certain issues are of especial importance to particular boroughs? For example, my local borough, Hillingdon, has the greatest expanse of green belt and open space in the whole of London. I believe that it is therefore necessary that someone who is directly elected, or who represents Hillingdon—as my hon. Friend the Member for Croydon, South (Mr. Ottaway) would argue—should be on the assembly to ensure that the important local

perspective is brought to bear on the mayor's policies. A regional government might have quite different interests.

Mr. Raynsford: I agree entirely with the hon. Gentleman that individual London boroughs have different interests, and it is right and proper that they should present those interests. As I have said, I expect that borough leaders will be active in meeting the mayor and putting their case. I also expect the mayor to be in regular contact with the borough leaders.

However, the hon. Gentleman himself made the forceful point that borough leaders have a job to do already. They are part-timers, many with other jobs, and have much to do looking after their boroughs' interests. It is not realistic to suggest that they can perform in addition all the functions that will be required of the assembly, including monitoring mayoral activities, participating in the decision-making process, and sitting on investigative and scrutiny committees. It beggars belief that the borough leaders would be able to do justice to those jobs. The hon. Gentleman himself made that point, as did the hon. Member for Sutton and Cheam (Mr. Burstow).

We have made the case for a package involving a Greater London authority made up of an elected mayor and a separately elected assembly, composed of members elected to do a specific job. The amendments would create a lopsided authority, which would be unable to deliver what the people of London expect. I invite the hon. Member for Croydon, South to withdraw them. If he does not, I invite my hon. Friends and the Liberal Democrats to vote against the amendments.

Mr. Ottaway: It is not beyond the realms of possibility that, after we have the elections currently planned for May 2000, we could end up with an independent mayor, a Conservative assembly and a Labour Government. If the Minister honestly believes that, in that situation, regular contact with the boroughs will take the place of monitoring, working with and making recommendations to the mayor, he has a naive view of how politics works. That will be a recipe for conflict and disaster.

Mr. Raynsford *indicated dissent.*

Mr. Ottaway: The Minister shakes his head, but he only has to look at the conflict and disaster between a Labour Government and a Labour Greater London council, let alone ones of different complexions. He made the point, as did my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson), that the borough leaders would be too busy. My hon. Friend expressed genuine views—

Mr. Raynsford: He is right.

Mr. Ottaway: In that case, both the Minister and my hon. Friend have to explain why the borough leaders want to be on the assembly. I challenge the Minister to show me a borough leader who does not want to be on the assembly, and then I will believe him.

Mr. Raynsford: The hon. Gentleman may go and ask the leader of the borough in the area that I represent. Councillor Len Duvall has no aspirations to be a member of the assembly by virtue of being the leader of a borough.

Mr. Ottaway: I am sure that we could find someone on Greenwich council who would like to do the job.

Mr. Wilkinson: That is because councillors have little confidence that local interests of their borough will be safeguarded by a regional government for London. They believe that the members of the assembly will be remote from the concerns that are uppermost in the minds of the people of their boroughs.

Mr. Ottaway: My hon. Friend is right. Borough leaders are very interested in our proposals. If the Minister thinks that borough leaders are not interested, he is in for a busy year.

Mr. Raynsford: The hon. Gentleman has challenged me, and I can tell him that the Association of London Government, which represents the views of the London borough leaders, has actively supported the Government's proposals.

Mr. Ottaway: Can the Minister then explain why the majority of London boroughs want two questions? We have the support of at least half, probably more, of the London boroughs.

Mr. Raynsford *indicated dissent.*

Mr. Ottaway: I shall read him the list. We have the support of Barnet, Brent, Bromley, Hackney, Harrow, Havering, Kensington and Chelsea, Kingston upon Thames, Lambeth, Redbridge, Richmond upon Thames, Sutton, Waltham Forest, Wandsworth, Bexley and Westminster. That is not yet a complete list, because more London boroughs have yet to be counted. For the Minister to say that the ALG supports the Government's view is inaccurate, and I have the evidence that it does not.

The London boroughs are deeply concerned by the proposals, and they want more involvement than the Government propose. I invite the House to support the amendments.

Question put, That the amendment be made—

The Committee divided: Ayes 116, Noes 297.

Division No. 92] **[4.57 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, James
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*

Clifton-Brown, Geoffrey
Cormack, Sir Patrick
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jackson, Robert *(Wantage)*
Johnson Smith,
Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Soames, Nicholas
Spelman, Mrs Caroline
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Cran and
Mr. Stephen Day.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atkins, Charlotte
Austin, John
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fatchett, Derek
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grocott, Bruce
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Killoyle, Peter
Kirkwood, Archy
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri *(Cardiff W)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*

Murphy, Jim *(Eastwood)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Rt Hon John D *(Strangford)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Wise, Audrey
Wood, Mike
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Greg Pope and
Mr. Clive Betts.

Question accordingly negatived.

Question proposed, That the clause stand part of the Bill.

Sir Norman Fowler (Sutton Coldfield): The debate so far has been unsatisfactory because the Government have refused to move on any of their propositions and, in particular, on allowing two questions in the referendum. Outside the Government, there are very few people who support having only one question.

The Minister often accuses me of never quoting the London *Evening Standard*. I am happy to break that record by quoting this evening's edition, which contains an article with the unpromising—for the Minister—headline:

"Blair faces revolt over London mayor".

The article states:

"Tony Blair today faced a grassroots revolt from his party activists over the Government's plans for a 'Voice of London' directly-elected mayor and assembly to run the capital.

Mr. Blair was hit by criticism of his one-question referendum next May. Many Labour branches and trade unions urge a rethink to allow at least two questions to establish if Londoners want both an assembly and a figurehead mayor brought in from outside its ranks . . . The submissions made to the Government about its plans also include a demand—from Mr. Raynsford's own Greenwich constituency local government committee—for the new assembly to be given tax-raising powers. Another from Ms Jackson's Hampstead and Highgate expresses 'considerable unease about the . . . role of the mayor' and calls for separate questions."

There is a consensus that there are two issues. *[Interruption.]* I can establish it in even greater detail if the House wishes. Should we have a directly elected mayor and should we have a directly elected assembly? The Conservative party's view is clear. We support a directly elected mayor, but we do not favour a directly elected assembly, and therefore want two questions in the referendum. In that, we are supported by a host of newspapers which, for some reason, the Minister never wishes me to quote against him, such as *The Times* and *The Daily Telegraph*.

The Liberal Democrats take a different view on the policy but we are at one in wanting more than one question. Some Labour Back Benchers also take a different view on the policy. It is significant that in this debate we have heard only one Back-Bench speech from a Labour Member. Even with the Minister's renowned optimism in claiming support, he could not claim that the hon. Member for Brent, East (Mr. Livingstone) was exactly coming out in support of his line.

In an earlier debate, the hon. Member for Brent, East told us that he

"went to what was called a consultation meeting of the Greater London Labour party"

at which

"Nine out of the 10 speeches opposed the principle of a separately elected mayor".

The hon. Gentleman continued:

"If we are prepared to trust Londoners, we would have a debate in which Ministers could marshall their arguments and we could challenge them. If Ministers could persuade Londoners, Ministers would get their way, but they do not trust Londoners, which is why they will not be given a choice. Londoners will be told, 'Take it or leave it.'"

He added:

"we should not deny Londoners the chance to decide what system of government they want. I am deeply ashamed of the way my party has proceeded tonight, because it is an offence to Londoners and an insult to their intelligence."—[*Official Report*, 19 November 1997; Vol. 301, c. 403.]

Even with the Minister's sunny disposition, he may find it a wee bit difficult to claim that that was a declaration of undying support for his cause.

5.15 pm

Even more significantly, there are others who support the Government's proposals—though not many, to judge from tonight's speeches. *The Guardian* came out in favour of them. However, in a now famous—or should it be infamous—omission, the Minister did not quote its statement that while it certainly was in favour of what he

[Sir Norman Fowler]

was saying he should make the argument in a campaign. The point is that not only opponents but supporters of the Government's position want two questions.

The matter reveals an amazing lack of confidence. In its manifesto, the Labour party said that the purpose of its referendum was to confirm public demand. How can public demand be confirmed if the public are not allowed to express their view? The Government hope that support for a mayor will pull through the more unpopular idea of an elected assembly. Whether I am right or wrong, I believe that that proposition should be put to the test. It is the Government who have decided to hold the referendum, so they should follow the logic of their decision and allow two questions. Let London and Londoners decide, because that is the way that they wish to do it. As it stands, clause 1 is unsatisfactory and I advise my right hon. and hon. Friends to vote against it.

Mr. Simon Hughes: First, Sir Alan, I apologise for not using your new title when I spoke last Wednesday. Your elevation had temporarily escaped me.

Like the right hon. Member for Sutton Coldfield (Sir N. Fowler), we believe that clause 1 should be deleted. That would allow the Bill to proceed, but we could perfectly properly go back to the matter on Report to get a first clause in proper form. We hope that the House will shortly vote to delete the clause, but I wish to amplify the reasons that I gave last week and expand on the references made by the Conservative spokesman.

Last Wednesday, under some pressure from the Opposition, the Minister conceded—for which we were grateful—that the responses to the consultation should be made available. Diligent as ever, my team went and knocked on the door of the library in Marsham street at the appointed hour of 1 pm on Friday afternoon. They were admitted and, in the four hours available to them before the library closed, they went through the responses. As a result, the world now knows the weight of the Labour party opposition to the Government's submission. I have photocopies of the relevant documents which gave rise to today's story in the *Evening Standard*.

It is clear from the first published analysis of the replies to the Government's consultative Green Paper on London Government that the Government's views and those of many London Labour Members of Parliament are poles apart. There is now clear evidence of widespread Labour opposition to a directly elected mayor, as well as support for a referendum with more than one question.

As we heard last Wednesday, the Government have not listened to the views of their Back Benchers, the Opposition or people outside. Perhaps the extent to which those views are in the public domain will mean that they will be taken seriously into account. I hope that they will, because if Labour Back Benchers are unhappy, they should be in a position to influence the Government.

Mr. Raynsford *indicated dissent.*

Mr. Hughes: The Minister is suggesting either that Labour Back Benchers are not unhappy or that they are in no position to influence the Government. I would put money on the latter.

I wish to cite the evidence which, to me, is unambiguous. I will start with the Minister's own constituency. The Greenwich Labour party local government committee wrote on 18 October 1997:

"Our Committee discussed the consultation paper . . . Votes were taken on a number of issues which arose during the discussion, and I was asked to pass to you our views on these issues."

Interestingly, the letter was not addressed to the Minister, but to "The London Debate"—a cover-all title. It may have been embarrassing for the committee to write to its constituency Member of Parliament on this issue.

The third item on the agenda of the Greenwich committee was:

"The assembly should have tax-raising powers".

The first item was:

"The principle of 'equal opportunities' should be paramount in the new structure, and this should in particular apply to candidates for mayor and for the assembly."

No one is arguing about that. The second item was:

"There should be a limit on the time any one person should hold the office of mayor."

There is no great dispute about that.

The Greenwich local government committee argued specifically for tax-varying powers and suggested that the authority should have some responsibility for health in London—a suggestion which the Government have studiously ignored. My party would wish to go further than the Greenwich committee.

The Islington South and Finsbury constituency Labour party—the constituency of the Secretary of State for Culture, Media and Sport—asked for:

"Strategic overview of health provision, and community care and long-term care"—

something for which my party has long argued. It added:

"The Mayor/Chair/Leader should be elected from amongst its membership."

It cannot be clearer than that. The constituency party also felt that the GLA

"should have the power to precept."

I shall return to that matter.

The London Labour Campaign for Electoral Reform produced a well-argued letter, saying:

"Strong feelings of disquiet were expressed that Londoners have not been consulted at all about whether they want a directly, and separately, elected Mayor for London.

A directly elected Mayor, and separately from the assembly that s/he will represent, makes it highly likely that there will differences in the policy that they want to enact . . . We should be very wary of introducing such a system here."

The letter argues that Londoners have not had an opportunity to indicate how they want the devolved powers to be implemented:

"Even with a longer consultation period the Green Paper does not ask for input regarding the mayor and whether a separate election is desirable".

The Belsize and Adelaide branch of the Hampstead and Highgate Labour party—the constituency of the Minister for Transport in London, the hon. Member for Hampstead and Highgate (Ms Jackson)—produced a relatively long submission, which said:

"We appreciate that a referendum on whether to have a London Authority with a directly elected mayor was promised in the election manifesto. It would therefore be wrong to go back on this.

However, our own discussions have shown that many of those who support a Greater London Authority do not wish to go so far outside the British tradition as to support the idea of a directly elected mayor—which does have some dangers of landing us—

this is reminiscent of the speech by the hon. Member for Brent, East (Mr. Livingstone) the other day—

"with inexperienced and unsuitable mayors promoted by skilled advertising campaigns."

What a surprise. The submission continued:

"This outcome is not exactly unknown in America!"

It went on to make the case for a two-question referendum.

The Brent Labour party—which covers not only the constituency of the hon. Member for Brent, East, but that of the Under-Secretary of State for Health, the hon. Member for Brent, South (Mr. Boateng)—said:

"We further believe that if the implementation of the government's proposals is to ensure democracy, accountability and probity then the Mayor should be part of the Assembly and must carry a majority in the Assembly on the same principle as the Leader of a local council or indeed the Prime Minister in Parliament."

The submission which followed the famous meeting of the Greater London Labour party regional council—about which we heard the other day—confirmed the report given to us by the hon. Member for Brent, East.

"The discussion was wide-ranging and not directed systematically to the questions in the Green Paper. The indicative votes taken at the end rejected the concept of a directly elected mayor."

It omits to state that the majority was nine to one against.

Mr. Tony McNulty (Harrow, East): That is not correct. I was there all day and there were no votes.

Mr. Hughes: The submission deals with the consultation conference on 12 October 1997, and refers to

"Workshop 1—The Mayor and Assembly."

The submission says that there were "indicative votes." *[Interruption.]* I was not at the conference, Sir Alan, but a conference without a vote seems a bit funny. If a vote was taken, I believe that the majority was nine to one. The Labour party can sort out whether there was a vote, but the conclusion was that there was overwhelming support for a full-time post. However, it says clearly that the

"indicative votes taken at the end rejected the concept of a directly elected Mayor."

The hon. Member for Harrow, East (Mr. McNulty) will no doubt say that this is fiction. If so, that gives even more cause for concern, as it would seem that the Labour party cannot even record its own meetings accurately. Incidentally, the London regional conference is a rare event these days—the previous conference was held in 1995.

The London Labour Mayors' Association, founded in 1920, is an august body, and there are a lot of London Labour mayors these days. The association was explicit:

"The Government's proposal for an elected Mayor with executive powers is not considered acceptable because:

It would lead to the setting-up of two bureaucracies—one to serve the Mayor and one to serve the GLA. It would lead to public clashes on policies between the Mayor and the GLA and its Leader. It could lead to the installation of a too-powerful political figure. It would create an ambiguity with the present Lord Mayor of London".

Lesser bodies have also contributed. The Cambridge and Coombe Labour party is a branch of the Richmond Park constituency Labour party—not the strongest Labour party in London. It said:

"We have reservations about the idea of a directly elected Mayor, as this is not in keeping with British political traditions. However, we note that a Mayor elected by the Assembly, or by the boroughs, is not given as an option."

Well, what a surprise.

The Kingston and Surbiton constituency Labour party—again, not the biggest Labour party, but it is none-the-less relevant—asked, first, for a vote on tax-raising powers and, secondly, for a

"strong executive but answerable to and controlled ultimately by the assembly."

The hon. Member for Tooting (Mr. Cox), who is in the Chamber, always clearly expresses the views of his local members and voters. His constituency Labour party said:

"Most members present thought that the assembly and the mayor should not be separately elected. One member thought the mayor should be elected from those elected to the assembly."

The hon. Member for Battersea (Mr. Linton) argued strongly the other day for a directly elected mayor. That is not what the Shaftesbury branch of Battersea Labour party believes. It is the only branch that submitted a response: no other branch bothered.

Mr. Tom Pendry (Stalybridge and Hyde): Tacit consent.

Mr. Hughes: It may be tacit consent, or there may not be much interest in the proposals. If we go by the silent majority, we are all in trouble. The Shaftesbury branch's submission is explicit. It says:

"We are against a directly-elected Mayor. Instead, the Major should be an elected member of the elected assembly and should be chosen by that assembly."

5.30 pm

The hon. Member for Ilford, North (Ms Perham), who is a new representative, addressed the constituency party meeting, but I do not know what views she expressed. Someone was tasked—to use the new word—with giving the constituency party's comments and views in writing. The letter said:

"The mayor should not be elected separately. The mayor should not be separate from the Assembly. This would avoid conflict between the mayor and the Assembly. The mayor should be a member of the assembly, elected as a member of the assembly and elected as mayor by the assembly. The power should be vested in the Assembly not in the mayor."

It is all pretty clear.

I will make one last local party contribution and then throw a few wind-up bonus balls into the equation. I have saved a good one till last. It is a submission from my own borough—the Alleyn ward Labour party in the new Dulwich and West Norwood constituency, which is the seat of the now famous Minister for Public Health. The letter says:

"We have some doubts about the proposal for a separately elected mayor"—

not many doubts, but some doubts—

"It is not clear that the process of candidate selection by political parties, and election campaign, is suitable to produce one person with the right range of executive and strategic skills. It may be preferable to give powers to the Assembly to appoint a Leader and Chief Executive."

[Mr. Hughes]

If I had begun the debate having not already been persuaded of the demerits of this proposal, the evidence would be weighing up against me, and I would feel under some pressure.

Mr. Ottaway: I can clarify the position of the Greater London Labour party executive, because we have the minutes of the meeting. The House will be interested to know that the chair of the Greater London Labour party, Jim Fitzpatrick

"bowed to pressure from delegates and agreed that workshops could submit resolutions to the closing plenary if they had strong views."

The minutes go on to say that

"when the workshop chair allowed an indicative vote on the question of a separately elected mayor",

they voted eight to one in favour.

"Some delegates passed resolutions to the chair but she declined to put them to the vote and when we got to the final plenary, Jim Fitzpatrick refused to put the views of the workshops to the vote on the grounds that they were not in the form of resolutions."

Mr. Hughes: Well, well, well. I do not imagine that Nye Bevan or Herbert Morrison would have been pleased: they would not have been happy people. I knew that there was a danger in taking minutes, and an even greater danger in leaving them on the photocopier. They show that people are not happy.

There is an important point. Political parties in London work the constituencies. The evidence is now clear that all three political parties in London, and their members who have expressed views, are united.

Mr. Raynsford: No, they are not.

Mr. Hughes: By their deeds ye shall know them, by their words ye shall judge them.

Mr. Raynsford: The hon. Gentleman will be hearing about them.

Mr. Hughes: I look forward to hearing about them. There is a strong ground-floor view in local and regional Labour parties, that we should not have the system that the Government propose, and it is shared by a Member of the European Parliament. Even if the Government do not believe that is the overwhelming view, they should at least accept that there may be another argument and that another question could be included. The Government could campaign against it: they could go into battle. The Labour party could be a pluralist party and allow the Tooting, Battersea, Hampstead and Highgate, Greenwich and Dulwich and West Norwood branches to argue their case, and the mass ranks of the Government could argue theirs. Let there be a debate; let there be an argument. Let pluralism survive. At the moment, the Government seem to be practising top-down politics: 10 Downing street knows best; the non-democratic tendency.

I do not mind terribly which decision the voters make, as long as they have a choice. I would happily and warmly endorse the result. We will argue our case, and as democrats we will abide by the result. But please let us have a debate not just in the House. The Government obtained a majority of seats, although they were not supported by a majority of the electorate.

Mr. Raynsford: In London we were.

Mr. Hughes: They got a majority in London by 0.5 per cent., but it is not only London Members who vote on these matters, as we shall see when we have a Division. If the Government relied only on hon. Members from relevant parts of the country, they would often have been in trouble in the past. All hon. Members vote. The Government did not obtain a majority of the popular vote at the last election: they did not get a majority of those who voted, let alone those who did not vote. Let us not artificially distort the result.

The Member of the European Parliament for Central London is Stan Newens, a long-standing and experienced voice of the Labour party. He fully supports the need for a strategic authority, but says:

"I am fully in favour of an elected authority which chooses its own Mayor, but I do not agree with a directly elected Mayor which may well lead to division between the Mayor's office and the majority of Members of the Authority."

His views are significant, because he is elected by more votes than any hon. Member here as Members of the European Parliament represent larger electorates.

Wider and further away from grass roots activists are the submissions of the Southern and Eastern Regional Council of the Trades Union Congress, which makes the same point. It says in its letter:

"We have argued that, for reasons of democracy, accountability and effective government, the Mayor should be the leader of the majority group in the Assembly and therefore, he/she should not be separately elected."

Clause 1 will, in effect, confirm the Government's objective of a separately elected mayor and a separately elected assembly. We shall debate later what should be on the ballot paper. Before the Government steamroller their view through, they should take account of the views of non-political organisations, such as the London Voluntary Service Council, and of their political friends and allies.

If we want the Greater London authority to have authority, and if we want the form of London government that most Londoners want, we should listen to the submissions from both sides. I accept that the Minister will cite submissions that put another view from those that I have cited, but we should allow both cases to be put. I hope that either the House will vote to delete the clause so that it can be rewritten or, if Labour Members are not brave enough to do that, they will abstain.

Mr. Keith Hill (Streatham): I do not want to do that.

Mr. Hughes: The hon. Gentleman cannot abstain, because he is a Parliamentary Private Secretary, so he is tied by the apron strings. As his electorate know, he is unable to do anything without losing office. Other Labour Members—I call them Labour friends and colleagues—have democratic roots. I hope that they will be really brave and that if they do not vote that the clause should not stand part they will at least sit on their backsides and abstain. That way the Government and the House will

realise that the Bill before us has not yet got the question and the proposal right for the Londonwide government that we all want and hope will happen soon.

Mr. Wilkinson: I shall try to be brief, but since the House of Commons has had to face the constitutional monstrosity of a pre-legislative referendum Bill of this type and since clause 1 is at the heart of that proposed legislation, I urge hon. Members to think carefully about whether, because of Labour Members' mute behaviour, we may have no Report stage and no chance to reconsider what is at the heart of this legislation—as I have said many times, the House of Commons is being asked to approve the biggest municipal blank cheque in history.

As the Minister confirmed, the electors of London will have only six weeks in which to consider the final draft proposals—the White Paper. They will not have a debate on the Bill before they are called to vote in the referendum on 7 May. At best, they will have about six weeks, which will anyway be taken up with campaigns for the borough elections, which will consume most of the attention and the energies of the party activists—those are the elections which are of primary interest to the people of London.

That we should be laying down a format for a referendum before we have seen the White Paper or even debated it, and before we know the contents of the Bill, is wholly inappropriate. We do not know the voting system. We do not know whether it will be first past the post, although I think we can confidently say that it is excluded because the Government are hellbent on adopting alien and strange electoral systems that our electors comprehend very little. We do not know what the constituency basis will be, but we are pretty certain that it will not be a borough basis. That was made absolutely plain by our last debate on the subject. It will probably be a regional or Euro-constituency basis and there may even be Londonwide lists.

Our electors will have little control over the candidates that emerge from the top of those lists with a chance of election. Our electors will have no idea about the tax-raising powers. Some generalised outlines will probably be vouchsafed in the White Paper, but, without adequate scrutiny in this place and the chance of a proper debate on the legislation to enact those revenue-raising powers, the people of London will have no chance properly to make up their minds. I am sure that they will do it on the basis of folk memory—quite rightly so. Their folk memory is that the Greater London council arrogated to itself more and more powers and responsibilities and an increasingly large burden fell on the ratepayers of London as a consequence. Fortunately, I am certain that that is the precedent that they will recall—once bitten, twice shy. Nevertheless, they should have more than six weeks of rushed consideration in the middle of a borough election campaign to consider the implications of the funding of this Greater London authority before they are called on to cast their vote on it in a referendum.

I doubt whether the electors will have any chance significantly to assess the system for the selection of the mayoral candidates. Will they be selected by Londonwide primaries or by party caucuses? Will particularly charismatic or rich individuals be in prime place? How will the funding be organised? Will they be able to bankroll their own campaigns? How will the television time be allocated? All those questions are germane. Will there be cash limits for the parties if there are party labels on the candidates, as we presume?

All those things needed to be spelled out in greater detail in the debate on clause 1. They should have been challenged, candidly, and examined more critically by Labour Members. We heard why they were not from the hon. Member for Brent, East (Mr. Livingstone), who has more experience of Londonwide government than probably any other Labour Member. He is subject to the gagging order, although he does not take any notice of it. He is subject to the order relating to voting to which I referred late in the debate last Wednesday and that order has significant implications for the independence of hon. Members.

To be candid, this is a disreputable legislative exercise to which Labour Members are knowingly party. They are doing Londoners as a whole the greatest disservice. Before such a monumental change in the governance of London is instituted, before giving legislative powers to put such a referendum in place, we should know exactly what Londoners will be likely to have to vote for. Furthermore, they are entitled to two questions because they are a discriminating electorate. They may want the mayor and not the assembly, or vice versa. This is a virtually fraudulent exercise in so-called constitutional democracy and it has been exposed as such. It needs to be further exposed in debate on Report and, if we cannot do so, I hope that down the corridor their lordships can.

5.45 pm

Mr. Peter Brooke (Cities of London and Westminster): I shall be brief. The chronology which we are pursuing in these affairs relating to London is a debate last June, consultation which ended on 24 October, the referendum Bill which we are discussing, the White Paper which the Minister promised us for the week of 23 March, the referendum itself in May and, if the vote is in the affirmative, the Greater London Authority Bill thereafter and the elections in 2000. That chronology makes matters difficult for the Opposition and for Londoners, but it also makes matters a little difficult for the Government.

In our debate on 19 November, the hon. Member for Brent, East (Mr. Livingstone) dissected the Second Reading speeches on the referendum questions in support of the Minister by Back Benchers. In particular, he examined their speeches on behalf of the principle of the Bill. I think that I could neutrally claim that he did not think much of them. No Labour Member other than the hon. Member for Brent, East spoke when we discussed the referendum questions last Wednesday night, so we, let alone the hon. Gentleman, are in no position to dissect them. Perhaps, given their performance on Second Reading, they were prudent to maintain their silence.

The Minister was a little cheeky, given their silence, to argue that my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) was using selective quotations, since by definition he was unable to quote them at all. Consequently, we are left only with the Minister as the voice for why the combined Greater London authority proposal is the right solution. Last Wednesday, he said:

> "We shall make sure that the package that we put to Londoners is one that works".—[*Official Report*, 19 November 1997; Vol. 301, c. 416.]

Given the immense leap in the dark that we are making, I admired his confidence, but it is reasonable for us to ask him to be a little more forthcoming on why he has that confidence. His principal rationale to date has been the

[Mr. Peter Brooke]

manifesto and the election result, but no manifesto and no election result can by themselves protect a Government—and thus Londoners—from folly. His justification that the Government are carrying out their manifesto pledges is itself not proof against the Government deciding, as they follow the curious reverse chronology that I outlined, that they made a mistake and were wrong in their original thinking.

The Minister owes the Committee a rather fuller account of why the Government have such particular confidence that this formulation is the right one.

Mr. Raynsford: This has been a curious exercise in fantasy politics. Opposition Members have devoted the major part of their speeches to fantasising about what the Labour party might believe. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) spent most of his speech speculating on the Labour party's views. The right hon. Member for Sutton Coldfield (Sir N. Fowler) spent some time in textual analysis and speculation about what might have happened at meetings of the London Labour party. All that leads me to the view that perhaps it is expected that other Conservative Members will not resist the temptation to cross to this side of the Chamber to find out more about how the Labour party organises its affairs. I assure them that, when they come, they will receive a warm welcome and be given a full explanation on how we operate.

The right hon. Member for Sutton Coldfield also has a certain fantasy about the press. Concerned that in its editorial, the *Evening Standard* had given the Government full support for our proposals and the question that we intend to put to the people of London in a referendum, he had to have recourse to a news article today under the headline "Blair faces revolt over London mayor". Unfortunately, he mentioned that immediately after his amendment had been put to the vote and defeated by a majority of 187, with no Labour Members voting against. So much for the revolt that he expects. I assure him that there is no revolt.

The hon. Member for Southwark, North and Bermondsey, in an interesting speech, managed to dredge through a large number of submissions in response to the consultation—some 1,200—and I congratulate him and his researchers on their great industry. He managed to find a handful expressing a degree of difference from the Government's point of view. I put it to him in the most charitable way that, if one involves oneself in a consultation exercise and asks 61 questions, as the Government have, giving people an opportunity to comment on all those questions, it is hardly surprising if some come back with a view that differs from that of the Government. We welcome that and expect differences of opinion. That is what consultation is about. I do not find it in the least strange.

Mr. Simon Hughes: I welcome the Minister's pluralistic attitude. In a spirit of pluralism, will he give an undertaking to the Committee that, for all the remaining votes on the Bill, there will be no sanctions against any Labour Member who votes against his or her Front Benchers? Will he confirm that the majority of Labour submissions were against a directly elected mayor?

Mr. Raynsford: I assure the hon. Gentleman that disciplinary matters are the responsibility of the Whip, but there is no question of taking measures against any Labour Members, because they are solid in support of the Government's view. If the hon. Gentleman consults *Hansard*, he will see that, with the exception of my hon. Friend the Member for Brent, East (Mr. Livingstone), Labour Members voted solidly with the Government in Committee last week and all Labour Members supported the Government on Second Reading. That is a measure of the support for the Government from Labour Back Benchers.

Mr. Hughes: I would not dare say who it was, but I can tell the Minister, and the Committee for its amusement, and for the sake of truth, that at least one Labour Member, having voted in the Government Lobby, asked me what they had just voted for and said, "Oh, my God, I haven't voted for that, have I?"

Mr. Raynsford: The hon. Gentleman should try a little harder. I regard that comment in the same way as I regard his earlier claim that the Labour party did not have the support of the majority of Londoners in the election. We secured a majority of electors in London at the last election and the hon. Gentleman was wrong to imply that we did not have that support.

Sir Norman Fowler: Does the Minister remember the searing attack made on him by the hon. Member for Brent, East (Mr. Livingstone), who said specifically that the only reason he would not vote against the Government that night was that, if he did so, he was likely to be debarred from further candidature for the Labour party. Is that wrong?

Mr. Raynsford: My hon. Friend the Member for Brent, East remains an active member of the Labour party, unlike the hon. Member for Leominster (Mr. Temple-Morris), whose existence in the Conservative party appears to have been terminated by the leader of his party. We shall take no lessons from the Conservative party on the exercise of proper disciplinary procedures.

The hon. Member for Southwark, North and Bermondsey had difficulty finding evidence to support his case.

Mr. Lansley: Will the Minister give way?

Mr. Raynsford: No, I shall not give way for the moment. I am dealing with the hon. Member for Southwark, North and Bermondsey, who managed to find 10 submissions among the 1,867 from Labour party wards in London that expressed a different view from that of the Government. Ten out of 1,867 does not strike me as a problem. It may be significant in the hon. Gentleman's terms, but it is a small percentage. In Committee last week, we were discussing percentages of 0.01. That is the order of magnitude that we are discussing.

Mr. Simon Hughes: I have not added up the number of Labour party wards, but I am happy to take the Minister's word. I put the same question to him: does he deny that, of those who submitted responses, a majority opposed the Government?

Mr. Raynsford: The considerable majority of people who responded to the consultation supported the Government's proposals. I shall return to the issue of Labour branches in a moment.

I want to deal specifically with two allegations by the hon. Member for Southwark, North and Bermondsey about responses from my constituency Labour party in Greenwich and from the Belsize and Adelaide branch in the constituency of the Minister for Transport in London, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson). The impression that the hon. Gentleman gave was not accurate. The hon. Gentleman gave the impression that the Greenwich Labour party did not support the Government's proposals. That is wrong. The Greenwich Labour party made it clear that it did support the proposals. It made a series of detailed comments on matters to do with equal opportunities, the length of term of a mayor, the financial arrangements for the authority, the authority's remit, its role in relation to strategic open space in London and the number of assembly members. They were all detailed and useful comments. It was a consultation exercise.

I have just referred to the paper that the hon. Member for Southwark, North and Bermondsey has before him. He will confirm that it does not support his case for two questions in a referendum. Indeed, it makes no reference to that.

The Belsize and Adelaide branch of the Hampstead and Highgate Labour party made it clear in its response that it did not wish to go back on a manifesto pledge. The hon. Gentleman should congratulate it on rightly attaching much importance to supporting manifesto pledges. He was extremely selective in his quotations. I remind him that the one notable omission from his quotations was the view of the borough that he represents. Let me quote from the response of the London borough of Southwark, as the hon. Gentleman clearly wishes to heed the views of local communities. It says:

"The proposals for an elected Mayor for London and an elected assembly are supported."

That is the view of the hon. Gentleman's authority and it would be good if he would fall in line with it.

The Bill is not about providing for an expensive legislative opinion poll on a multitude of different questions. It is not about recklessly offering a range of alternatives in the clear knowledge that some of them would be completely unworkable. It is about letting the people of London have their say on whether they agree with what the Government propose. Our proposal is new—a directly elected mayor working with an elected assembly is a new concept. It will be exciting and innovative. Inevitably, there are constitutional conservatives from all parties who seek to argue against it, claiming that it is too radical or not how things used to be in the past. That is always the case when one tries to institute change, but I hope that, between now and next May, when the referendum is held, we can win many of those people over and convince them to vote yes on our proposal. I am sure that, when they see our final proposals in March, they will change their minds.

Some—perhaps the type frightened by change or with an interest in the status quo—may continue to oppose, but it is absolutely clear that they do not speak for London. In a recent opinion poll, 82 per cent. of Londoners supported our plans and the business community gave them overwhelming support. Last week, the London chamber of commerce published findings showing that our proposals have the support of 86 per cent. of the capital's business leaders. Our proposals are right and they are popular, and the Government are proceeding with plans to put them into effect.

We are unconvinced by arguments for more than one question. The Government think that the referendum should present a clear, single, comprehensible proposition to the people of London. The referendum should be capable of delivering an unambiguous mandate. Despite the time that was available to proponents of multiple questions, additional questions that have so far been proposed have been numerous and contradictory. There has been no single, agreed second question that would allow people to represent their views and be satisfied that they would know the outcome of their vote. No one has been able to produce that. None of the proposals that have been advanced so far would provide a clear mandate, and all of them reflect nothing more than the political priorities of those who concocted them.

6 pm

A single question on a well-thought-out package is the only fair and honest option. Everyone's vote will count in exactly the way that people intend it to count. Voters will be able to study detailed proposals in the White Paper, make a considered judgment about the whole package on offer and cast their vote. They will know exactly what they are voting for and what they will get. If they do not like it, they can vote no. That is the Government's proposition. It is correct and fair and I urge the Committee to support the clause.

Question put, That the clause stand part of the Bill:—

The Committee divided: Ayes 291, Noes 154.

Division No. 93] **[6 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John

Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
Macdonald, Calum
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Wise, Audrey
Wood, Mike
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Greg Pope.

NOES

Ainsworth, Peter *(E Surrey)*
Arness, David
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Ballard, Mrs Jackie
Beith, Rt Hon A J
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Cormack, Sir Patrick
Cotter, Brian
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*

Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and
Mr. James Cran.

Question accordingly agreed to.

Clause 1 ordered to stand part of the Bill.

Schedule

FORM OF BALLOT PAPER

Question proposed, That the schedule be the schedule to the Bill.

Mr. Simon Hughes: This is the last chance that the Committee will have to sort out what is on the ballot paper. We have had a debate in which the case has been put that there is an overwhelming view in favour of alternatives being generally available. The Government keep on resisting. They will be in more trouble when the Bill goes to the other place, but we now have a final opportunity to consider the ballot paper.

As colleagues will be aware, we tried the other day to put to the Committee various alternatives. The Minister argued that, as yet, there was no commonly agreed formulation, other than the Government's. That is a bit rich in one respect: no one else agrees with the Government's formulation. Therefore, although civil servants and high-powered draftspeople have pored all over it, basically, the question in the schedule is the same as the proposal in the manifesto:

"Are you in favour of the government's proposals for a Greater London Authority, made up of an elected mayor and a separately elected assembly?"

6.15 pm

The question does indeed have the merit of simplicity: all the issues of London and the future of London are to be determined through one question. The Scots had two questions. They managed perfectly well. They managed to produce a majority for Government policy even on both questions, so the Government cannot complain.

The Government won an overwhelming majority for the question about which there had been much prior agreement; my Scottish colleagues will bear testimony to the fact that the efforts to reach an agreement resulted in so much unanimity. The great benefit—I pay tribute to my hon. Friend—or hon. and learned Friend as he is now—the Member for Orkney and Shetland (Mr. Wallace)—is that, as a result, what was approved will be much more secure.

We are trying to achieve for London a secure form of regional government. We do not want a "here today, gone tomorrow" form of regional government, so we want a question, or set of questions, that commands general agreement. We want to learn from the Scottish experience.

The Welsh experience teaches us that we need such general agreement. In Wales, there was no attempt at an agreement and there were differences of opinion. There was no convention and, as we know, the result was that the proposal—a single question—sneaked through. We could learn some lessons from the fact that, in Scotland, where there were two questions, there was much greater support than in Wales.

In the previous debate, the Minister implied that there could be no agreement between anyone else about what the alternative should be. I have told him that he must not count his chickens. We all started by tabling amendments that we believed were good starting points. Liberal Democrats tabled their amendments, and the right hon. Member for Sutton Coldfield (Sir N. Fowler), who leads for the Conservative party, tabled an amendment that reflected the respectable and reasonable views of the Conservative party about what the way forward should be.

I have said to the Minister—it is not a secret—that Liberal Democrats are entirely willing to seek to reach an agreement about the form of two questions, and I believe that we will do so. If we do and there can be a widely supported pair of questions, the Minister will not be able to argue that that would be a less democratic and less acceptable alternative. That is why we want the schedule to be deleted for now—so that, on Report, we can return to what the questions are. It means that we will finish the Committee today, I hope not too late. We can then go on to Report, at the earliest, on Wednesday.

I remind the Committee that I had to raise a point of order earlier because the Government seemed to think that Report stages had been now done away with in this age of new Labour Governments. The Leader of the House did not provide for one in her statement on Thursday and, had I not raised it, I am not sure—unless some other colleague had raised it—whether there would have been provision for Report on Wednesday. This is a Committee on the Floor of the House, but the principle applies.

[Mr. Simon Hughes]

The hon. Member for Croydon, South (Mr. Ottaway) was diligent enough—perhaps remembering something at the back of his mind—to leave the Committee during the previous debate to check the figures about democratic mandates and democratic authority.

The Minister was gleeful in his misinterpretation of what I said. In the clause 1 stand part debate, I said that the Government did not have majority support among the British electorate. In fact, they do not have majority support among the London electorate either. I pay tribute to the hon. Member for Croydon, South, who went to collect the Library research note detailing the results and analysis of the general election. Page 8 shows the share of the vote cast for major parties by standard region—Conservatives 31.2 per cent; Labour 49.5 per cent. I knew that it was close. I was almost deceived by the Minister's suggestion that it was close on the Government's side of the argument, but it was not.

Of course, the Government get the majority of seats in the House because of our silly electoral system, but they do not have majority support among voters in the country, despite the fact that they think that they have a divine right—well, no, I do not really think that they think that. I was getting carried away with the argument, and I withdraw that remark. However, there is a danger that some people think that the Government have huge public support because of opinion poll ratings. In fact, they had the support of fewer than half the electors who voted throughout Britain and fewer than half the electors who voted in London. It would be even less than that as a percentage of the total electorate, given the number of people who did not vote.

I hope that the Government will, possibly uncharacteristically, be modest about the mandate with which they come to the Committee. I hope that they will accept our argument that we could do better in relation to the referendum and better than the question on the ballot paper.

I read out—I could see that it was to the delight of Labour Members—the submissions from Labour party members, branches, constituencies, regions and Members of the European Parliament, whose overwhelming view was not contradicted. I did not hear the Labour party rebutting that and saying what a wonderful set of proposals these were.

While we were voting, I chatted to my assistants, who were diligent workers in Marsham street library on Friday afternoon. I asked them whether what the Minister had said about the overwhelming response being supportive of the Government's proposals was right. I concede that I have not looked at the responses, but three people went on my behalf to do so on Friday afternoon. They were keen to be there first when that library door was opened. In fact, they were the only people there and had the place to themselves. They told me that those submissions did not reveal overwhelming support for the Government's proposals; they revealed a number of different views, as I would have expected. This is the first proposal; it is the consultation.

By Wednesday, when we come to Report, we may get further revelations about what is in the box now that we have found the key and been able to open it. All that I know is that I could—but I am considerate by nature—delight the House by regaling the Minister and his colleagues with the views of Labour party members not only on whether there should be a directly elected mayor, but on what the ballot paper should say. Almost without exception, all the Labour party submissions from which I quoted in my speech on clause 1 stand part—I have them all with me—argue for more than one question. They argue that because they believe that the electors should decide.

I pay tribute to members of the Labour party, the Conservative party and my party for saying, "Look, we will have a different party position on this and come to different views after our party deliberations, but there is a variety of views in London."

I ask hon. Members to give us an opportunity to look again at the wording on the ballot paper; to look, above all, at the proposal that there should be only one question; and to look at what hon. Members from both sides, including the right hon. Member for Cities of London and Westminster (Mr. Brooke), believe is the key question—whether to go for the constitutional innovation of a directly elected mayor. I am not saying that it should not happen; I am not saying that it is nonsense, but it is a constitutional innovation. For heavens sake, let Londoners vote on whether they want it, and the only way to do that is to allow more than one question.

I hope that we shall vote to remove the question currently proposed, to delete the schedule and to allow us to reach agreement on two questions that will enable Londoners—not this place, certainly not the Government—to decide.

Sir Norman Fowler: I shall be brief. I agree with the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) that the schedule is unsatisfactory. We have debated the general point, but received only unsatisfactory replies. There are two separate questions on two issues. The proposed question rolls those two issues into one. It asks the public whether they are in favour of an elected mayor and a separately elected assembly. That cannot be satisfactory and no one other than Ministers thinks that it is. Nothing could be easier than to divide the question into two to cover an elected mayor and an elected assembly.

The hon. Member for Southwark, North and Bermondsey slightly misjudges the Government's position. The Government will not agree to any amendment that is tabled. Whether we can or cannot agree on an amendment is not what the Government are about—they intend to stick absolutely to the formula in the Bill. It would be better if the Minister were entirely frank about that and did not try to base his defence on some technical argument that it is not good in this or that respect. We all know, and he knows above all, that there is no amendment that he, with Labour's majority, will accept.

Sir Sydney Chapman (Chipping Barnet): I raised this point during Second Reading and everything that I have heard in Committee so far has not answered it. Does my right hon. Friend agree that the question, as posed in the schedule, is ambiguous? The way that it is written is that if there is a yes vote, there will be a separately elected assembly and an elected mayor. There is nothing to stop the assembly voting for the mayor, which is what I understand the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) wants, but we do not want. If the Government are to be unambiguous beyond doubt, they must change the form of the question on the ballot paper by inserting, "a directly elected mayor and a directly elected assembly."

Sir Norman Fowler: As I said on Second Reading, my hon. Friend makes a strong point. If it is to be one

question and if it is to be utterly and absolutely clear, it must say, "a directly elected mayor and a directly elected assembly." There is no doubt about that.

The Minister will deceive the House if he suggests that there is some form of words that can be invented, agreed and proposed that will satisfy him. He knows as well as I do that he just wants one question. That is why it has been devised and why this schedule is so deeply unsatisfactory. We will vote against it.

Mr. Brooke: We are again debating the single question. During the last Parliament, I participated in many debates with the two Ministers on the Treasury Bench. They have heard me say a lot of things and, I hasten to say, I have heard them say a lot of things. In consequence, I cannot remember whether they have heard me tell the story of another single question, when Professor Joad, as he then was not, sat the scholarship at Oxford and was asked to write for three hours on the question, "Can a good man be happy on the rack?", to which Professor Joad, as he then was not, wrote for a minute and a half the single sentence, "If he were a very good man and it were a very bad rack, yes; if not, no." The referendum question—when we come to the referendum, next May, as it is most likely we shall—is more readily answerable in a minute and a half.

In the debate on clause 1 stand part, I asked the Minister another single question: why he was so confident that the Government were right in their single formulation? Although I acknowledge that he may be a very good man, that also remains a very good rack. And answer came there none on that occasion. The debate on the schedule affords him a chance to redeem his earlier silence—now that he has had the opportunity to think about it—and he will still be within Joad's three hours. If the answer is too difficult or will take him more than three hours to answer, I shall ask him a simpler question: why is it that—as I mentioned in the debate on Second Reading—clause 1 mentions

"a Greater London Authority made up of an elected assembly and a separately elected mayor"

whereas, curiously, the schedule asks

"Are you in favour of the government's proposals for a Greater London Assembly, made up of an elected mayor and a separately elected assembly?"?

There must be some reason why that curious rearrangement has occurred. I, personally, should be happy to hear it.

6.30 pm

Mr. Raynsford: We are debating the single schedule to the Bill, which proposes the form of the question to be voted on in the referendum. It asks Londoners whether they are

"in favour of the government's proposals for a Greater London Authority, made up of an elected mayor and a separately elected assembly"—

yes or no?

The hon. Member for Chipping Barnet (Sir S. Chapman) questioned why the Government did not include the phrase "a directly elected mayor". As I said, at least six weeks before the date of the referendum we will publish a White Paper spelling out in detail the electoral arrangements. All Londoners will have an opportunity to study the White Paper, which we will ensure is made available widely. We will ensure also that summary copies are distributed to every London household, so that Londoners have the information on which they can form a judgment. They will be able to consider the proposed electoral arrangements and reach their view on whether to vote in favour of them.

Mr. Simon Hughes: The Minister has answered a question, but not the question asked by the hon. Member for Chipping Barnet (Sir S. Chapman). Simply put, what is the objection to adding—if not in our Committee, in a Committee in the other place—the two words "directly elected"? What is the draftsman's objection to adding those two words?

Mr. Raynsford: The objection is that they are unnecessary. The electoral system will be clearly explained in the White Paper. The question refers to "an elected mayor" and "a separately elected assembly" to make it quite clear that there will be separate elections for the mayor and the assembly.

The right hon. Member for Cities of London and Westminster (Mr. Brooke) raised the interesting image of a good man on the rack. He will recall that Conservative Members recently elected a leader—although I will leave it to the right hon. Gentleman to judge whether he is a good man or whether he is on the rack—but that, subsequently, the Conservative party felt that the wider endorsement of the party membership was required. As I recall it, the mechanism that was proposed was a dual question, merged into one: "Are you in favour of the new Leader of the Opposition, and are you in favour of all that he is doing?"

I am sure that Conservative Members, having experienced that single question, will now tell the House that such questions are wrong, and that there should have been two separate questions so that Conservative party members could have voted separately on the separate propositions. Their case against a single question is pretty unconvincing, because their own practice does not support the case that they have been arguing.

The Government believe that more than one question is not appropriate, and that one question is right. The right hon. Member for Cities of London and Westminster rightly asked me to give reasons for our belief, and I propose to do so.

Fundamentally, there are four reasons. The first is that we spelled out our proposals in the Green Paper, and we invited comments on 61 separate questions. Despite the doubts expressed by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes)—I urge his researchers to do a little more thorough digging—the responses to those questions show strong support for the proposal for a separately elected mayor and assembly. It is quite clear that there is such support, and we believe that we are working with the grain of public opinion, as demonstrated by opinion polls.

The second point is that—as I have said repeatedly, including in the debate on clause 1 stand part—there is no simple second question. There are five possible permutations on the question whether to have a mayor and an assembly: first, to have a mayor and an assembly, each separately elected; secondly, to have a mayor alone, with no assembly; thirdly, to have an assembly alone, with no mayor; fourthly, to have a mayor with an assembly comprised of borough leaders—which is the Opposition's

[Mr. Raynsford]

preferred formulation; and fifthly, to have a mayor elected out of an assembly. The permutations raise five separate issues, and no single formulation has yet been produced to satisfy all of them.

I ask hon. Members to bear in mind the interesting progress of the hon. Member for Southwark, North and Bermondsey on the issue over the course of this Committee stage. He started by making his own proposal on a two-question referendum—which, as was demonstrated in last Wednesday's debate, has serious flaws. His proposal simply reflected the Liberal Democrats' view that the mayor should be elected from within the assembly—which was totally unacceptable to the Conservative party.

Recognising Conservative Members' opposition and attempting to gain their support for his proposition, the hon. Member for Southwark, North and Bermondsey expressed sympathy for the Conservatives' formulation of two questions, despite the fact that the Conservative party's proposals would open the door to an outcome—a mayor without an assembly—that the Liberal Democrats totally oppose and which virtually everyone who has examined the issue realises is completely unrealistic.

Subsequently, the hon. Member for Southwark, North and Bermondsey made what he called a "blind offer" to support whichever two options arose as favourites in the consultation, without even knowing what those options might be. His researchers have been diligently looking through the consultation responses, so perhaps we will soon hear what those options are, although we have not heard them yet.

The hon. Member for Southwark, North and Bermondsey finally offered to go and think about another possible question and agree the wording with the official Opposition. Significantly, no agreed wording has yet appeared, although it may. After all this time and consideration, however, Opposition Members' inability to come up with one simple alternative second question speaks volumes for the practicalities involved.

Sir Norman Fowler: Will the Minister confirm that, whichever two questions might be proposed, the Government would oppose them and insist on one question?

Mr. Raynsford: No, I will not. I have made it quite clear that we are proceeding in an appropriate and considered manner, examining the options in the light of our manifesto, of responses to the consultation and of the enormous practical difficulties that those who argue for second questions are having in devising an agreed formula. As I said, there is no agreed simple second question. If the right hon. Gentleman can propose such a question, I shall happily give way to him so that he can tell us what it is.

Sir Norman Fowler: Willingly or not, the hon. Gentleman is making an important statement. He is saying that, in principle, he is prepared to accept two questions. That is my understanding of what he has just said.

Mr. Raynsford: I noted that the right hon. Gentleman declined entirely to offer an alternative second question, thus proving my point. The Government are pragmatic and not dogmatic about the matter. We said that we believe that a single question is correct and proper, but we consulted and listened to people's views. We have received 1,200 responses to our consultation, some of which have dealt with the issues, although others have not. We have also talked at endless meetings. I have spoken to very large numbers of people, and I have been entirely unconvinced of the merits of a second question. That is the position.

Mr. Hughes: The Minister made a very clear statement, for which the right hon. Member for Sutton Coldfield (Sir N. Fowler) and I am grateful. We will go away, do our bit and be constructive about it. I give the Minister an undertaking that, with the support of Labour Members if possible, we will devise a two-question option that will be ready in time for deliberations in the other place, if not in time for the Report stage—which we may not have, for reasons that the Minister knows as well as I do.

Mr. Raynsford: The hon. Gentleman made the same proposal last week, but, in the five days since then, nothing has been forthcoming. I do not blame him for that—he probably has other things to do—but if the matter was such an overriding priority, I do not doubt that a form of words that satisfied the hon. Gentleman could have been included in an amendment. So far, the evidence is that no formulation has been devised that encapsulates the varied concerns of the people who believe that there might be a second question.

My third point—this is in response to the right hon. Member for Cities of London and Westminster—is that some of the permutations would be unworkable. In my view, it would be improper for a Government to put forward a proposition that they believed to be unworkable—that would be constitutional nonsense.

Fourthly, we are trying to present to the people of London, in line with our manifesto commitment, a clear proposition on which they can make a considered judgment. It is our considered view that the question as spelled out in the schedule does that. I warmly commend the schedule.

Question put, That the schedule be the schedule to the Bill:—

The Committee divided: Ayes 297, Noes 157.

Division No. 94] **[6.40 pm**

AYES

Abbott, Ms Diane	Barron, Kevin
Adams, Mrs Irene *(Paisley N)*	Bayley, Hugh
Ainger, Nick	Beard, Nigel
Ainsworth, Robert *(Cov'try NE)*	Beckett, Rt Hon Mrs Margaret
Alexander, Douglas	Begg, Miss Anne
Allen, Graham	Bell, Martin *(Tatton)*
Anderson, Donald *(Swansea E)*	Benn, Rt Hon Tony
Anderson, Janet *(Rossendale)*	Bennett, Andrew F
Armstrong, Ms Hilary	Benton, Joe
Ashton, Joe	Bermingham, Gerald
Atkins, Charlotte	Best, Harold
Austin, John	Boateng, Paul
Banks, Tony	Bradley, Keith *(Withington)*
Barnes, Harry	Bradley, Peter *(The Wrekin)*

Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fatchett, Derek
Fitzsimons, Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Shef'ld Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Rt Hon John D *(Strangford)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Wise, Audrey
Wood, Mike
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Greg Pope and
Mr. Clive Betts.

NOES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Ballard, Mrs Jackie
Beith, Rt Hon A J
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul

Butterfill, John
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Adrian Sanders and
Mr. Donald Gorrie.

Question accordingly agreed to.
Schedule agreed to.

Clause 2

ENTITLEMENT TO VOTE

Mr. Ottaway: I beg to move amendment No. 20, in clause 2, page 1, line 20, after 'borough', insert

'and in the district councils of Broxbourne, Elmbridge, Epping Forest, Epsom and Ewell, Hertsmere, Reigate and Banstead and Spelthorne.'.

This is a probing amendment, dealing with an anomaly arising from the geographical coverage of the Metropolitan police, which comprises two distinct areas. The first is London, which has just over 7 million residents. Then there is the area outside London, with approximately 500,000 residents, which includes parts of Essex, Hertfordshire and Surrey, but not Kent or Buckinghamshire.

The origins of that situation are historical. There has been no serious complaint about it because the administration of the Metropolitan police is non-political. However, for the first time since 1829, the Metropolitan police area is to be brought under political control. The Green Paper says that it will be controlled by

"a police authority with a majority of elected representatives."

It will be more appropriate to consider the merits of that when we come to debate the substantive Bill next year.

The new police committee will be dominated by London members—at least half will be London assemblymen—whose thinking will be inappropriate in all respects for the home counties. It is important to remember that the parts of Essex, Hertfordshire and Surrey concerned are not suburbs but rural areas, which require a special type of policing that is not necessarily the strong point of an inner-city assemblyman.

Some of the people who will be affected by the proposals are not eligible to vote in the referendum. The Government are introducing a change that will be London dominated. Those who will dominate will be consulted in the referendum but those in the home counties will not. That is undemocratic and unconstitutional, raising doubts about the effectiveness of crime fighting in the home counties. We cannot put up with a new method of policing being imposed, changing a system that has existed for more than 160 years, without giving the people affected a say through the ballot box.

There is another flaw. I should like to put this in as a late bid in the consultation process. I am aware of the Government's proposals and I expect the Minister to reply that he has consulted the districts and there will be one representative from those areas on the new police committee. However, in the debate the Friday before last on the policing of London, the Home Secretary said—I hope that the Minister is listening to this, because it is an important point—that there would be a police committee of 25. The Green Paper says that it will be a committee of 21. I presume that the Home Secretary has the last word, so let us assume that there will be a committee of 25. One representative in 25 to speak for more than 500,000 people is not enough.

The representation of Scotland and Wales in this House has established the principle of minorities being over-represented. The number of people living outside the Greater London authority area is 6.6 per cent. of the number living inside. To save hon. Members getting out their calculators, I can tell them that that should equate to 1.65 members on the police committee.

I put it to the Minister that there should be at least two representatives from those areas on the police committee. I suggest that one of those should represent the larger area, which is in Surrey, and that the other one should represent the districts in Essex and Hertfordshire. That would be fair and democratic. I realise that if the Minister accepted the idea, he would be conceding that there was someone fighting for his or her own patch, which he has not been too happy about before. I have tabled the amendment in a constructive spirit, however, and I hope that the Minister will consider the points raised seriously.

7 pm

Mr. David Wilshire (Spelthorne): As Spelthorne is mentioned in the amendment, I feel that it is necessary to explain the local point of view. I am glad, for reasons that will become clear in a moment, that my hon. Friend the Member for Croydon, South (Mr. Ottaway) said that his was a probing amendment.

On this issue at least, I am more than happy to take the Government at their word. They have explained that they want to give local people a direct say in the affairs of the Metropolitan police; I accept that assurance in good faith. The Government say that they believe that it is right to hold a referendum of those who will be affected by the proposed changes; I cannot disagree with that. I do not object to either of those two expressed aims. The Bill as it stands, however, will not achieve either of those aims for my constituents. Almost all my constituents—I shall come back to the remainder later—are policed by the Metropolitan police, yet they will not be consulted about whether they want a police authority.

The amendment offers one solution to the problem. There must, indeed, be a solution and I urge the Government to find it. As my hon. Friend's amendment is a probing amendment, I am happy to support it, but it offers a solution which will not appeal to my constituents. If there is one thing that unites the overwhelming majority of my constituents, whoever they vote for, it is that they want nothing to do with London. The past 40 years have been spent fighting to stay out of the wretched place. When Middlesex was absorbed, we were the bit that managed to persuade the Government of the day to leave us out. Every time anything is suggested that somehow or other involves us with London, we smell a rat. Whoever the Member of Parliament for Spelthorne is, he or she will be here objecting.

We have every reason to be suspicious of the Bill and of the solution being proposed in the amendment. My hon. Friend the Member for Croydon, South said that the amendment concerned some areas of the home counties and of Surrey. In our minds, we are still Middlesex and not Surrey. If there are to be extra places on the new authority, Middlesex will stake its claim and will not want to be lumped in with Surrey.

On Second Reading, I obtained an assurance from the Minister that he had no intention of tinkering with the Greater London boundaries. I should be grateful if he would say that again tonight, tomorrow and the day after because I have every intention of holding him to that promise permanently. I hope that he does not see it as a convenient way in which to shut me up for a moment. My constituents are implacably opposed to the alteration of the boundaries as a way in which to solve the anomaly.

I believe that there are only two possible ways forward. We could, as suggested in the amendment, involve my constituents in the referendum so that we could be consulted in accordance with the Government's aims. I suspect, however, that even if the Government were minded to agree to that, they would be forced to admit that they had to have a separate question because the last thing that my constituents want is to be consulted on anything other than policing. If the Government will not have two questions on the referendum paper, they are unlikely to be prepared to have three, one of which would be a special question for Spelthorne. That solution would not commend itself to the Government.

There are other issues, such as the powers of the authority and its structure, but those are matters best left for the main Bill. I give notice that I shall want to discuss what the authority will do vis-a-vis my constituency, but I shall leave the matter for tonight.

The only other solution that I can see—I am not necessarily commending it to the Minister—is to review the boundaries of the Metropolitan police area. On Second Reading, the Minister made it clear that he had no plans to review the boundaries at the moment. I found that comment both reassuring and disconcerting. When does "at the moment" cease?

There is a precedent. When the local government boundaries were changed in the former Middlesex, Surrey and Berkshire areas, part of a village that I represent—part of the village of Colnbrook—was moved into Slough. The result was that that part of my constituency was moved into the Thames Valley police area, so there is a precedent for looking at the boundaries of the Metropolitan police district.

I ask the Minister to consider that possibility. I am not sure that it would be wholly popular with all my constituents, but it does offer a solution to a genuine problem. We have to find a solution. We cannot have people in London being consulted about the policing of areas outside London when the local people are not to be consulted.

The amendment is a probing one. I hope that it is not pressed to a Division because that would give me some difficulty. I believe, however, that the spirit of the amendment is absolutely right. I urge the Minister to think again and I hope that he will agree to do so. I hope that at some stage, having thought about the matter, he will tell us what his conclusions are.

Dr. Vincent Cable (Twickenham): Like the hon. Member for Spelthorne (Mr. Wilshire), I believe that the amendment raises the right questions but comes up with the wrong answer. The hon. Gentleman probably came up with the right solution, which is that the county areas should be removed from the Metropolitan police district and allowed to join the county police forces with which they have more characteristics in common. That seems an admirably sensible solution. It is clearly not an easy solution because it would involve unscrambling management structures and some major reorganisation within the Metropolitan police. Discussions and negotiations would have to be entered into. The hon. Gentleman's suggestion, however, seems sensible.

I hope that the Minister, in replying, will take into account the fact that there is another boundary anomaly that may have been overlooked. I am referring not to the far-flung suburbs, but to the heart of London. There will be two police authorities, one for the Metropolitan police and the other for the City of London police. That will be

[Dr. Vincent Cable]

a continuing anomaly and I believe that it would make a great deal of sense for the police authority for Greater London to cover the two police forces. There is no justification for having a separate structure for the City of London police.

In broad terms, we welcome the substance of the Government's approach to the creation of an elected police authority, which is a big step forward. We are aware that there are different ways in which to do that. One way, which I believe the Government envisage, is to create a police authority on provincial English lines. That would be very welcome. The other way is the American city model, which is mayor-dominated. I intervened in the debate on the Metropolitan police 10 days ago, and the Home Secretary reassured us that the American model was not envisaged—that the Government envisaged a police authority in which the Greater London authority would be the dominant body and that the mayor would not interfere with operational decisions. That reassurance should go a long way to removing the fears that people may have about the new structure.

Mr. Raynsford: We have had a short and interesting debate about the referendum franchise. I do not accept that the franchise should be extended, as proposed by the hon. Member for Croydon, South (Mr. Ottaway), to residents of districts that lie outside Greater London even though, in certain instances, policing in those areas may be the responsibility of the Metropolitan police.

It is right and proper that London residents should vote on proposals about the way in which London is governed, and the Bill provides for that. Policing is just one of the proposed functions of the Greater London authority. There are others. For example, London's transport will be one of the major responsibilities of the new authority. As the hon. Gentleman knows only too well, the London Underground network goes beyond the Greater London boundary to Amersham, Chesham, Chalfont and other parts of Buckinghamshire, for example. However, the amendment does not seek to allow residents of those areas the right to vote because they might be affected by decisions taken in respect of London's transport. Therefore, the amendment is partial in that it relates to only one function of the Greater London authority and not to its overall responsibility.

I do not agree that the residents of Elmbridge or Reigate and Banstead should influence the way in which the people of London are governed. That seems a curious proposition. What the Government are proposing would not disadvantage the people in the areas to which the amendment refers. Our proposal would bring the Metropolitan police closer in practice to police forces and police authorities elsewhere in the country.

At the moment, residents of Spelthorne, Hertsmere and other areas mentioned in the amendment have no say in the way in which they are policed. The Home Secretary is a police authority and local authorities are not represented on the Metropolitan police committee. The Government propose a democratically elected police authority that will include representatives of London local authorities. We propose in the consultation paper that there should also be representation for the outer London boroughs—I should say the out-of-London boroughs—that are served by the Metropolitan police.

My right hon. Friend the Home Secretary commented on the issue on 14 November during a debate on the policing of London. The hon. Member for Croydon, South referred to his remarks and implied that he had suggested that there would be a police authority of 25 members. That is not the case. I quote from *Hansard*:

> "We propose a police authority of 21 members, and it is proportionate to have one representative from the outer areas . . . We remain open to representations about the exact balance of elected members. However, as we have found in other areas—for example, in the Thames Valley, which combines three counties—there are always pressures to increase the total number of members. That desire must be balanced against the need to create a body that is small enough to work efficiently and effectively."—[*Official Report*, 14 November 1997; Vol. 300, c. 1141.]

That is the Government's position. We have not decided; we have consulted. We have heard the representations that were made in response to the consultation paper and I have heard the speeches this evening. No decisions have yet been taken, but we have to balance the competing claims of areas that may want representation with the need to keep the authority to a businesslike size.

The hon. Member for Croydon, South suggested that there should be one representative from the south and one from the north so that they could each fight for their own patch. However, the hon. Member for Spelthorne (Mr. Wilshire) clearly wanted to have nothing to do with that arrangement. I should also remind the hon. Member for Croydon, South that the north includes parts of Hertsmere, Broxbourne and Epping Forest—three separate authorities. How could each of them fight for their own patch? In the south there are Elmbridge, Epsom and Ewell, and Reigate and Banstead, so any representative would have to cover a number of different areas.

Mr. Wilshire: I thank the Minister for making a magnificent case for having five extra members. Does he not consider that he has just done exactly that?

Mr. Raynsford: The hon. Gentleman cannot have been listening when I quoted my right hon. Friend the Home Secretary on the need to keep the body to a reasonable and businesslike size and not to allow it to be enlarged unreasonably.

As I am sure the hon. Member for Croydon, South is aware, the Metropolitan police operational area does not extend across all the districts that he has identified. That reduces the justification for his proposals and makes them far less practicable. I am sure that even the hon. Gentleman would not wish to suggest that the referendum franchise should be extended to cover people who have no interest whatever in the outcome, but that would be the implication of his proposals. The amendment is impracticable and in many ways undesirable.

The hon. Member for Twickenham (Dr. Cable) referred to the City of London police. I can assure him that because the amendment and clause 2 refer to the right to vote in a referendum, residents in the City will be entitled to vote. Obviously, wider issues about policing in the City are a separate matter and are not within the remit of the clause.

The amendment is ill-conceived and impracticable and I urge the hon. Member for Croydon, South to withdraw it.

Mr. Ottaway: The amendment may be impracticable, but it is not ill-conceived. Although everyone seems to

relish shredding my amateur drafting, an important point has been made. I welcome the speech by my hon. Friend the Member for Spelthorne (Mr. Wilshire), who accepted the spirit of the amendment and agreed with the hon. Member for Twickenham (Dr. Cable), who said that the solution may be to take the police out of the Metropolitan area. I did not realise that that was Liberal Democrat policy, but I was grateful for the hon. Gentleman's contribution.

7.15 pm

The Minister used as an illustration the fact that Chesham and Amersham would be affected by some of the proposals in the Green Paper, but were not being consulted. However, his argument about consultation and influence cuts both ways. As the Minister is aware, there is virtually no underground in south London—all the trains run overground—and local authorities have absolutely no say in the operation of the railways in Greater London.

The Minister missed the fundamental point of the amendment when he said that people in the five districts affected have no say in the way in which they are policed. That is not the point. We are saying that they have no say in the change in the way in which they are policed. The Minister quoted the Home Secretary in the debate a week last Friday. I suspect that the Home Secretary diligently rechecked his notes and corrected his speech in *Hansard*, but if the Minister would care to check the tape, he will find the Home Secretary did say that there would be 25 members of the police authority. I remember it because I was so struck by the difference between the two figures. I would not want to mislead the House, but I accept that the Home Secretary has perhaps changed his mind and the figure is 21.

The Minister also pointed out that if there were two representatives on the body, the boroughs in the north and the south would be fighting for the right to nomination. Under the Government's proposals, the five districts all over London will be fighting for the nomination so at least my amendment would go some way towards resolving the issue.

As I said at the outset, it is a probing amendment and we shall return to the point it raised when the substantive Bill is debated in a year's time. Under the circumstances, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the clause stand part of the Bill.

Mr. Paul Burstow (Sutton and Cheam): I wish to raise an issue concerning access to voting in the referendum that will affect people living in Greater London who wish to participate and cast a vote expressing their opinion about the future government of London. I refer to the many disabled people who live in London, and I have a few questions for the Minister.

My first question concerns the publication of the White Paper. I welcome the fact that a summary will be circulated to every household, but will there be accessible versions of that summary in Braille, large print and audio format to make it available to more people? It is a relatively small step which would send an important signal to disabled people in London that the Government wish to make sure that they have a chance to express their views and understand the case that the Government are making for changes in London's government.

I want to ask a couple of questions about voting. Will people who are unable—as they often are in respect of other elections—to cast their vote in person, due to sickness, disability or holidays, be able to cast a postal vote so that they can express their view on the future government of London?

More important, the referendum gives the Government a golden opportunity to innovate and experiment with the provision of access for blind and partially sighted people. The referendum provides a controlled opportunity to ensure that such people are able to attend a polling station and vote unaided. At the moment, all too often—as was evidenced in the recent general election—blind and partially sighted people who vote in person have to go through the indignity of expressing their voting intention to someone else and having it marked on the ballot paper for them.

It may be of interest to hon. Members that I am promoting a private Member's Bill, the Elections (Visually Impaired Voters) Bill, which is due to have its Second Reading on 13 February. That will be considered too late to have an effect on this Bill. I hope that when the Government have reflected on what I have said, they will take the opportunity in another place to table amendments to allow the law to be changed, so that returning officers can use large print in polling stations to enable people to choose unaided whether to vote yes or no. I hope that the Government will reflect on the possibility of experimenting with Braille templates, given the simple question to which they are passionately committed.

Such measures would ensure that the outcome of the referendum—even if we do not agree with it—is at least inclusive. I hope that the Government will consider wording to ensure that there is no doubt in the minds of returning officers when the process is set up across London. I will be very interested to hear whether Ministers are prepared to take such measures to ensure that London's disabled people can participate fully in the debate.

The Minister for Transport in London (Ms Glenda Jackson): I am delighted that the hon. Member for Sutton and Cheam (Mr. Burstow) has raised an issue which is clearly of particular concern to him and his party. As I am sure he is aware, the issue is also a very high priority for the Government. The Green Paper was made available, as I am sure he is also aware, in eight languages other than English.

The hon. Member raised a point to do with people who are visually impaired. The proposals will be published not only in Braille but in large print, and will be available on cassette. It is our intention to ensure that the summary of the White Paper is available in similar formats.

The hon. Member asked whether postal votes will be available. I reassure him again that, yes, they will. We shall make particular efforts to ensure that everyone is aware of their rights in the referendum.

The hon. Member raised some very interesting points about what he would like to be in the Bill. It is certainly our intention to examine those proposals. It would be worth examining them and putting them in the White

[Ms Glenda Jackson]

Paper. The Government are clear that, when we speak about equality, we genuinely mean it. As I am sure the hon. Gentleman is aware, we have already taken many steps to forward the equality of people with disabilities—whatever they may be. He is right to say that there can be no area more important to people with disabilities than equality in exercising what I would regard as one of their most precious possessions: the franchise.

Clause 2 defines the classes of person entitled to vote in the referendum. They will include those entitled to vote at a local government election in any London borough and those entitled to vote as residents at a ward election in the City of London. It is the usual practice for local elections that the eligibility requirement should be that of residency. We intend to follow that practice in the referendum.

It is a clearly established principle that the entitlement to vote in a referendum is also derived from residency. That principle was reaffirmed in the referendums earlier in the year in Scotland and Wales. We intend that the GLA should be elected by London residents. That was made clear in the Green Paper. It makes sense that people eligible to vote in the election of the GLA should be the ones who decide whether it should be established.

Mr. Simon Hughes: On the issue concerning wards of the City of London, I declare an interest. As a member of a set of chambers in the Temple, I have a vote. All members of chambers in the Inner Temple and the Middle Temple are on the electoral roll of the City—even though, technically, the Temple is not in the City, which is a double nonsense.

I am not trying to be provocative, but I must point out the anomaly. I have always felt embarrassed that such a tradition continues. People who have votes in wards of the City, which include the Temple outside the City, are regarded as electors for all London purposes. I am in favour of the principle enunciated by the Minister that franchise is based on residency. Clearly, votes from the Temple are not residential—although one or two people live there, the votes are generally business votes.

I hope that at some stage—it may not be possible during the passage of this Bill—we get to grips with such an anomaly, since it means that there are two sorts of voter in the same referendum. There are people who vote because they live in London—the Minister for London and Construction, the Minister for Transport in London and I have our homes in London, and that is where we vote—and people who vote simply because they work in London. We clearly need to address that.

Ms Jackson: I am grateful to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) for raising that point. I reassure him that the only criterion that will allow someone to vote in the referendum is that of residency. We have been in very close consultation with the City of London corporation to ensure that the franchise for the referendum is based on fair, uniform entitlements across the City and the 32 boroughs.

The hon. Member for Southwark, North and Bermondsey said that he had a right to vote because he is a member of chambers. It is very clear that the only entitlement to vote in the referendum—both in the wards of the City and across 32 boroughs—is through residency.

Mr. Hughes: I am very grateful to the Minister. She has taken my point. The Government have clearly been seized of it. I am grateful that, in this context at least, the anomaly has been resolved. We shall clearly have to return to the issue in other contexts.

Question put and agreed to.

Clause 2 ordered to stand part of the Bill.

Clause 3

Counting Officers

Mr. Burstow: I beg to move amendment No. 6, in clause 3, page 2, line 19, at end insert

'but shall not so certify until after the declaration of the results of all local government elections held in Greater London on the same day as the referendum'.

This is a fairly narrow and technical amendment which is intended to put into proper order the way in which the results of the local elections and the referendum should be dealt with. It is the Liberal Democrats' view that London borough election results should take precedence over the Greater London referendum, not least because we will be electing people who will be exercising authority and responsibility on behalf of Londoners there and then. The people who elect them deserve to know the results sooner rather than later.

We will have to wait and see whether excitement about the referendum is stimulated by the Government campaign in support of it, but the results can wait, although that might deny the Government some publicity opportunities, until we have had the London borough results. I hope that the Government will accept the amendment, because it is a modest amendment that will enable the London boroughs to continue their good work and not be delayed by the referendum votes being counted before the local election votes.

7.30 pm

Ms Glenda Jackson: I have difficulty accepting the scenario advanced by the hon. Member for Sutton and Cheam (Mr. Burstow), that the voters of London will have a priority in knowing the results of their choices. I cannot believe, given the enormous public support for the restoration of a democratic voice to Londoners—which has been denied them for so long—that they would not wish to know the results of the referendum in the same way that they will eagerly anticipate the results of the local elections.

We see no good reason for the legislation to stipulate that the local election votes should be counted first. Nor would we expect to provide that the referendum should be counted first before the borough polls can be declared. Detailed count arrangements will rightly be a matter for returning officers and counting officers in the light of

legislative provision and any directions from the chief counting officer. We are working closely with returning officers and local electoral administrators.

Mr. Burstow: Can the Minister assure us that no pressure will be applied to persuade counting officers to count the referendum first, if elected members wished to see the London borough elections counted first?

Ms Jackson: On mature reflection, I am sure that the hon. Gentleman would wish to withdraw that question. The implications for the standards and approach to their task of counting officers and those who count the votes are unreasonable and unfair. I cannot envisage a situation in which any such pressure would be brought to bear. Perhaps more importantly, I cannot envisage a situation, should such pressure be brought to bear, in which the officers responsible for the proper conduct of the count would give way to it.

Mr. Simon Hughes: I hope that that is the case. I wish to ask another question. I am told on reliable authority that, in the Welsh referendum, the order of declaration of the results was decided by the Secretary of State for Wales. At his express instigation, the Carmarthen result was held back until last. May we have an absolute assurance that the announcement of the results will also not be the subject of any political interference?

Ms Jackson: With respect, we had an example of the sort of information that the hon. Gentleman said had come from a reliable source when he claimed that Greater London Labour party members had an overwhelming antipathy to the Government's proposals. I am not casting any particular slur on what he has just asked, but I merely remark on what the House is privileged to know from experience.

I repeat that I cannot conceive of any scenario in which those who are responsible for conducting the count, and the post-voting process, would fall victim to undue political pressure. I can give the hon. Gentleman the assurance that I cannot conceive of any such pressure being brought to bear to delay the results of the local elections or the referendum.

The grant money that we will provide to local authorities under clause 5 will, among other things, cover the cost of hiring extra counters to count the referendum alongside the local elections. That seems to us the proper way to proceed. There will inevitably be a time penalty arising from the separation of ballot papers for the two polls, but we have had no indication that those who will be charged with carrying out the count think that that will lead to excessive delay. I hope that I have reassured the hon. Gentleman, and that, in the light of what I have said, he will withdraw the amendment.

Mr. Burstow: I am grateful to the Minister for the reassurance that she has offered, in her confirmation of the additional resources that will be granted to enable the counts to be expedited, and in her comments that no political influence will be brought to bear on the conduct of the counts. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Ottaway: I beg to move amendment No. 29, in page 2, line 19, at end insert—

'(4A) The Chief Counting Officer shall not certify the total of votes cast for each answer under subsection (4) above unless at least 50 per cent. of the persons entitled to vote in the referendum have voted'.

The Chairman: With this, it will be convenient to discuss amendment No. 30, in page 2, line 19, at end insert—

'(4B) The Chief Counting Officer shall not certify the total of votes cast for each answer under subsection (4) above unless at least 30 per cent. of the persons entitled to vote in the referendum have voted in favour of the government's proposals'.

Mr. Ottaway: These two amendments would have the important effect of imposing a threshold, before a valid referendum result was achieved, of 50 per cent. for turnout and 30 per cent. for saying yes. We want reform and we recognise that there is a case for a mayor for London. We want a mayor and we want an assembly, but we want an assembly of a different composition from that proposed by the Government. We want an assembly in which the boroughs are more involved. We want the thinking to come from the bottom up and to involve people from the boroughs on a formal basis. We are opposed to the Government's thinking that GLA policy will pass from the Government down to the assembly.

We accept that the Government are unlikely to adopt our proposals, given their majority. However, whatever is decided, the assembly must have legitimacy. The verdict, whatever it is, must be widely supported by Londoners. It will be valid, in our judgment, only if 50 per cent. of London's voters go to the polls. That is a critical figure, because if that threshold is not reached, the majority of Londoners will not have expressed an opinion in the referendum. Accepting the amendment will be the only way for the Government to send a signal to Londoners to reassure them that the changes proposed will have a strong mandate.

The referendum is a test of public opinion and it is essential that the outcome on 7 May is decisive, conclusive and final. It is equally essential that the answer comes from the majority. It is reasonable and right that the arrangements for the referendum send the signal that change cannot happen unless some 2.5 million of London's voters actually vote. The arrangements should ensure that if that turnout is not reached, the changes should not happen. If the voters stay at home, their silence should signal rejection. The Government should not be able to proceed and declare the referendum a success unless it receives that essential mandate.

We require a second threshold. A minimum of 30 per cent. of the voters should say yes. That would mean that 1.5 million out of London's 5 million voters would say yes. London has 7 million residents and it would be wrong to claim a mandate if fewer than 1.5 million of them had voted yes. That would be unacceptable. The Minister has claimed a mandate, based on the turnout in the general election and, according to my research in the Library, 1.6 million people voted for the Labour party in London. If he is not so sure that those 1.6 million people will vote for him again, why on earth should not he accept the amendment? If they do not turn out to vote, it will be a sign of disapproval.

Is the Minister saying that those people turned out at the general election but are not inclined to do so for his proposals for a Greater London authority? If so, he is

[Mr. Ottaway]

wrong to claim that he has a mandate for his proposals. Anything less than those 1.6 million votes will show disapproval and rejection by the electorate. The referendum should not go ahead with so little support.

After all, what does the Minister have to lose? Frankly, he will lose his credibility and his mandate. Failure to accept the amendments will show a loss of confidence on his part and will be an admission that he is frightened to test public opinion. Indeed, it will be a contempt of the democratic process. The Prime Minister is on the record as saying that he is not a great proponent of government by referendum, so the Minister should be keen to persuade him that he is wrong and that the people of London will turn out in their millions to support his proposals.

Mr. Raynsford: They will.

Mr. Ottaway: The Minister says that they will; is he saying that 1.5 million will turn out? He is uncharacteristically silent on that point. He should be keen to allay the Prime Minister's fears. If he cannot demonstrate that the people of London will turn out in their millions, he should accept the amendment and send the right signal to the Prime Minister and to Londoners.

By accepting our proposals the Government would effectively be saying, "If enough of you want reform, you should have it; if you stay at home, we get the message."

Mr. Burstow: We oppose the amendments. We do not believe that there is a need for a threshold. It is also important to put it on the record that no one on either side of the argument should be able to suborn and claim those people who do not vote in the referendum. We must ensure that we have a debate that enthuses people enough to make them go and cast their votes. We must remove the barriers that stop people exercising their democratic right to make a choice.

Liberal Democrat Members disagree fundamentally with the Government about the question that they have decided should be put to the people of London, but we believe that it is important to have a campaign that gets people to go out and cast their votes. I hope that it will become clearer, when the White Paper is published, exactly what powers will really reside with the authority. That, as the hon. Member for Brent, East (Mr. Livingstone) said in our first day in Committee, is what will really enthuse people.

People want to know what difference the London authority will make to their lives. That is what we need to communicate. Thresholds are not an answer; they are a device proposed by a party with no sympathy with the idea of a referendum in the first place: as Conservative Members said earlier today, when they had a mandate they abolished the Greater London council without the need for a referendum. That is why I and my party do not support the idea of thresholds.

Mr. Brooke: The Minister for London has heard me saying on two previous occasions that I canvassed for 120 hours on the doorsteps of my constituency in the general election campaign—I shall now tell him for the third time and, as the Bellman said in "The Hunting of the Snark",

"What I tell you three times is true"—

and that during that entire time not one person asked me about a Greater London authority and strategic government in London. Incidentally, in that time I did not see one canvasser for or representative of any party other than mine, which is perhaps why I am sitting here today.

My parliamentary neighbour, the hon. Member for Regent's Park and Kensington, North (Ms Buck), said on Second Reading that they talk of nothing else in her constituency, although I acknowledge that she said that that involved the time since the general election campaign, as well as the campaign itself.

The royal borough—the Chelsea authority—is separated from the City of Westminster by the River Westbourne, which now flows underground. I am separated from the constituency of the hon. Member for Regent's Park and Kensington, North by a series of Westbourne roads. I find it puzzling that there should be such divergence between the casual conversations in our two constituencies.

I mention that in the context of the test that the threshold would set the Government, who have consistently said that there is overwhelming enthusiasm for their proposal. In a recent debate, the Minister for London mentioned again the 82 per cent. approval in an opinion poll and the 86 per cent. approval by businesses in London. He must be expecting an overwhelming outpouring of votes next May.

7.45 pm

In the schedule stand part debate, the Minister for London said that I would not expect the Government to come up with an unworkable suggestion; I certainly would not. I earlier quoted his remarks at column 416 last Wednesday to the effect that the Government would make absolutely sure that they proposed something that would work and, as he knows, I have enormous trust and confidence in him. I hope that he will have the same trust and confidence in the people of London, and will expect them to turn out to vote.

In those circumstances, the Minister for London should accept the amendment. If he does not, perhaps his confidence in the vote in the referendum is not so great as I previously imagined. In that case, I would begin to wonder whether his proposal for a Greater London authority, in the form that he has advocated, might not be as strong as he has sought to persuade us that it is.

Ms Glenda Jackson: Whether the right hon. Gentleman says something three times or 30 times, it is always well worth hearing, but on this occasion I disagree with his argument. It would perhaps be churlish to suggest that the GLA was never mentioned in those hundreds of hours of campaigning because the driving force for so many people, not only in London but throughout the country, was to get rid of the incumbent Conservative Government.

Mr. John Randall (Uxbridge): A few months after the general election, in the Uxbridge by-election, when

such questions were not on people's minds, I had exactly the same reaction as my right hon. Friend: London governance was not mentioned once.

Ms Jackson: Presumably because it was not raised by the hon. Gentleman—and I well understand his reluctance, as his party has come rather late to the idea of restoring a democratic voice to London. As my hon. Friend the Minister for London said on Second Reading, there has been a conversion; but from what I have heard in Committee so far, it seems to me that the problem for Conservative Members is that they are on the horns of a dilemma: their basic belief, as shown by their action in abolishing the GLC without any consultation or legitimacy whatever, is that the people of London should not have their democratic voice restored; but they realise that, although they campaigned ferociously against my party's proposals, the idea of restoring that democratic voice is popular in London.

I was left breathless by the arguments advanced by the hon. Member for Croydon, South (Mr. Ottaway), who believes that setting a threshold would impart legitimacy to the referendum. It is strange that he should breathe the word "legitimacy" when the purpose of the Government's action is to restore a democratic voice to London and when his party abolished the GLC without any consultation. I also found interesting his argument that if people stay at home it will be a proof of failure—in a sense, a no vote. If memory serves me correctly, at the time of the Housing Act 1988 and the setting up of tenants' choice, the Conservative Government argued that those who did not vote could be deemed to support the proposal.

The Government totally oppose the sort of franchises and artificial thresholds proposed in the amendments. There is no substantial case for what is essentially a wrecking device. If one amendment suggests that a 50 per cent. threshold is necessary, while another proposes a 30 per cent. threshold, no great principled case is involved.

As with all pre-legislative referendums, this one will be advisory. The referendum is a device employed by Parliament to test the views of the public on a clear point of principle, in this case, whether Londoners favour our plans for a Greater London authority. It will be for Parliament to reflect on the result of the referendum. That is why the insertion of any form of threshold would be inappropriate. The people of London will vote in the referendum, and Parliament will take that vote into account.

Despite the arguments of the hon. Member for Croydon, South, the Government are confident—I am pleased that the hon. Member for Sutton and Cheam (Mr. Burstow) is equally confident—of a particularly high turnout in May. Every opinion poll that asks Londoners directly shows that they categorically and overwhelmingly favour our proposals. Even in the event of a low turnout, there is no case for allowing those who stay at home to be counted as no votes, as argued by the Opposition.

The amendments could produce a ludicrous situation. Londoners could turn out in their millions in the referendum to make their democratic choice but the chief counting officer would be unable to certify the results if fewer than 50 or 30 per cent. had voted in a way acceptable to the hon. Member for Croydon, South. That would be ridiculous. The people of London would deserve to know how they had voted and Parliament, having provided for the referendum, would be entitled to ask what the answer was. I therefore ask the hon. Gentleman to withdraw the amendment.

Mr. Ottaway: We will do no such thing. The hon. Lady gave no good arguments for withdrawing the amendments; indeed, she had no arguments at all. She said that her proposals had overwhelming support in the polls. If that is the case, let her put it to the test: let her put her money where her mouth is and prove to the people of London that her proposals have overwhelming support.

From the Minister's speech, one would think that she was nostalgically proposing the return of the GLC, but that is not being restored. We make no apology for having abolished it and have no wish to see it restored—any more than she has. If the Bill is so popular, let us put the proposals to the test and give the people of London a chance to show what they want. If the majority of them decline to do so, the result should be declared invalid. We intend to divide the House.

The Committee divided: Ayes 113, Noes 315.

Division No. 95] **[7.53 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Cran, James
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen

Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*

Tellers for the Ayes:
Mr. Oliver Heald and
Mr. Nigel Waterson.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Betts, Clive
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brand, Dr Peter
Brinton, Mrs Helen
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fatchett, Derek
Fitzsimons, Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Moore, Michael
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine

(Morecambe & Lunesdale)
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverhton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Watling, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Wise, Audrey
Wood, Mike
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Jane Kennedy and
Mr. David Jamieson.

Question accordingly negatived.

Clause 3 ordered to stand part of the Bill.

Clause 4

REFERENDUM: SUPPLEMENTARY

Mr. Ottaway: I beg to move amendment No. 31, in clause 4, page 2, line 26, after 'shall', insert

'subject to subsection (1A) below,'.

The Chairman: With this, it will be convenient to discuss amendment No. 32, in page 2, line 26, at end insert—

'(1A) The polls at the referendum shall be open from 7 a.m. until 10 p.m.'

Mr. Ottaway: This simple amendment proposes that the hours for the referendum should be extended to between 7 am and 10 pm. Those are the same hours that we use for general elections and, in our judgment, this issue is of similar importance. The proposed arrangements are that the polls open from 8 am to 9 pm. Plenty of people work before 8 am or come back after 9 pm and they will have difficulty getting to polls during this period.

London is the international commercial centre of the world, with people working long hours substantial distances from their homes. Some of them travel for perhaps an hour each way from one side of London to the other to earn their crust. It could cause difficulties if this important issue is dealt with during the polling hours of 8 am to 9 pm.

I anticipate that the Minister will say that it is impractical to have the referendum from 7 am to 10 pm while the boroughs are voting from 8 am to 9 pm. The logical response to that is, "If that is the case, change the date of the referendum." She may say in response to that suggestion, "But that will add to the expense." Of course, the last refuge in these circumstances is to raise the question of cost.

The Minister will note that the clear financial memorandum suggests that the cost of having the referendum on 7 May 1998 is £3 million, and the cost of having the referendum on another date is £5 million. Therefore, the cost of moving the referendum to another day will be £2 million. Some might say that that is a lot for an issue such as this. Others might say that, in the history of London, £2 million is not such a big sum. In truth, it is what the GLC spent every eight hours in its heyday in the 1980s.

I hope that the Minister will accept that it is not an extraordinary sum of money and that it is possible to devise a system whereby polling hours reflect the working conditions of many people. I hope that she will be able to accept the amendment.

Mr. Edward Davey (Kingston and Surbiton): I support the amendment. We opposed the amendments on thresholds, which we felt gave the election artificial legitimacy. I am sure that the Government are keen to give the election legitimacy through the turnout. The Liberal Democrats believe that the amendment would increase the turnout, which is to be welcomed.

One of the objections to the amendment is that polling hours for local government elections are from 8 am to 9 pm. There are solutions to that practical problem. One way would be to issue referendum ballot papers during the hours when local government elections are not held. My office has contacted the returning officer in my borough, who believes that there would be no problem dealing with that practical difficulty.

An alternative solution would be to extend the hours of the local government elections. I believe that polling stations should be open longer for local government elections. They are important elections: some people consider them to be more important than elections to the House. There is a strong case for extending the hours for local government elections.

The case for extending the polling hours for the referendum is even stronger, because of its constitutional significance and the importance of encouraging as high a turnout as possible. I am sure that, when right hon. and hon. Members have campaigned in local and other elections, they have had to encourage voters to participate in the democratic process. Late at night, just before the polls close, some people find reasons not to turn out to vote. By extending the hours, we will negate their arguments. We all have anecdotes to tell of people who feel unable to vote during the hours when local government elections are held.

The hon. Member for Croydon, South (Mr. Ottaway) mentioned the problem of working hours. We live in a society in which people have long, extended working hours. It is difficult for some people to get to the polls between 8 am and 9 pm. The amendment would enable those people to participate, which would secure a much greater mandate for the Government's proposals.

There is another strong argument in favour of the amendment. The Government allowed extended hours in the referendums in Scotland and Wales. Londoners should be given the same rights. It is interesting to note that the report of the Hansard Society entitled "Election Campaigns", issued in September 1991, asks why we do not have the same polling hours for all types of elections. It is an interesting question, and I hope that, if the Minister

[Mr. Edward Davey]

is not prepared to accept the amendment, she will justify the reason for having different polling hours for different elections.

Other bodies have reported on the same issue. The report of the Commission for Local Democracy, entitled "Taking Charge: The rebirth for Local Democracy", says that there is no good reason for the difference, and proposes that extended hours should apply to local government as well as to parliamentary elections. I believe that extended hours should also apply to referendums, and we have an excellent chance to make that change now.

The Committee may also want to take note of the fact that, when a local government election is taking place at the same time as a parliamentary or a European election, the polling hours are extended for both elections. If that can be done for parliamentary and European elections, why can it not be done for a referendum? It seems extraordinary that referendums are the only exception.

The Minister may find my final reason for extending the polling hours even more powerful. This is the second day in Committee, and no amendments have been accepted so far. Some concessions have been made, and the Government have given some undertakings, but they have not accepted any amendments. There may well be a hidden agenda. The Government may not want a Report stage. My hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) made a strong point to Madam Speaker earlier today. I was not present, but I believe that she was quite concerned, because the Government had already set the timetable for this week's business and had assumed that there would not be a Report stage. They second-guessed the House. The Government Whips may want to question that, but Madam Speaker was very concerned that there would not be a Report stage this week. If only to curry favour with Madam Speaker, Ministers should accept the amendments in the spirit of cross-party co-operation.

8.15 pm

Mr. Eric Pickles (Brentwood and Ongar): It is a pleasure to follow the hon. Member for Kingston and Surbiton (Mr. Davey). He is absolutely right. The Minister for London and Construction is no longer in his place: no doubt he has gone to a darkened room to calm down after the excesses of not accepting any reasoned amendments.

There is a good case for accepting the amendment. A more regular system of referendums is being put into operation: this is unlikely to be the last referendum. We need to be flexible about when voting should take place. After all, the current polling hours have not been set in stone. They were changed in the 1970s principally to recognise different work patterns. We no longer live in a world where people work from 9 to 5: they now work different shifts. People start early, especially in London. London has adopted a method of working that is a little ahead of the rest of the country. People who work in the City and in the money exchanges arrive early in the morning, as do cleaners. By not extending the polling times, we are denying those people the franchise.

I am pleased to see the Minister for London and Construction back in his place. It is important for the Government to show that they are prepared to listen to reasoned debate. If they refuse to accept any amendment, and to listen to any argument, the whole purpose of this debate is negated.

Mr. Eric Forth (Bromley and Chislehurst): Was my hon. Friend as struck as I was by the Minister's revelation—I think that that is not too strong a word—that it was deemed necessary to extend the polling hours for the referendums in Scotland and Wales? Has my hon. Friend reflected on why London is apparently expected to vote in a referendum on one basis, whereas the Scots and the Welsh were able to vote on an entirely different basis? Does that not throw new light on the matter? I should be grateful for my hon. Friend's thoughts on that matter.

Mr. Pickles: My hon. Friend should also bear in mind the fact that the population of London is larger than the populations of Scotland and Wales combined. That emphasises the fact that there is another agenda. When we began the debate, we thought that having the referendum on the same day would artificially increase the number of people voting in the local government elections. It quickly became apparent that we had misjudged the Government, because it had nothing to do with that. They were frightened that there would not be much of a turnout for a separate referendum. The amendment would provide them with a way to increase the number of people who vote in the referendum. There is nothing to fear from democracy.

The Chairman: I call Ms Glenda Jackson.

Ms Glenda Jackson *rose—*

Mr. Brooke *rose—*

The Chairman: Order. I apologise to the right hon. Gentleman. I keep missing him, but it is not deliberate.

Mr. Brooke: I am fielding at backward short leg, Sir Alan. I apologise.

The hon. Member for Kingston and Surbiton (Mr. Davey) has done us all a service, as my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) testified, by drawing our attention to the fact that the Government's proposals for the referendum in London are less attractive, less generous and less satisfactory than the arrangements in Scotland and Wales.

I am half Welsh—indeed, I am more Welsh than anything else. I do not remember the precise terms of the Government's sloganeering in the Welsh referendum, but I recall it being something like, "Don't let Wales be left behind." Given the powers that are to be given to the Assembly in Wales, I am not in the least surprised that the people of Wales in the end demonstrated what they thought of the Government's proposals by the narrowness of the majority, which was contrary to all the Government's expectations.

Although I have testified to my Welshness, I am more a Londoner, by definition, than I am anything else. I profoundly resent London being treated less generously than Scotland and Wales. My hon. Friend the Member for Brentwood and Ongar referred to working patterns in London, as did my hon. Friend the Member for Croydon, South (Mr. Ottaway).

If one takes the employed population and divides it by 659, the average number of people working in each constituency of this land is 37,500. Each day, my constituency has the privilege of receiving 750,000 working people, which is 20 times the national average. By the nature of things, a significant number of those people are less likely to be able to vote as a result of the voting hours that have been declared. My constituency constitutes between 20 and 25 per cent. of the entire employment of Greater London. The people who make that journey to work in the heart of the capital might be regarded as the essence of Londonness. I am disappointed that, unless the hon. Lady is about to accept the amendment, we are to be treated as a second-class city.

Mr. Simon Hughes: I must say just a sentence or two in support of the amendment [HON. MEMBERS: "Only a sentence."] The arguments are so strong that I felt they needed only a sentence or two in support.

The Minister may say that, because it is likely that the local elections will be held on the same day—Liberal Democrat Members have supported the idea that they should be on the same day—to facilitate an early referendum, it would be complicated to have the extended hours. As my hon. Friend the Member for Kingston and Surbiton (Mr. Davey) made clear—he was clearly supported around the Chamber—if the option is a lesser or a greater number of hours and if we are doing something on the same day that London has not done before but Scotland and Wales have done, there must be a logic in opting for both elections to have the longer hours. There is no disadvantage to the electors or to the constitutional and democratic nature of the result.

I hope that the Government will accept the argument. As my hon. Friend the Member for Kingston and Surbiton said, that would allow them to show that they are willing not merely to listen to arguments but to accept them. That is very different from listening to but rejecting every argument, as they have done so far.

Ms Glenda Jackson: I wonder that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) bothers to ask a question, as he seems to know what my reply is to be. I hope that an element of my response will cause him some surprise.

Certainly for the first time in my experience, the right hon. Member for Cities of London and Westminster (Mr. Brooke) presented himself as a character of somewhat schizophrenic nature. He began his contribution by saying that he was more Welsh—he did not define precisely whom he was more Welsh than—and went on to say that he was more a Londoner than many Londoners. As I thought that we had established a neighbourly connection by virtue of our constituencies being contiguous and our histories being inextricably linked with Birkenhead, I was disappointed that he failed to touch on our connections with the north-west of England.

The hon. Member for Brentwood and Ongar (Mr. Pickles) said that there was a strong case for accepting the amendments. If there is, he certainly did not present it. The hon. Member for Kingston and Surbiton (Mr. Davey) said that the hours for the London referendum were unfair, given the hours allowed for the similar referendums in Scotland and Wales—I am paraphrasing and I am sure that he will forgive me. That point made before—I believe on Second Reading—to rebut that argument was that there were huge physical distances in the countries of Scotland and Wales. Both have a much more dispersed electorate than London. Although London is large and comprises millions of people, it is much more homogenous in an electoral sense—it is much easier for people to get to the polling booths and for votes to be returned for counting.

Mr. Edward Davey: The geographical aspect is irrelevant to this point; it is the working hours that matter. The working patterns of Londoners are diverse. Many Londoners commute not merely into the City and the constituency of the right hon. Member for Cities of London and Westminster (Mr. Brooke), but out of London. They commute miles and miles—the length and breadth of the country. My brother, for example, is often in Leeds on business during the day. To be frank with the Minister, there is a large variety in commuting patterns, which presents an even stronger case for polling hours being even more extended in London.

Ms Jackson: That point about the working hours and working patterns of Londoners was also made by the hon. Member for Croydon, South (Mr. Ottaway). That is undoubtedly the case, but if work precludes an individual from attending the polling booth, a postal vote will be available for this referendum, as it is for local and for general elections.

Mr. Pickles: Is the hon. Lady saying that, because London is compact and so many people live here, the hours allocated for a general election are inappropriate?

Ms Jackson: No, I have no recollection of having said that. My point was that the hon. Members for Kingston and Surbiton and for Croydon, South based their arguments for a change in the polling hours for the referendum on the work patterns of Londoners. I understood their argument to be that, because people start work earlier and finish later and may have long distances to travel to their places of employment, their lives would be facilitated if polling stations were open from 7 am until 10 pm. The point that I was making to rebut that argument was that postal votes would be available to people for the referendum as they are for local and general elections.

I am grateful for the opportunity that the amendments offer to clarify for the Committee the arrangements that we intend to put in place on referendum polling day.

Mr. Ottaway: As justification for rejecting the amendment, the hon. Lady said that the postal vote provisions would compensate. Is she saying that hours of work and distances to be travelled across London are acceptable grounds for having a postal vote? If so, will she accept an amendment to that effect?

Ms Jackson: It is my understanding that there is already a right within law to a postal vote because of the inability to be present at a polling station because of work. The hon. Member for Croydon, South looks perplexed. I am confident that what I am saying is correct, not least because I have exercised such a right on more than one occasion.

[Ms Jackson]

We will set out detailed arrangements for the combined poll in secondary legislation. We intend that the referendum poll should run from 8 am until 9 pm, alongside that for borough elections. Clearly, it makes sense with a combined poll for both to open and close at the same time. We do not believe that extending the hours for the referendum poll to run from 7 am until 10 pm would be in the interests of an efficient combined poll. A combined poll in which people could cast one vote but not another at certain times would be almost impossible to administer.

I have already touched on work commitments and the availability of postal votes. We want to ensure that everyone has an opportunity to exercise his or her democratic rights in both the referendum and the local elections. Extending the referendum would cost more, delay the count and provide little advantage in terms of increased turnout.

I hope that I have been able to explain to hon. Members how we intend to proceed and have allayed any concerns. I therefore ask the right hon. Member for Bromley and Chislehurst (Mr. Forth) to withdraw the amendment.

Mr. Forth: I am now more confused than I was to start with. The Minister prayed in aid the fact that, because Wales and Scotland have more dispersed populations, it is easier to get to polling stations and that, therefore, their circumstances differ from those of London. My knowledge of Scotland may be a little out of date, but things have not changed that much over the years. Actually, I spent a little time in Scotland over the summer break. I also have knowledge of Wales because I lived and worked there at one time.

The whole point about Scotland and Wales is that, traditionally, people tend to live much closer to their workplace. The great London and south-east tradition of commuting is almost unknown in Scotland and Wales, although I admit that commuting is becoming a little more frequent. If one adds that to the fact that travelling in Scotland and Wales is much easier and quicker precisely because their populations are more dispersed, one begins to see the utter fallacy of the Minister's argument.

If that is the basis of the Minister's argument, her analysis is profoundly flawed. She still has not answered the question that the hon. Member for Kingston and Surbiton (Mr. Davey) raised a short time ago. It is not good enough for Ministers to read from their notes at the Dispatch Box, making no connection with points made by Opposition Members in the debate. We are being provoked into attempting to get our arguments across in a more forceful way simply because Ministers will not listen to the debate properly or attempt to reply to the points that have been made.

8.30 pm

Mr. Edward Davey: Did the right hon. Gentleman find the Minister's answer as unsatisfactory as I did? To increase turnout in the referendum, we could easily extend the hours for local elections to bring them into line with the period of 7 am to 10 pm, which the amendment seeks to introduce, thus getting around all the practical difficulties that the Minister outlined. She has therefore made no case for keeping the hours at 8 am to 9 pm.

Mr. Forth: I tend to agree with the hon. Gentleman. It is an interesting point. It is relevant, for the purposes of this debate, to consider how far extending the hours would increase turnout. Sadly, we speak in the context of a voting environment in which turnout in local elections, where candidates are supposed to be closest to the people and where the issues are supposed to affect people more, tends to be lowest of all. That is a regrettable long-standing historical fact of British elections.

Let me focus on the point about Scotland and Wales, and London. It is simply not good enough for our arguments to be brushed aside by the Minister's glib and unsatisfactory—I shall not even dignify it by calling it an analysis—assertion that, because Scotland is quite big with not many people in it—

Mr. Pickles: Is not the substantive point that, even in Scotland and Wales the bulk of the population live in urban areas? Even within the confines of the old borough system, there are plenty of rural areas in London. As many people in rural areas of London will want to come to the polls as in Scotland and Wales.

Mr. Forth: My hon. Friend is right. Let us leave aside for the moment the great stretches of Scotland, which are thinly populated. The hon. Member for Moray (Mrs. Ewing) will concede that, although distances may be greater, the time taken to travel them is much less because of the lack of congestion. When I spent some time in Glasgow recently, I was amused to find that the Glaswegian definition of "traffic gridlock" was quite alien to me. I found driving in Glasgow to be a joyous experience because one could make progress easily and move around readily. *[Interruption.]* I do not know when the hon. Member for Glasgow, Rutherglen (Mr. McAvoy) was last in Glasgow or what his recent experiences of driving in Glasgow were. He may like to enlighten us on that. He seems strangely reluctant to do so. It is the Committee's loss.

I see your Chairman's eyes narrowing at me, Sir Alan. I shall not dwell on this point for much longer. I simply wish to say that that kind of response from Ministers in reply to serious points made by Opposition Members is not good enough. I hope that, before we decide whether we wish to push the amendment to a vote, the Minister will seek to catch your eye again, Sir Alan, to attempt seriously to respond to our arguments, rather than merely ask us to accept them on the basis of assertion.

Ms Glenda Jackson: Given that the right hon. Member for Bromley and Chislehurst (Mr. Forth) walked into the Chamber some 20 minutes ago, his assessment of today's debate hardly warrants close analysis.

Mr. Pickles: Will the Minister give way?

Ms Jackson: No.

The right hon. Member for Bromley and Chislehurst said that people in Scotland and Wales find it easier to get to their polling stations because they live closer

to their place of work. If I recall correctly, during most of his Government's tenure, the people of Scotland and Wales had no work to which to go.

The right hon. Gentleman argued that we had failed to give due consideration to the points that Opposition Members had presented. I stand by my previous statement. The hon. Member for Brentwood and Ongar (Mr. Pickles) said that a strong case had been made for the amendments. If that is so, neither he nor the right hon. Member for Bromley and Chislehurst, or indeed the hon. Member for Kingston and Surbiton (Mr. Davey), has made it.

Mr. Ottaway: I must confess that, having listened to this interesting debate, I find the Minister's arguments totally unpersuasive.

Ms Glenda Jackson: The hon. Gentleman is trying to persuade me.

Mr. Ottaway: The Minister is trying to persuade us why we are wrong in putting forward the amendment. We put forward some perfectly valid arguments to which she failed to come up with a reasonable response. She described Scotland and Wales as some sort of outer land where people come down from the mountains, taking several hours trekking through the snow, to get to the polling stations. *[Interruption.]* We have Scottish Members present and we shall be pleased to hear from them.

Mr. Raynsford: Has the hon. Gentleman been to Scotland lately?

Mr. Ottaway: I most certainly have and I have spent much of my life in Scotland.

The Minister's description of those countries is false and I should be surprised if people in Scotland and Wales would have to spend as long getting to polling stations as some people in London spend getting from one side of the city to another.

I tabled the amendment primarily as a probing amendment, but the more I listened to the debate, the more I wished that I had been determined to divide the Committee. However, we are still only on clause 4—about a third of the way through—and we shall obviously be here until late tonight. In the circumstances, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clauses 4 and 5 ordered to stand part of the Bill.

Clause 6

EXCLUSION OF LEGAL PROCEEDINGS

Question proposed, That the clause stand part of the Bill.

Mr. Simon Hughes: The clause is unusual in relation to elections, although I concede that a similar one was included in the legislation for referendums in Scotland and Wales. Bizarrely, because of the guillotine that clause was not debated. The clause that we are debating states:

"No court shall entertain any proceedings for questioning the number of ballot papers counted or votes cast as certified by the Chief Counting Officer, or a counting officer, appointed in accordance with section 3."

It would be unusual, even if there had not been a by-election in Winchester, for someone not to raise constitutional points about the clause's impropriety and unsuitability. My hon. Friends and I shall ask the Committee to reject the clause. If it is accepted, no matter what goes wrong in the election there can be no challenge to the number of ballot papers counted or votes cast.

Some six months ago, at the general election, my hon. Friend the Member for Winchester (Mr. Oaten) was elected with a majority of two.

Mr. David Jamieson (Plymouth, Devonport): "Must try harder."

Mr. Hughes: We did, and I am glad to say that history tells the tale. Nobody would have denied the right of the former Member for Winchester to challenge the result on the ground of the number of votes that were certified as being duly cast for each of the candidates. I am not sure that those who lose by two votes in future will do the same.

Mr. Ottaway: They will.

Mr. Hughes: If a Conservative loses by two votes and decides to take us on again on the basis of 55 unfranked ballot papers, I warn the hon. Gentleman he might be as embarrassed on the morning after the night before as I hope Conservative Members were this time.

Mr. Ottaway: The hon. Gentleman has missed the point, as I will explain later when I make my speech.

Mr. Hughes: The hon. Gentleman wants to make a separate point.

No one denies that something went wrong at Winchester. My hon. Friend the Member for Winchester accepted that and so did Gerry Malone. It was agreed by both parties that the matter should go to court. As a result of the challenge, there was an extraordinary reversal of fortune when the re-elected Member had a majority of 21,556. That is 68 per cent. of the vote and a majority of 39.6 per cent.

Mr. Forth: I think we know that.

Mr. Hughes: I think that the right hon. Gentleman does know it, but he may not know that we have such an efficient Library that it has already produced a statistical analysis of by-elections in this Parliament. I was not expecting to be presented with the updated figures which show that the share of the vote that my hon. Friend won in Winchester was higher than the share of the vote for any party, except for some Labour Members. At the top is the hon. Member for Bootle (Mr. Benton) who got 74.4 per cent. of the vote. The Member with the highest percentage of the vote in Northern Ireland was the hon. Member for South Antrim (Mr. Forsythe) who got 41.3 per cent.

As a result of the Winchester challenge, my hon. Friend has converted the smallest Liberal Democrat majority to the largest Liberal Democrat majority and the largest share of the vote, leaving my hon. Friends the Members

[Mr. Hughes]

for North Cornwall (Mr. Tyler) and for Orkney and Shetland (Mr. Wallace) far behind. He has a majority larger than that of any Tory Member.

Mr. Forth: That is not difficult.

Mr. Hughes: It is always the former Prime Minister, the right hon. Member for Huntingdon (Mr. Major), who tops that poll. He has a majority of 18,340 and 31.8 per cent. of the vote, but he has been overwhelmed by my hon. Friend the Member for Winchester who sped past him. The important issue is that there was a court challenge relating to the number of votes that had been counted. Whether it is an election or a referendum, Parliament should not state that nobody can challenge the result.

8.45 pm

I say that not just because my hon. Friend could have his re-run and the former Member for Winchester could challenge the victory, but in the interests of all our parties. In the cause of any future result we should delete the clause. I hope that the Committee agrees. If there is a proper ground for an appeal the courts should be able to decide and should not be precluded from doing that by an arrogant clause.

Mr. Ottaway: The reason for the clause is a mystery. In our view, the Government and their officials must be held to account for errors. Mistakes are not uncommon. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) spoke about the Winchester by-election and I should like to correct him on one point. The first election was won by Gerry Malone who was denied his victory by incorrectly franked ballot papers.

Mr. Simon Hughes: Will the hon. Gentleman give way?

Mr. Ottaway: No, I will not give way because this is not my main point. The hon. Gentleman is entitled to have his day in the sun and he gloated and stuck the result up our noses. We did not like the consequences of the re-run, but anyone who sees his opponent win by two votes when 50 ballot papers show that he should not have won would take the decision that was taken by Gerry Malone. It is not a familiar process. There can be errors in sorting and in franking and there should be a right of appeal if circumstances permit.

The clause sets a dubious trend. Effectively, it is contracting out of the principle of judicial review. Parliament would have the last word and courts could be excluded if the clause were included in the legislation. Ministers may be tempted to exclude judicial review in other legislation or to include such a clause in the substantive Bill on the Greater London authority.

The Minister for London and Construction has recently been to New York. Apart from parliamentary answers, I know that from meetings that I went to there. At every one of them I was told, "Oh, Mr. Raynsford was here three weeks ago." He will know that New York's new constitution was put in place just four years ago. It is still being explored and people are testing the ground. There is much doubt over the mayor's powers. The council can veto the mayor's legislative proposals, but the question whether it can veto his power of appointment is rather vague. The Minister will probably be aware that, in the New York courts, there are more than 20 cases of judicial review of the mayor's decisions. If they had such a clause in their substantive Bill, all those powers would be excluded. That shows that it is essential that the checks and balances of the courts versus Parliament are maintained. We share the Liberal Democrats' view that the clause should not be included in the Bill.

Mr. Raynsford: I hope to be able to persuade the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) that he has misinterpreted the clause. When I have explained exactly what its impact is, I hope that he will recognise that it is not sinister, as he implies.

Clause 6 is a valuable protection to ensure that the Government can respond swiftly to the referendum results. As I shall explain, it does not prohibit legal challenge where there has been some form of misconduct over the referendum count. The clause's purpose is the same as that behind the equivalent clauses in the Referendum Act 1975, the Scotland Act 1978, the Wales Act 1978 and the Referendums (Scotland and Wales) Act 1997. There is a strong precedent for the clause in previous legislation.

The clause is designed to prevent any frivolous challenges to the counting of votes or ballot papers, but we recognise that the Bill does not amount to an absolute bar on legal proceedings as the courts may construe clause 6 as not ousting their jurisdiction in appropriate cases.

Mr. Adrian Sanders (Torbay): Will the Minister describe a frivolous challenge?

Mr. Raynsford: It must be obvious to the hon. Gentleman, who has recently come into the Chamber, that raising a question about the validity of half a dozen votes in a referendum, where the outcome had been decided by a majority of tens of thousands or hundreds of thousands and where six votes would have no effect on the conclusion of the referendum, would be a frivolous challenge. It is right and proper that public money should not be wasted in pursuit of frivolous challenges.

This is an important point. The courts may construe clause 6 as not ousting their jurisdiction in appropriate cases, such as one involving a flagrant breach of the law by a counting officer in the conduct of the referendum. I assure all hon. Members that there is no question of the courts not being able to consider appropriate cases.

The hon. Member for Southwark, North and Bermondsey implied that there had been no debate on this issue in the other place when the Scotland and Wales referendum legislation was being considered there. The clause was fully debated in another place on stand part. The Lord Advocate spoke for the Government. Lord Lester of Herne Hill spoke for the hon. Gentleman's party. There was no vote at the end of that and the clause was accepted.

We recognise that the courts are rightly jealous of their jurisdiction and carefully examine clauses that seek to oust their powers. I am advised by Law Officers that there is a substantial body of case law concerning the proper interpretation of such statutory provisions. Should any

legal proceedings be brought challenging the actions of the chief counting officer or a counting officer, it will be for the court, in accordance with case law and the particular circumstances of the case, to decide whether a challenge could be entertained in the light of clause 6.

Mr. Simon Hughes: I am encouraged by what the Minister says. Just for the avoidance of doubt, I did not suggest that there was no debate on the other Bill; only that there was no debate here. I put to the Minister the pertinent question. I share the concern and endorse the view of the hon. Member for Croydon, South (Mr. Ottaway). Let us take a case parallel to the by-election case. Let us say that a referendum had been decided by a majority of two and there were 55 unmarked papers—it is the best case that we can give because it really happened. Is the Minister saying that his legal advice is that there will be nothing to preclude a challenge by someone who wants to argue that the referendum result was wrong and that, had the papers been included, it would have gone the other way?

Mr. Raynsford: The important point, which I hope that the hon. Gentleman will recognise, is that it will be for the courts to reach a view on whether they should entertain such an application. They would reach judgment as to whether in practice clause 6 should apply, or whether it should not because it would be wrong for it to oust their jurisdiction. That is the crucial consideration and I hope that that gives the hon. Gentleman the assurance that he is looking for.

Mr. Simon Hughes: If that is the case and the law, I accept that. In that case, the clause is slightly odd because an ordinary lay person or anyone else who reads an Act that says:

"No court shall entertain any proceedings"

and is then told that the courts can entertain them if they want to, will think that this is not the clearest legislation in the world. They might regard it even as misleading.

Mr. Raynsford: It will not be for the first time in this place that we encounter such difficulty with the phrasing of legislation. When first considering the clause, I expressed some concerns on that ground, but I am satisfied that this is a proper provision, which is designed to prevent frivolous challenges, while not preventing a genuine challenge.

Mr. Ottaway: The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) has raised an important point. He gave the figures for Winchester, and the Minister rightly said that this will be a matter for the court to decide, but the court will pick up the Bill, which by then will be an Act, read:

"No court shall entertain any proceedings"

and decide that it cannot hear the case, effectively saying that legal proceedings will not happen.

Mr. Raynsford: As I said earlier, there is a substantial body of case law concerning the interpretation of such provisions and I am advised, by people in a far better position than I to understand it, that the clause will not prevent a court from entertaining a case, where it believes that it is right and proper to do so.

The hon. Member for Croydon, South (Mr. Ottaway) mentioned New York. I do not think that the New York example is helpful in this respect. During my visit to New York, I was somewhat startled, during a discussion with the city attorney, to be told that his office contains several hundred employees who deal with outstanding lawsuits relating to the city of New York. I believe that the figure quoted was 160,000. That shows the litigiousness of the American people, which I hope will not be a precedent in this country.

I hope that I have satisfied the Committee that the clause is a safeguard to prevent frivolous litigation. It does not cut across fundamental rights.

Mr. Pickles: Will the Minister give way?

Mr. Raynsford: If the hon. Gentleman insists.

Mr. Pickles: The Minister has gone a considerable way. He has been honest and straightforward in saying that he had concerns when he first considered the clause, but he said, "Do not worry. The powers of the courts are such that they can still consider proceedings." I should be grateful if he could give just some examples of how the words "any proceedings" can be nullified by court action. If courts cannot consider any proceedings, how can they consider proceedings at all?

Mr. Raynsford: I regret having given way to the hon. Gentleman, as I have already said that this matter has been considered in the context of several previous Acts—in 1975, in 1978 and earlier this year. Those people who are far better qualified than I to consider these matters are satisfied that the clause does not oust the courts' jurisdiction in serious matters. That is the crucial consideration. We are providing a safeguard against frivolous litigation. We are basing it on the precedents that have been brought into law with all previous recent referendums. On that basis, I support the clause.

Question put and agreed to.

Clause 6 ordered to stand part of the Bill.

Clause 7

FUNCTIONS OF THE LOCAL GOVERNMENT COMMISSION

Mr. Simon Hughes: I beg to move amendment No. 8, in page 3, line 15, at beginning insert

'Subject to section (*London Electoral Convention*) below,'.

The Chairman: With this, it will be convenient to discuss the following amendments: No. 25, in page 3, line 17, leave out

'and any direction given under it'.

No. 10, in page 3, line 30, at beginning insert

'which the London Electoral Convention recommends and'.

No. 26, in page 3, line 31, at end insert—

'(3) The Commission's report shall be based on the assumption that the elections will be conducted on the "first past the post" system.'.

No. 11, in clause 9, page 4, line 29, at end insert

'and with the agreement of the London Electoral Convention'.

[Mr. Simon Hughes]

New clause 1—*London Electoral Convention*—

.—'Within a month of the coming into force of this Act, the Secretary of State shall appoint, after consultation with representatives of all the political parties represented at local government and parliamentary level in Greater London and with others, a London Electoral Convention, which shall consider and recommend an appropriate proportional electoral system for Greater London, which commands broad consensus.'.

9 pm

Mr. Hughes: This is an important group of amendments because they refer to the electoral process for the Londonwide body. We are keen that the House does not dig itself into a position that produces a sterile and infertile debate, where we all end up with exactly the same view as we held at the beginning.

We have proposed, and are inviting the Committee to accept, that there should be set up to establish the electoral arrangements for London the same sort of body that was set up for Scotland. In Scotland, the Labour party, the Liberal Democrats, initially the Scottish National party, the trade unions, the Churches and other bodies sat down and worked out an electoral system that would in their view obtain the best and widest support. It was not the electoral system in the minds of any of us when we began the process, but ultimately the Scottish Constitutional Convention agreed to it as part of the package. It was worth doing as it meant that there was a common platform in support of the referendum proposals and a Scottish Parliament. As the Committee knows, the result was a majority of about 4:1 in favour of the proposal that Scotland should have its own Parliament.

Wales had no electoral convention or commission and no constitutional convention or commission, and the House remembers the history of proceedings from there on. The proposal for an Assembly for Wales scraped through by the narrowest of majorities. The Government almost lost their proposal, to the dismay of those of us in the House who have long been advocates of a Welsh Parliament, a Welsh Senate or a Welsh Assembly. More important, the people of Wales almost lost the proposal.

We do not want the Londonwide body to stumble and fall on the basis that it does not enjoy a democratic mandate. The truth is that the Greater London council, the body's previous incarnation, had precisely that weakness. The Government of the day, of whatever colour, were able to look across the river to county hall and say, "The body over there does not enjoy a majority of public support from the electorate", and it did not. We are asking the House to agree that, whatever we think about the particular electoral system, there should be a way of arriving at it that obtains maximum agreement.

I have made it clear to Ministers and others that the principle of going through a Green Paper is welcome. At the beginning, it sets out 10 key criteria, the first nine of which are that it should be strategic, democratic, inclusive, effective, small, audible, clear about its role, efficient and influential. I agree with those nine criteria. The 10th is the great new Labour proposal that the new authority should be consensual. I do not think that everyone wants their politics to be consensual; indeed, I do not think that it is possible for our politics to be consensual. I certainly hope that they are not. I am happy for the authority to be collaborative and co-operative, but to suggest that we all have to agree, or that politics in London in future should require a consensus, is nonsense. There will be differences of view. For example, there may be a difference of view over whether London Transport should be publicly or privately owned. There will not be consensus across the political divide on that issue, and I do not think that there should be. I want to ensure—it must be in the interest of the Committee and the House to ensure—that the Londonwide authority reflects the view of the majority of London's citizens as best represented through the democratic process.

I therefore hope that the Committee will agree that we should attempt to deliver an electoral system that meets some fairly clear criteria and also takes into account all the issues in London.

As I have said in every venue in which I have been asked about the matter, Ministers—very reasonably—have made no firm and final proposal. They said that they would consult about the election and franchise methods and about constituencies. I welcome that consultation, although neither my team nor I have yet been able to work out—we have not had time, in one afternoon—what all the consultation responses have said on the issues.

There is, however, widespread support—I am not saying majority support—for a representative form of election. Some hon. Members—including some Labour and Tory Members—are advocates of the traditional first-past-the-post system. For the purposes of this debate, I ask hon. Members to put out of their minds arguments over national Government and a national Parliament and to isolate arguments over local elections to local councils. We are not talking about either of those matters; we are talking about a type of regional government that we have not had before.

I accept that there is no precedent for such a government. Neither the Greater London council nor the Inner London education authority nor the London county council provides an exact precedent. We can therefore start with a clean slate. I ask hon. Members to keep an open mind about the outcome, as I will. I am not one of those people who were born muttering, "single transferable vote". I was not brought up believing that that was a political mantra and a precondition of any of the world's political systems, because it is simply not true. We have to try to find some principles. In all seriousness and optimism, I invite the Committee to reflect on what those principles might be and to agree them.

I ask the Committee to accept, first, that one of those principles should be that the voting system should be fair and give equal weight to all votes, not allowing people in London to feel that their vote does not count as much as the vote of someone else in their part of London.

Secondly—I ask colleagues to reflect on how to implement it—there should be voter choice. In my constituency, Bengali voters, for example, should be able to choose a Bengali candidate. All political parties should allow voters—such as those in the Afro-Caribbean community—to say, "I want someone to represent me who has the same ethnic background."

Voters should be able to choose a candidate on the basis of experience and age. Someone might say, "I want to put at the top of my list a trade unionist". If they are a first-time voter or 18-year-old, they might say, "I want to put a young person at the top of my list." After the general

election, the House welcomed some new young hon. Members. I unreservedly welcome them. Two Labour Members are about 25, and that is extremely welcome. I hope that hon. Members realise the benefit of a broad age range in the House.

The Labour party—although it has had to do some slightly funny things to make it happen—has done a better job than the Liberal Democrats or the Conservative party in increasing considerably the number of women Members. I hugely welcome that development, and the House is already better for it. I am convinced that we will be much better off if we have more women in Parliament. Women should know that they will have the opportunity to vote for women, or men for women, if that is what they want. They should have a choice.

As I stand here, I am very conscious of the fact that the political process delivers to Parliament for the elector one type of Labour candidate, one type of Conservative candidate or one type of Liberal Democrat. Electors in my constituency, who might be my supporters but who are African or Bangladeshi, do not have the opportunity to vote for a Liberal Democrat who is African or Bangladeshi, if it so happens that the person who wins in the first-past-the-post selection system in the party is a white Anglo-Saxon. That is an important issue.

The third matter on which I ask the Committee to reflect is a difficult one, and I do not pretend otherwise. We should try to use real electoral boundaries that are natural and sensible. I shall not detain the Committee too long, but I want to outline the salient points. The Government propose that the authority should have something like 20 to 30 members. At first sight, that might suggest one member per borough. The weakness of that is that anyone elected would be, in effect, his or her borough's spokesperson. That would be a bad thing because the authority is not that kind of body, which is why we, like the Government, voted against the Conservative proposal that the assembly should comprise a group of London borough leaders. I represent the old boroughs of Southwark and Bermondsey so I come here by definition partly to be the Member of Parliament for those boroughs and to fight their corner—my electorate would expect nothing less. The same is true of all electorates. Thus, to end up with 32 or 33 seats, each representing a local authority area, would be wrong.

Another possible set of boundaries are the European Parliament constituency boundaries. I share what I think is the Government's view, which is that we do not want long and complicated hearings or the redrawing of London maps to break up existing communities but that some of the European boundaries hardly form natural communities. I urge colleagues to consider that we would do well not to take off the shelf, as it were, boundaries that were created for another purpose and which would not serve these proposals well. The obvious example of that is that some of those boundaries extend beyond Greater London. They were not meant to form the basis for a set of Londonwide representatives, so they would be inappropriate in this case.

A third possibility would be to take London as a whole and deal with it as one constituency. However, that has some huge weaknesses because it would involve a list system. I accept that if one has been a Liberal for 25 years and has not understood these things, one must have been somewhere else, but there are two ways to proceed. One is to have a party list system, in which case Walworth road or Millbank tower, Cowley street or Smith square decides who gets on the list—or the members decide—and the voters have no choice. The second way is to have a list influenced by the voters—they choose who goes on the list and in what order. Obviously, my party would prefer the latter option if there were to be a list system.

Some element of a list system might be a good idea, but that would have one overriding disadvantage if we were left with a Londonwide constituency. It would mean that people in, say, Hillingdon, Barnet, Havering or Croydon might feel that they were dominated by the central London weighted vote. The old Inner London education authority was always Labour controlled—I am not complaining about that—but it meant that a Tory voter in a Tory constituency in a potentially Tory borough felt, or could have felt, that it was never his authority. I do not want people in Kingston, Croydon, Barnet or Enfield to feel that the new authority is not for them. Whatever the hon. Member for Uxbridge (Mr. Randall) feels about the need for the new authority, if that authority is to exist, it is important that he and his voters feel that it is for them. The same goes for the hon. Member for Ruislip–Northwood (Mr. Wilkinson) and his voters. We must be sensitive to the different communities.

London is a collection of many things. It is a collection of villages, which are real places. It is a collection of local authorities which are not very real but are recent amalgamations. Some of their predecessors were much more real—Clerkenwell, Holborn, Bermondsey, Southwark and Camberwell—but the new boroughs are artificial. However, the county areas are not artificial. Middlesex is not artificial. The Kent part of London still has a Kent postal code. The people of Bromley and Bexley feel themselves to be in Kent. The people of Croydon and Sutton feel that they are in Surrey. Yes, they are in Greater London, but it is the Surrey part of Greater London. The people in the eastern boroughs are proud to live in Essex—and so they should be.

9.15 pm

I hope that we shall consider a system that would allow those communities to speak. They may not have exactly the same size of electorate, but, with a fair electoral system, that does not matter. I do not want to go into detail, but, for example, the Kent part of Greater London could elect three members, the Surrey part could elect six members and the Middlesex part could elect 10 members, if those are the right proportions. The areas do not have to have the same number of constituencies.

I want to ensure that all the ethnic communities also feel that they can own the result of the election. For them to feel part of it, they must be in a constituency big enough to allow them to be represented. If only one person is elected from my constituency—it might be a white man or woman, or a black man or woman—there is only one person to represent everybody in Southwark, North and Bermondsey. If the constituency covered all of the old Surrey part of London, there would be seven, eight or nine members elected. It is likely that those elected representatives would include someone with a Cypriot background, a black person and an Asian representative. There would also probably be a roughly even balance between women and men. That is very important. I do not want anyone to feel that the assembly does not speak for

[Mr. Hughes]

them. I am far more concerned about that than about the political balance, because it is important that everybody owns the place.

Of course it would be nonsense if there were a majority of members—that majority would have come from Labour if the election had been this year—who did not command a majority of support among Londoners. That would not reflect what Londoners wanted. I want secure legislation.

I do not have a prescription or all the answers. My party is not dogmatic about the issue or arrogant about the outcome. In Scotland, the Liberal Democrats negotiated with Labour and others, arriving at an outcome that was different from the place where we all started. We have ended up with a mixed system—some alternative vote and some single transferable vote. That may be what we decide on. I ask the Committee, rather than rushing into what might be the wrong decision, to agree a procedure to take the discussion out of this place so that we can try to reach the maximum agreement on the system. If we can agree on the best system for all of us, we can go out to fight our own corners and the Londonwide body will have the variety, pluralism and benefit of all our voices. I hope that the Committee and the Government will welcome positively a proposal that would give us the best way of arriving at the best electoral system.

Sir Norman Fowler: The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) may not have been born muttering "STV", but he was certainly born muttering "proportional representation". Although he slightly wrapped up his message, it is clear from new clause 1 that what he proposes is proportional representation. It will not come as an enormous surprise to the hon. Gentleman that I take a radically different position, which is set out in amendments Nos. 25 and 26 and can be summarised as support for the first-past-the-post system.

I will illustrate my case by referring to what happened in the 1997 general election. It might be thought that the Conservatives would favour a more proportional system because, with the first-past-the-post system, the result was that Labour won 419 seats whereas the Conservatives won 165. On that basis, some Ministers believe that they do not need to bother with the arguments and that hon. Members can take it or leave it.

It is a useful correction to remember that on the basis of pure proportionality, the result of the 1997 election would have been that Labour had 285 seats and the Conservatives 202 seats. Achieving that result under a PR system is anything but easy, however, as has been demonstrated conclusively by the Democratic Audit of the United Kingdom, an organisation run in association with the London school of economics and Birkbeck college. It employed ICM which interviewed 8,500 voters straight after the election and asked them to vote again using the main PR systems that were being advocated.

Under the alternative vote system, Labour would have won 436 seats and the Conservatives would have been down to 110. Rather than making the system fairer or more proportional, as the hon. Member for Southwark, North and Bermondsey claims, that type of PR would make it substantially worse. The same is true of the supplementary vote system, a close cousin of the alternative vote system which is, I gather, used for presidential elections in Sri Lanka.

The same survey showed that with the single transferable vote system, Labour support would be overstated. Our own support would be understated and Liberal Democrat support would be significantly overstated. Doubtless that is why the single transferable vote system is the Liberal Democrats' favoured system.

On the basis of the 1997 election, the only system of PR that would come close to proportionality is the additional member system. If the election had been based on having half elected locally and half elected regionally, there would have been about 300 Labour Members, 200 Conservative Members and just over 100 Liberal Democrat Members.

A different price is paid for that system. Half the representatives—it does not need to be half because the proportion can be different—are elected without constituencies to represent. The direct link goes; it would go almost entirely if we went to an entire list system under which, in effect, the party chooses and controls the candidate. The candidate is answerable to the party and not to the public; I find that entirely objectionable.

For a range of reasons, I strongly support the retention of the first-past-the-post system for London elections. First, I am aware of no overwhelming reason or public demand for a change to proportional representation. The survey to which I referred showed that 41 per cent. were in favour of first past the post, 44 per cent. supported the additional member system and 14 per cent. were undecided, so it was very much even stevens.

The Government have already promised a referendum on PR in parliamentary elections during this Parliament. That is already pledged. There will then be a full debate and the issues will be explored. I see no case for changing the system in London before that referendum.

Secondly, I am strongly opposed to breaking the link between the elected representative and the public. I do not accept the implicit argument in the Green Paper that London's assemblymen are in effect strategic thinkers. The Green Paper says:

> "The method of election to the assembly needs to reflect and support the role of assembly members. Assembly members will be required to think and act strategically, looking at London-wide issues and the long-term interests of the capital. We do not think they need to or should duplicate the local representational roles of borough Councillors, MPs and Euro-MPs."

I do not see how a representative can think strategically or in any other political way without being linked to the local community. We do not want assemblymen who are insulated from public opinion. Therefore, we want assemblymen representing the existing boroughs and—if the Government introduce such a system—elected on a first-past-the-post system.

I do not believe that any of the PR systems proposed has a clear advantage over the first-past-the-post system. As the democratic audit shows, a number of the PR systems produce a worse result in terms of proportionality. Others, such as the list system or the partial list system, simply destroy the link with the public and put the party and not the public in the driving seat.

The first-past-the-post system provides certainty. It is easy to understand. It has provided elected Governments that are able to govern—and that can be applied to local

government. It has not generally led to coalition deals which the public may not want and which may result in entirely unforeseen policies.

I am encouraged by one of the Minister's statements this afternoon. When one of my hon. Friends suggested that PR was inevitable, the Minister appeared to dissent from that proposition and said that no decision had been made. I welcome that. I hope that the hon. Gentleman will think extremely carefully before introducing election by PR for London. The Conservative party is opposed to PR. We will campaign against it and we believe that the case has not remotely been made for it. We favour the first-past-the-post system.

Sir Paul Beresford (Mole Valley): I support my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), and would like to add to some of the points that he has made. I recognise that I am no longer a London Member. I speak merely from my experience as a Conservative councillor in London for a considerable time. I have resisted the temptation to accept the invitation from the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) to speak as an ethnic minority. In the light of some of the recent rugby matches, it is best if I do not do that.

My memory of London government under the GLC and the ILEA is bitter. It did not matter who was in control, there was conflict at every stage. I am concerned that the Labour Government have produced a proposal tacked on to the wish for a voice for London, and then proceeded to destroy its strength. The proposal for proportional representation is the last nail in that coffin.

We will have a series of levels of potential conflict between the boroughs, the GLA, the mayor, the regional development authority, the Government office for London and the Government. In the middle, we shall have the assembly, which could be elected by proportional representation. The experience in this country and many others, as reflected in the comments of my right hon. Friend the Member for Sutton Coldfield, is that we tend to end up with deals—a hung assembly.

We need to ponder extremely carefully and consider seriously supporting the amendments tabled by my right hon. Friend. At every move, the Government have undermined the strength of the mayor and the voice for London. They will undermine it even more if we have a hung assembly, which is the natural consequence of a form of proportional representation.

I am deeply concerned that the people of London will vote in a referendum for what they see as a strong voice. What they will get is permanently hung government in London. The proportional representation proposal will ensure that, as is reflected in many nations throughout the world, including the one from which I emigrated, we have strong government destroyed by proportional representation. I fully support my right hon. Friend's amendments.

9.30 pm

Ms Glenda Jackson: Although the amendments tabled by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) and the right hon. Member for Sutton Coldfield (Sir N. Fowler) argue strongly against each other, it was a pleasure to listen to both arguments being so succinctly presented in a dedicated way.

I turn first to the amendments tabled by the hon. Member for Southwark, North and Bermondsey. We are grateful for the tabling of the amendments. As they make clear, and as the speech of the hon. Member for Southwark, North and Bermondsey underlined in a particularly succinct manner, it is his desire to arrive at a consensus—that is essential—behind his call for an electoral convention. He listed in essence three points to which he wished the Committee to give due consideration. The first was a fair-voting system. The second was that, whatever system is devised, it should be inclusive. The third was on the issue of boundaries.

What became apparent in the presentation of the argument of the hon. Member for Southwark, North and Bermondsey was the infinite variety in London—not only a geographic or ethnic variety but one including gender dimensions. It is clearly of the utmost importance that the electoral systems that will be used to elect the mayor and members of the assembly are the most appropriate ones. Both the mayor and the assembly will need to command the support and confidence of the people of London in their infinite variety. More than that, the electoral system selected for the assembly will help to determine the kind of body that emerges.

We want an assembly that can act strategically, consider Londonwide issues, properly represent the wide range of communities across the city, and take decisions that are in the long-term interests of this great capital. The electoral system needs to reflect that, and to ensure that it produces people who are capable of performing the role that will be expected of assembly members.

It is because we recognised the crucial importance of electoral issues in making London's strategic authority effective that a whole chapter of the Green Paper was devoted to the complex issues involved. We asked seven specific questions on electoral issues.

Much reference has been made to the responses that have been received to that Green Paper and they are still being sifted and analysed. I can tell the Committee that they reveal both the significance that respondents attach to these matters and the very wide range of views and opinions that exist in this great metropolis. The Government intend to study all the responses that have been received. There is little point in consultation exercises if close attention is not paid to the opinions expressed, and the Government give a clear commitment to do so.

The proposals will properly be set out in the White Paper that will be published before the referendum next spring. Following a yes vote, the main Bill will be presented in the next Session.

A London electoral convention would not add to that process, and setting it up would be extremely cumbersome and unnecessarily bureaucratic. It is no small matter seeking to consult every political grouping represented in London local authorities, and there is no guarantee that all those diverse groups, and the main parties, could agree on the composition of the convention in time for it to convene, consult, make recommendations, and publish them before a referendum on 7 May. In all probability, the convention would serve to delay the referendum—and progress towards new government for London—by many months, putting at risk substantive legislation next Session.

[Ms Glenda Jackson]

The Government believe that it would be better to proceed as we have outlined. We will, after taking account of the responses that we have received, take the decision on what electoral systems will be the most appropriate. No doubt whatever we decide will be unwelcome to some, but that would also be the case with an electoral convention. The Government's decisions will form part of the package of proposals that we will put to the people of London in our White Paper, and on which they will be able to vote on 7 May. Of course, as the hon. Member for Southwark, North and Bermondsey will know, in the end it will be for Parliament to establish the authority in the context of the Bill.

A London electoral convention would only complicate and delay the process and would not guarantee that better electoral systems were selected. I hope that, on consideration, the hon. Member for Southwark, North and Bermondsey will see fit to withdraw his amendments. Given the enthusiasm of the hon. Gentleman and his colleagues for ensuring that London has the opportunity to scrutinise the proposals fully ahead of the referendum, it would seem odd to delay until after the referendum a decision on an issue that could fundamentally affect the nature and character of the GLA.

The amendments and the argument presented by the hon. Member for Southwark, North and Bermondsey—albeit clearly, succinctly and with the best of intentions—would serve only to delay progress towards democratic citywide government.

Mr. Simon Hughes: I am grateful for the Minister's considered reply, and I understand why she is not accepting the amendments. However, I have never argued for delay—as the Minister will see from *Hansard*—and my party is at one with the Government. One way to achieve our aims would be to allow the convention to sit past May, but require it to complete its deliberations by the time the substantive legislation was introduced next year. We do not argue that the convention would have finished its work before the referendum in May.

Ms Jackson: I understand the hon. Gentleman's argument, but I cannot accept that a convention that extended beyond the referendum would be helpful to the people of London. No greater clarity would be achieved, and confusion would be inevitable. People would think that they were being asked to buy a pig in a poke, and that is not the direction that we believe the new form of government should take. I am sure that the hon. Gentleman will agree that the people of London have already waited 11 years too long, and anything that would delay the process would surely not find favour with them.

The right hon. Member for Sutton Coldfield presented his arguments for amendments Nos. 25 and 26 with great clarity and conviction, but I cannot see any great advantage in fettering consideration of the consultation process, or negating the responses that have been received, by legislating as he proposed. It is surely for the people of London to make a judgment on proposed electoral systems in the referendum in May, as part of the package presented to them in the White Paper.

The right hon. Gentleman made much of what he perceived to be the essential link between elector and elected. I agree whole-heartedly with him that that is vital, if a parliamentary constituency is the basis of the link, but we are proposing a new form of local government in which the assembly and the mayor, working together, will have a strategic view of London.

The right hon. Gentleman discounted the idea of a strategic view, but Londoners do not live exclusively in their own parliamentary constituency or local authority area: they may have homes in one part of London and work or attend an educational establishment in another. They can bewail the failures that they perceive across London as a whole. It does a disservice to Londoners to present them as concerned exclusively about local issues in their city. There has been a strong response to the idea of restoring a democratic voice for the whole of London, because Londoners have a sense of being part of the city as a whole.

We are still considering responses to the Green Paper. We have made it clear that proposals for electoral systems for the authority will be fully covered in the White Paper, and that is what the people of London will be asked to vote on. We believe that that is the correct order to follow.

The Bill makes clear the areas in which directions from the Secretary of State may be necessary. Those directions will be guided by the provisions in the White Paper and by the timetable necessary to ensure that recommendations are available in time for the substantive legislation establishing the GLA.

Given the passion and conviction that informed the contributions of both the hon. Member for Southwark, North and Bermondsey and the right hon. Member for Sutton Coldfield, it is somewhat unlikely that they will respond to my request to withdraw the amendments, but I hope that they will give that request fair consideration.

Dr. Cable: I acknowledge that the Green Paper provided in a short space a helpful summary of the key arguments for different electoral systems, but it is opaque about where the Government are heading, and we want to introduce a process that will lead to greater transparency.

It is perhaps unhelpful to approach the question as the right hon. Member for Sutton Coldfield (Sir N. Fowler) did, by calculating which party would do best out of which system; that is not the spirit of our approach. We should consider how to improve the legitimacy of the new body. The old Greater London council had a chequered history: as the hon. Member for Mole Valley (Sir P. Beresford) pointed out, it was often associated with great bitterness.

We need the new authority to be legitimate and grounded in public opinion, and to engender popular support and a sense of ownership. The first requirement for that is that it should be representative. I remind the Committee what happened in the last two GLC elections. The striking results are reminders of the dangers of simply reproducing the national first-past-the-post system.

In 1977, for example, the Labour party had a bad year and won only 32 per cent. of the votes, getting roughly the same number of seats, but the Conservatives won 70 per cent. of the seats with only 52 per cent. of the votes. Such a result could easily be reproduced in a bad mid-term poll for the Government.

The 1981 result, which I think brought the hon. Member for Brent, East (Mr. Livingstone) to national prominence, saw the Labour party achieve only 41 per

cent. of the vote, but it won a majority—54 per cent.—of the seats. It was the palace revolution that followed which changed the face of London. It was fundamentally unrepresentative.

9.45 pm

The problem with unrepresentative local government—the right hon. Member for Sutton Coldfield missed this point—is that the lack of representative government inherent in the first-past-the-post system, combined with low turnout, produces appalling anomalies in local government. In my adult life, I have lived in two local authority areas, both of which illustrate in different ways the problem of the first-past-the-post system creating vast majorities for parties.

I served for some years on Glasgow city council, a privilege that I shared with you, Mr. Martin. Glasgow has many positive things to its credit, but 80 years of virtual one-party rule has hardly helped the city to provide representative and credible government. I now live in another one-party state, although, as it is Liberal Democrat controlled, I think that it is more competent and popular than others. However, it is clearly unrepresentative, and it is unsatisfactory that the borough has had virtually no Labour representation for much of the past two decades. It is unsatisfactory that turnouts of 40 per cent. in local elections, combined with narrow majorities, produce overwhelming results.

The argument applies not only to the assembly but to the formula for electing the mayor. It is not inconceivable that we could get three or four admirable candidates in the mayoral election, who each attract broadly the same number of votes. If the traditional pattern of local government election turnout is reproduced, the mayor could be elected with the support of barely 10 to 15 per cent. of the population. That would be profoundly unsatisfactory.

In considering the options, we must address two issues that were briefly mentioned by my hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes). First, we need geographical balance. It would be appalling if we reproduced the problem that existed throughout the history of the GLC, of an inner London dominated by Labour representatives against suburbs dominated by Conservatives, with the city polarised and resentment about the levels of rates and services. We want a system with better geographical balance.

The second objective is better ethnic balance. Only four of 74 London Members are from ethnic minorities. It is a credit to the Labour party that it has brought us this far forward. We and the Conservatives do not have any. About 16 would be more appropriate, given the ethnic distribution. I am arguing not for politically correct quotas but for a system that allows a choice of candidates.

We have our own formulation—large multi-member constituencies and candidate selection—but that is not the issue. We are not arguing for a particular approach, but for a process that allows consideration of representative government, with large constituencies that allow partnerships and cross-party alliances to develop.

To help the Government, we have chosen in the amendment the language used in the Cook-Maclennan process, through which we are trying achieve at national level a more representative system of government. That has opened up the possibility of dialogue between our parties on this subject. We are trying to reproduce the same spirit of consensus at London level.

Ms Glenda Jackson: The issues touched on by the hon. Member for Twickenham (Dr. Cable) are well known to us. Not only are they part and parcel of the Liberal Democrat ethos, but clearly they are valid in their own right. He presented them clearly and succinctly, and touched on many of the issues raised by his hon. Friend the hon. Member for Southwark, North and Bermondsey (Mr. Hughes).

Without in any way wishing to discount the argument of the hon. Member for Twickenham, the central point is the legitimacy of the system. Our Green Paper set out a section containing all the issues touched on tonight. We are now saying to the people of London, "We have asked you to consider our proposals. You have responded to us, and we are now in the process of considering your responses." Without genuinely giving those responses the due respect and consideration that they deserve, the legitimacy—which is essential as we move to a modern form of government—would be flawed. I hope that the hon. Gentleman will withdraw his amendment.

Mr. Hughes: I wish to press the amendment to a vote.

Question put, That the amendment be made:—

The Committee divided: Ayes 33, Noes 298.

Division No. 96] **[9.50 pm**

AYES

Allan, Richard
Ballard, Mrs Jackie
Beith, Rt Hon A J
Brake, Tom
Brand, Dr Peter
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Chaytor, David
Chidgey, David
Cotter, Brian
Davis, Cynog
Davey, Edward *(Kingston)*
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gorrie, Donald
Hancock, Mike
Harris, Dr Evan
Hughes, Simon *(Southwark N)*
Kirkwood, Archy
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Tyler, Paul
Wallace, James
Webb, Steve
Willis, Phil

Tellers for the Ayes:
Mr. Adrian Sanders and
Mr. David Heath.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Ballard, Mrs Jackie
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Betts, Clive
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*

Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fatchett, Derek
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galbraith, Sam
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Wise, Audrey
Wood, Mike
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Jane Kennedy and
Mr. David Jamieson.

Question accordingly negatived.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

Committee report progress.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Greater London Authority (Referendum) Bill may be proceeded with, though opposed, until any hour.—*[Mr. McFall.]*

Question agreed to.

Again considered in Committee.

Amendment proposed: No. 26, in clause 7, page 3, line 31, at end insert—

'(3) The Commission's report shall be based on the assumption that the elections will be conducted on the "first past the post" system.'.—*[Sir Norman Fowler.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 120, Noes 327.

Division No. 97] **[10.4 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Cran, James
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Mr. Nigel Waterson.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Ballard, Mrs Jackie
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fatchett, Derek
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galbraith, Sam
Galloway, George
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim

Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ilsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Wise, Audrey
Wood, Mike
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and
Mr. Clive Betts.

Question accordingly negatived.

Question proposed, That the clause stand part of the Bill.

Mr. Forth: Even a casual perusal of the clause would lead the Committee to conclude that it is either a bit of a tease or deliberately obscure. The very first word of the clause, "If", leaves us in some doubt about the Government's intentions. We might expect their intentions to be somewhat clearer at this stage, the Green Paper notwithstanding. *[Interruption.]* We are immediately confronted with the possibility that— *[Interruption.]*

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. Only one Member should be addressing the Chamber. We cannot have conversations in the Chamber.

Mr. Forth: We are left with the possibility that the Secretary of State may direct the Local Government Commission, or he may not. I assume that it is plausible that the Secretary of State may not give such a direction, in which case would we be entitled to make certain assumptions about the way in which the matter would proceed? Presumably, given the indication we have already had of the sort of numbers involved in the assembly, it would not be unreasonable to assume one member per borough. That is a straightforward and workable assumption. From that would flow the further assumption that it would be one member per borough elected on a first-past-the-post system, which would be clear and well understood by Londoners. It would be a straightforward approach.

Matters then become more complicated because, as I read the clause—the Minister will clarify this in due course—if the Secretary of State were to decide to give a direction to the Local Government Commission, that would lead to the provisions in subsection (1)(a). I am genuinely intrigued because that ties the Secretary of State's hands and, therefore, those of the Local Government Commission. It refers to "showing the electoral areas"—that is plural—

"into which it recommends that Greater London should be divided".

That appears to preclude the possibility of London being one area for the purpose of the election. One distinct possibility being considered by those who are more in favour of proportional representation than I am is that

London would be a single area with a single list from which the electorate could choose its members, but the clause clearly says "areas". That is quite a strong hint from the Government that they are precluding the possibility of one approach that could be taken under a system of proportional representation.

I shall be interested to hear what the Minister has to say, but that seems an odd approach if the Government genuinely have an open mind. If they decide not to go down the straightforward route that I would prefer of one member per borough, first past the post—which is easily understood, something to which Londoners could readily relate, and would give the size of assembly that the Government have said that they would prefer—surely the Secretary of State would want to direct the commission to look at a number of other ways of organising the election. But there is the problem of the wording as one of the ways that could be pursued will not be allowed, if I read the Bill correctly. Of course, we all know that it is hazardous for an hon. Member to read and interpret a Bill, but we must do it to elucidate the Government's intentions.

The clause then refers—it is now more logical—to the number of areas and members and directs the commission to state

"the name by which it recommends that each such electoral area should be known."

As I have already said, if we stuck to the straightforward traditional approach, that would not be a requirement because the areas would be the familiar boroughs. That would be elegant and straightforward. If we give some artificial name to areas, we must immediately ask what sort of relationship voters in London would feel they had with the areas cobbled together by the commission under the direction of the Secretary of State.

Sir Paul Beresford: Does my right hon. Friend agree that the position is even more difficult? As I have tried to point out in interventions and in a brief speech, there could be more confusion. If the areas chosen are not coterminous with the boroughs, there will be difficulties with representation and even greater difficulties with discussion and argument between the two tiers of the boroughs and the assembly and the relationship between the representatives of the assembly and the areas that the boroughs partially cover.

Mr. Forth: My hon. Friend is right. There is potential confusion from the attempt to group boroughs into the sort of areas that underlie the wording in the clause. Presumably, one of the options hinted at in the clause, if I read it correctly, is that the electoral areas could be the existing European Parliament constituencies, which gives the possibility of 10 areas for London. We are then in a little difficulty: would the number of members of the assembly divide neatly by 10 or would there be variable numbers per area? Would there be sufficient members in each of the 10 areas to give meaning to anything other than a first-past-the-post system?

Mr. Pickles: If my hon. Friend is right and the number of members will not be divisible by 10, and if a system other than first past the post is used, how will electors be able to get rid of someone elected to the assembly who they feel has let them down?

Mr. Forth: That is a valid and searching question—it is typical of my hon. Friend—but it is not one which I feel obliged to answer as I am not defending such a method of election. The Committee must explore the possibilities that lie within clause 7.

It is striking that there is almost infinite cause for confusion and very little hope of clarity emerging from the process described in the clause. Perhaps Ministers have some as yet unrevealed desire and well worked-out plan up their sleeve—having undergone the sham process of issuing a Green Paper—but they will not say. Perhaps they will say to the commission, "This is what we want to do." If so, Ministers might do us all a favour, shortening events considerably—I am trying to be helpful—by telling us what is in their minds, short-circuiting all the anguish that I am going through right now.

Worse than Ministers having a well thought-out, predetermined plan would be if—heaven forfend—they had not a clue of what they would do about electoral arrangements and were groping through a fog of confusion, hoping that the Local Government Commission will get them off the hook. That would not do.

Depending on the nature of the directions given by the Secretary of State on whether my analysis of that key word "areas", in the plural, ties the commission's hands—as I suggest that it will—and on whether it is likely that the number of assembly members that Ministers have suggested they would prefer fits in with the number of European constituencies, or with some other formulation that I have not yet been able to devise myself, we shall have in London under the proposals a satisfactory system that makes sense to Londoners and induces them to vote, providing some accountability and identifiability of electors with representatives, or we shall not.

Mr. Lansley: I wonder whether my right hon. Friend is proceeding on the basis that the commission, under the direction that it will be given, is to divide the total number of members into the electoral areas? What if Ministers plan to have an additional member election system for the assembly, by which a number of assembly members will be elected on an all-London basis while others will be elected on a constituency basis? How will the commission interpret the Government's intentions when the direction in the Bill seems simply to assume that the total number of members will be divided into the number of electoral areas?

Mr. Forth: Undoubtedly, we shall shortly receive an answer to that question—although, if I were my hon. Friend, I would not hold my breath.

My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) has led me very neatly to the next subsection, which provides that the direction will specify both the number of electoral areas and the total number of members. Such a direction will leave to the hapless commission the job of making sense of the electoral system that will be devised—which must make sense not only in representative terms, by representing the people of London, but in the nature of the assembly itself. He has very perceptively asked whether one can make sense of an alternative member system, for example, in a system consisting of such a relatively small assembly and a relatively small number of members.

There is a real danger that Ministers have painted themselves into a corner by having predetermined a smallish assembly for an area as enormous as London.

[Mr. Forth]

By the by, is it not interesting that Scotland, which has fewer people than Greater London, will be given an assembly with, from memory, 170 members? That size of assembly is deemed necessary properly to represent the people of Scotland; yet it is thought that Londoners—with the huge variety of views and circumstances in London—will be represented properly by a very small assembly. That question has not yet been answered.

Sir Paul Beresford: I take my right hon. Friend's point about the Government painting themselves into a corner but, as he pointed out, the clause begins with the little word "If", and the Bill later states that if the Government do not like the report, they can throw it back and start again.

Mr. Forth: Indeed; I am sure that when we come to clause 8 we shall want to explore that point in some depth. Like my hon. Friend, I have been intrigued by what might happen between the draft report being published and the report achieving its final form. However, if I were to be tempted to deal prematurely with that clause, I suspect that you, Mr. Martin, might take a dim view of that, and I do not want to incur your wrath at this early stage in the proceedings.

I want to give colleagues the chance to express their views, but I hope that I have raised sufficient legitimate questions on the clause to show that we need much more clarity from the Government—it is not an unreasonable request—before we decide how to vote. Otherwise, the Government will effectively be expecting us to sign a blank cheque for them, and that is something which I should be very reluctant to do at this early stage.

10.30 pm

Mr. Simon Hughes: We support the clause. Logically, if one sets up a body to examine boundaries, one has to give it a brief and require it to do certain things. It seems to us that the clause sets out just what the body has to do—it must consider electoral areas and the number of people to be elected, it has to suggest a name for the electoral areas, and so on.

The clause is logical and keeps all the options open. If the Government make a terrible mistake and come up with a ghastly and completely unrepresentative electoral system, for which I shall condemn them for ever, terrible things will happen to them but, more important, the clause still allows them to deal with the situation and to have another system.

It is no secret to Ministers and certainly not to you, Mr. Martin, that I and my colleagues sought to table an amendment to change the body in question in clause 7 from the Local Government Commission for England to the Boundary Commission for England. I raise the matter only because I was told that although it was a perfectly proper subject for debate, the long title of the Bill would first need to have been amended in that way. I just want to flag up the fact that it is more appropriate that the issue is considered by the boundary commission than by the Local Government Commission because we are not debating local government.

The Minister for Transport in London may not have realised it, but at one point she mentioned power to local government, and other hon. Members occasionally did the same. Let us be politically corrected when we have made mistakes, because we are talking not about local government but about regional government. Therefore, the Local Government Commission is being given a job that it has not traditionally been asked to do. I accept that we do not have a regional boundary commission at the moment, but it would have been better for the issue to be considered by the Boundary Commission for England.

Mr. Geoffrey Clifton-Brown (Cotswold): Does the hon. Gentleman agree that the Boundary Commission for England is the proper body to deal with such matters in that it can hold hearings and has the expertise to adjust boundaries? The Local Government Commission is set up to deal with the nuts and bolts of how local government works and should have nothing to do with deciding electoral areas.

Mr. Hughes: I accept those points. Whatever the difference between the hon. Gentleman's views and mine, I am troubled that we are remitting this particular task to this particular body. My colleagues and I would certainly have been happier if the task had gone to the Boundary Commission for England because it effectively relates to parliamentary constituencies.

I should be grateful for an explanation of why it cannot go to the boundary commission, if indeed it cannot. I should like to hear the arguments so that I can be persuaded. If there are no strong arguments, I should be grateful if Ministers would reflect on the possibility of amendments in the other place to allow the relevant body to be the Boundary Commission for England.

Mr. Lansley: I am grateful for the opportunity to speak briefly on the clause, which has several flaws. My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) has referred to some. I had the opportunity to interrupt him briefly on one significant flaw which needs a response from the Minister. No decision appears to have been taken on the electoral system, but the power that the Secretary of State seeks under the clause would not leave scope for places on the assembly to be set aside if there were an additional member system. That option is being precluded, just as the drafting of the clause may have precluded the further option—although not one that I advocate—of treating the whole of London as one constituency.

There are three further problems with the clause. The first was referred to in the previous debate: it would be better if the clause made it clear that we were operating on the basis of first past the post. I shall not revisit those arguments in detail, but it behoves us to remember that democracy is not simply about proportionality, but about accountability, representativeness and the efficiency with which the will of the electorate is converted into political action by a legislature. On all those counts, a first-past-the-post system has a great deal to commend it.

The second problem is that nowhere does the clause—or those following it that govern the manner in which the Secretary of State is to exercise the powers—refer to the opportunity to refer such directions back to Parliament. We are legislating for the Secretary of State, with the subsequent action of the Local Government Commission, to determine a key part of our constitution: the manner in which the first of the regional bodies in England—it may

be the only one—is to be elected. When we discuss the legislation on Scotland and Wales, I imagine that we shall debate the manner of election in some detail.

The arrangements for London are to be taken out of the hands of Parliament and handed over to the Secretary of State, operating with the advice of the Local Government Commission. As I read the Bill, not only can the Secretary of State make directions, but if he does not like the answer he can send it back for a different one. Clause 10 would allow the Secretary of State to require the Local Government Commission to take certain matters into account and to be guided by him on how it should respond on those matters. Great discretion is being handed over to the Secretary of State on the key issue of the electoral system.

My third problem relates to timing. Ministers have referred to consultation and the responses to the Green Paper that was issued some time ago. Several questions have been asked about the electoral system, covering the boundaries of the electoral areas and the manner in which elections are to take place. We do not know the character of the responses and what analysis Ministers have made of how to respond. We know that there were only 1,200 responses. The former Secretary of State for the Environment, my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), has reminded me that more than 10,000 responses from Londoners were received in the 1994 consultation exercise. None the less, those 1,200 views were made in response to the Green Paper and they should be taken into account. That is why we are debating the clause and the manner in which it is to be interpreted by the Secretary of State.

There are significant deficiencies in the clause which ought to be considered on Report or in another place so that we can make the legislation more acceptable.

Mr. Pickles: I would not have spoken on the clause if I had not been inspired by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), who gave us a most eloquent explanation of its inadequacies. Some thought needs to be given to whether the Local Government Commission should be involved, as the Government suggest, or whether the boundary commission should be involved, as the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) suggests.

I believe that on this occasion the Government are right and that the Local Government Commission, rather than the boundary commission, should be involved. Throughout the debate, there has been discussion on whether we are dealing with regional or with local government. I believe that we are dealing with some form of super-local government and not with regional government. If the new system is to work well, it must operate with the consent of the boroughs and in co-operation with them.

A couple of years ago, I had the opportunity of giving evidence to the Local Government Commission and I have seen it working in various parts of the United Kingdom. It brings a local perspective to devising the size of electoral divisions, the boundaries and the number of representatives within a ward. I was very impressed by the way in which the commission would look carefully at the size of local communities and try to group them.

Should a strategic authority differ from conventional local government? As my right hon. Friend the Member for Bromley and Chislehurst suggested, it seems from clause 7(2) that it might be possible to have just one local government division. Alternatively, we might consider the boundaries of European Parliament constituencies or borough boundaries.

I understand that there is a desire to break the constituency and ward links, and to look at London as a whole strategically. It is suggested that, if constituency and ward links are broken, we shall get better government. I do not believe that that will happen. A political class will be created that is impervious to criticism from the public. There is no way in which, as my right hon. Friend the Member for Bromley and Chislehurst said, electors will be able to remove members of the assembly who have failed. They will be cushioned from that and they will be able to live with any decisions that they care to make. Therefore, they can make decisions that upset people's rights in respect of property or individual liberty and a responsive democracy can do nothing about it.

A very small return—a mere 1,200 who responded out of a population larger than that of Scotland or Wales—was concerned about the way in which elections should be conducted. It is usually assumed that we elect people to be responsible to us and not to disappear into an obscure authority that cannot respond. If the hon. Member for Southwark, North and Bermondsey is correct in saying that we are moving to a new system of regional government, we have reached a key point in our devolving constitution and we have to get it right now. We have to lay down clear guidance about the elections.

Mr. Clifton-Brown: I am grateful to my hon. Friend for giving way, as it is unlikely that I shall have the chance to speak. Does he agree that the bottom line is that, if we discourage the electorate from voting, the system will have failed?

Mr. Pickles: My hon. Friend makes a very perceptive point. It is possible that the electors can achieve nothing by voting, as they will not be able to remove unpopular members of the strategic authority. That will erode confidence in the process of democracy generally and the strength of the strategic authority.

To avoid dividing the Committee, the Minister will have to respond in detail to all the points raised.

10.45 pm

Mr. Clifton-Brown: I did not expect to participate in the debate, but I am delighted to make a short, succinct speech. We are considering far-reaching, fundamental reforms. The House relies on democracy. If we discourage people from voting because the system is unappealing in one way or another, we shall do democracy in Britain no favours whatever.

I should like to comment on two issues: the system of proportional representation envisaged in the clause and whether the Local Government Commission or the boundary commission should decide the electoral areas.

I cannot understand the rush for proportional representation in the Scottish Assembly, the Welsh Assembly and in Europe. No doubt we shall have a referendum on whether we should have proportional representation for Westminster elections. Proportional representation does not produce fair votes; it simply encourages minorities. If the level pavement party managed to get enough votes in the London election,

[Mr. Clifton-Brown]

it would be represented on the London assembly. I make that suggestion in jest, but it would be a one-issue party, when everyone on both sides of the Chamber should be concerned with the promotion of London. Unless we promote London to the wider world, what on earth is the point of the Bill? We are about promoting the excellence of London for tourism and trade and for the benefit of the general standard of living for the people of London. What on earth does encouraging minorities do for that?

I have only a few minutes left to speak—[HON. MEMBERS: "Hear, hear."] Obviously Labour Members are not enjoying my speech very much and that is because it hurts.

Mr. Pickles: As we have to decide whether the boundary commission or the Local Government Commission should decide the electoral areas, let me remind my hon. Friend that sitting in the Chamber is a former member of the Local Government Commission, a potential candidate for the London mayor. I wonder whether we could tempt her to say which would be best—the Local Government Commission or the boundary commission.

Mr. Clifton-Brown: My hon. Friend raises a very good point. One wonders whether the hon. Member for Barking (Ms Hodge) will be acting the part of Elizabeth I, the Lord Mayor of London or whoever she might be when she stands for the post. My hon. Friend leads me down paths of temptation down which I should not be led.

The issue is whether we should use the Local Government Commission or the boundary commission. I attended the local boundary commission hearing when it was trying to pronounce on the Gloucestershire constituency boundaries. That hearing was conducted by an eminent lawyer. People from all interested parties in Gloucestershire gave views. That is the right forum in which to pronounce on boundaries—whether they be constituencies in London or wards that make up electoral areas in London.

I ask the Minister to treat the issue seriously. I hope that he will respond to it in detail, when I allow him to get to his feet. The Local Government Commission is concerned with the ethics and working of local government and how it should organise its administrative processes rather than the individual boundaries of wards or constituencies.

Ms Glenda Jackson: I trust that the hon. Member for Cotswold (Mr. Clifton-Brown) is not disappointed that it is a she and not a he who rises to respond.

The speech of the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), in support of the clause, was in the main complete. [HON. MEMBERS: "Where is he?"] I regret that he is not in his place. [HON. MEMBERS: "Here he is."] Just in time. He questioned whether the proposals in clause 7 should be best vested in the Local Government Commission and argued for such functions to be vested in the boundary commission. I well understood his argument.

There is disagreement between the hon. Member for Southwark, North and Bermondsey and the Government over the definition that the GLA is regional government. We regard it as citywide government. Therefore, we believe that it is more appropriate that the Local Government Commission should engage in the functions, should it be necessary. As I am sure the hon. Gentleman will be aware, the whole basis of the clause is entirely dependent on the people of London voting yes in the referendum.

Mr. Simon Hughes: The hon. Lady was right; I made it into the Chamber just on time. I am interested in, but slightly concerned by, the comment—which is right in itself—that she has just made. The GLA would be citywide government. My understanding of Labour party policy is that the GLA is also regional government and was intended to be the first of a series of regional governments. If the hon. Lady is now saying that the GLA will not be regional government, her right hon. and hon. Friends and other Members will be surprised to hear it.

Ms Jackson: I can only repeat that it has always been our presentation, representation, perception and indeed commitment that the GLA represents citywide government. The hon. Gentleman may be confusing two issues. Clearly the Government have considered the possibility of regional government. As the hon. Gentleman knows, we are engaged in consultation on the regional development agencies. I repeat that it is our perception that the people of London will be best served—if they vote yes in the referendum—by the Local Government Commission.

The contributions from the right hon. Member for Bromley and Chislehurst (Mr. Forth), and the hon. Members for South Cambridgeshire (Mr. Lansley), for Brentwood and Ongar (Mr. Pickles) and for Cotswold were obfuscatory to the extent that, if mine were a less charitable nature, I would think that it was deliberate. However, I have a charitable nature and I am prepared to believe that the obfuscatory nature of their contributions was because they simply do not understand clause 7. It may be helpful to the Committee if I define the purpose of the clause.

Clause 7 confers new functions on the Local Government Commission for England, requiring it—at the direction of the Secretary of State—to prepare a report in respect of electoral areas for any elected assembly established after the referendum. That is an important point. The powers given to the Secretary of State under the clause to direct the commission will not be used—I emphasise that point—until there has been an affirmative vote in the referendum, by which stage the Government will have published a White Paper setting out direct proposals. We will make clear our proposals for the election method and the constituencies.

Clause 7 requires the commission, at the direction of the Secretary of State, to prepare a report recommending the electoral areas into which Greater London should be divided for the purpose of electing the members of any assembly established following the referendum, the number of members who should be elected for each electoral area and the name by which each electoral area should be known. It also requires that any direction made by the Secretary of State must specify the total number of electoral areas and the total number of members for which the recommendations in the Commission's report must provide. That is a sensible provision which is designed to

speed the process of establishing the GLA after an affirmative vote in the referendum. Conservative Members have made no case and offered no argument for its removal.

Question put and agreed to.

Clause 7 ordered to stand part of the Bill.

Clause 8 ordered to stand part of the Bill.

Clause 9

SUPPLEMENTARY REPORT

Mr. Tom Brake (Carshalton and Wallington): I will comment briefly on the clause. The commission will be established with agreed terms of reference and objectives. It will then deliberate and report back. The Secretary of State may not like the recommendations that the commission makes, but would it be democratic to overrule those recommendations as clause 9 would allow?

What would be the Secretary of State's purpose in overriding the commission's recommendations? Can the Minister explain in what circumstances the Secretary of State might see fit to direct the commission to review its findings? Could those circumstances include political expediency or convenience? It is because we have doubts about the purpose of clause 9 that we cannot support it, but—given the late hour—we will not push the issue any further. We will recommend that it is considered in greater detail in another place.

Mr. Raynsford: The clause enables the Secretary of State, when a report has been submitted under clause 8, to direct the commission to review the recommendations made in the report, and to submit a further report making revised recommendations. It is a fail-safe provision, designed to ensure that the Local Government Commission can be asked to look again at its recommendations or any part of its recommendations, once it has delivered its report.

The provision is well precedented. *[Interruption.]* Before Conservative Members start crowing, let me remind them that it takes as its model section 15(6) of the Local Government Act 1992, which was used more than once by the right hon. Member for Suffolk, Coastal (Mr. Gummer) when he was Secretary of State for the Environment in the previous Administration.

Circumstances in which such a provision might come into play could include when the commission had changed its mind so much between the draft and final reports that people locally felt that they had not been given sufficient opportunity to comment on the substance of what the commission was proposing in its final report. Alternatively, representations might be made to the Secretary of State on publication of the final report of such importance that they justified the commission being asked to reconsider what it had recommended.

The provision is not about giving the Secretary of State the power to second guess the Local Government Commission. Indeed, it provides only for the commission to revise—to re-examine its decision, and not necessarily to come up with new recommendations—but, without that power, there would be no provision for the commission to take what may be a necessary second look. In the light of those comments, I trust that hon. Members will be satisfied that our intentions are entirely sensible.

11 pm

Mr. Clifton-Brown: In reviewing clause 8, can the Minister tell us, as the Minister for Transport in London failed to do, why, technically, the commission should consider the Local Government Commission's recommendations rather than those of the boundary commission? We have not had an answer to that technical question, which has been raised by several hon. Members.

Question put and agreed to.

Clause 9 ordered to stand part of the Bill.

Clause 10 ordered to stand part of the Bill.

Clause 11

PAYMENTS BY SECRETARY OF STATE TO COMMISSION

Question proposed, That the clause stand part of the Bill.

Mr. Simon Hughes: What do the Government estimate will be the costs of clauses 11 and 12? They provide for money to be spent, and now is the time for a Minister to put on record the estimated costs. Conservative Members sometimes complain that the exercise will cost the taxpayer a great deal, but we think that it could be cheap to set up. What advice does the Minister have about costs?

Mr. Raynsford: It is impossible to give an estimate at this stage, because it depends entirely on what remit is given to the Local Government Commission. Were it to involve a lengthy and protracted examination of complex constituencies, there would obviously be greater costs than if it were a relatively simple matter relating to existing boundaries that might need some modest modification.

I cannot give the answer that the hon. Gentleman requests, but there is no question of any expenditure being made until after a positive referendum result, by which stage there will have been a statement in the White Paper of the Government's intentions in relation to the boundaries. We will then be in a much better position to give him the information that he seeks. I hope that he accepts that the provision is sensible.

Question put and agreed to.

Clause 11 ordered to stand part of the Bill.

Clause 12

EXPENDITURE

Question proposed, That the clause stand part of the Bill.

Mr. Simon Hughes: I accept entirely that the matter may not be elaborated until after the referendum and that no money will be spent before then, but it would be helpful to know what the Minister's advisers suggest that the expenditure in connection with the referendum will be. Someone must have done an estimate. This does not depend on the boundary commission; it involves setting up the arrangements for the referendum. A ballpark figure would interest those who read our proceedings.

Mr. Raynsford: If the hon. Gentleman refers to the explanatory memorandum, he will find that we have already indicated that we expect a maximum provision of

[Mr. Raynsford]

about £20 million for preparatory arrangements for bringing the new authority into existence. Once again, no expenditure will be incurred until after a positive vote in a referendum. On that basis, I hope that the hon. Gentleman is satisfied.

Question put and agreed to.

Clause 12 ordered to stand part of the Bill.

Clause 13

SHORT TITLE

Mr. Simon Hughes: This is a very important clause. It says that it is the short title, but the Bill should not, by any definition, have a short title. Had we known what the Government were going to say in Committee, we would have sought to amend the short title to read that the Act should be cited as the "Greater London Authority (Referendum), You Can Have Any Choice You Like For Democracy in London Provided It's the One We Give You and You Won't Have Any Other Alternative Act 1997."

The serious point is that it is disappointing that, at the end of the Committee stage, the Government are still wedded to giving the people of London only the Government's choice. We are grateful, however, that the Minister conceded that that is only a matter of pragmatism, and that it would be acceptable if two questions that do the job could be formulated. We have already started work on that. I am sure that the Minister is looking forward, as are others, to the two-question alternative. I am sure that it will be persuasive and that he will find it impossible not to support it.

Ms Glenda Jackson: I trust that the hon. Gentleman has not made this point simply because he neglected to table an amendment and now regrets it. His additions would not have made this a short title but an unnecessarily long one. Clause 13 specifies that the Bill, if enacted,

"may be cited as the Greater London Authority (Referendum) Act 1997."

It is a matter of convenience. The proposed title is short and appropriate to the Bill.

Question put and agreed to.

Clause 13 ordered to stand part of the Bill.

Bill reported, without amendment.

PETITION

Harold Wood Hospital

11.6 pm

Mr. Eric Pickles (Brentwood and Ongar): I present a petition on behalf of my constituents relating to the location of an accident and emergency unit in a hospital close to my constituency. They are concerned that, after a lengthy and fair inquiry, the recommendation that it be sited at Harold Wood may be overturned. It has been signed by 16,500 electors in my constituency and states:

"The Petition of residents of the parliamentary constituency of Brentwood and Ongar and patients of Harold Wood Hospital

Declare that it is in the interest of local people, and in the strategic interest of the National Health Service, to build the new accident and emergency unit for Barking, Havering and Brentwood at Harold Wood Hospital

The Petitioners therefore request that the House of Commons support their plea for this much needed unit

And the petitioners remain, etc"

To lie upon the Table.

Residential Boat Owners (London)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

11.8 pm

Dr. Vincent Cable (Twickenham): It is a pleasure to raise this matter on the Adjournment, albeit at a very late hour, and to resume a dialogue with the Minister for Transport in London, albeit on a very different subject. Perhaps I can summarise briefly the essence of my concern. I am concerned with the behaviour of the Port of London Authority—a public trust and a statutory public authority—which has been behaving irresponsibly. It has imposed large increases in mooring charges—in effect, rents on boat dwellers—on the tidal waters of the Thames in a way that is likely to cause considerable distress. The increases will cause many residential boat owners to leave their accommodation because they are simply unable to pay owing to sharp increases for which there has been no consultation.

I ask the Minister to have a fresh look at whether she can intervene informally, not by using her statutory authority but by using her good offices to bring the parties together to seek an amicable resolution. Failing that—and if the PLA continues to behave in an arbitrary and unsatisfactory way—I ask her to use her statutory authority in terms of the appointment of the non-executive directors of the PLA. Looking further ahead, I ask her to look at whether a more effective system of regulation—possibly an ombudsman—needs to be introduced to protect people from the arbitrary misuses of authority.

This is important, and goes way beyond my narrow constituency concern. There is a broad issue of principle here, and the Labour party's election commitment to provide security in housing is very much part of that. A group of people have been rendered extremely insecure as a result of a large increase in what is effectively their rent. Many already have insecure tenure arrangements, as the arrangements that pertain to boat owners are often not as secure as for those with normal property relationships. The already high level of insecurity will be enhanced by these large increases.

I am speaking on behalf of a substantial number of boat owners in my constituency—approximately 230—the majority of whom are affected by the increases. However, there is a larger community in the country—about 30,000 people occupying 15,000 boats—who will be following this discussion with considerable interest.

The broader interest that I want to highlight relates not simply to the particular problem of the boat dwellers but to the question of the accountability of quangos—in this case, it is a completely, rather than quasi-autonomous, agency, and could be called a "cango"—and the ability of the Government to call them to account for unsatisfactory behaviour. In a letter to me, the Minister said that this was not a matter in which the Department played a part, and that the changes in question were a commercial matter for the Port of London Authority. I would beg to differ: that is, in part, an error. If it is true, it is an extraordinary statement of the ministerial approach to accountability. The PLA is a public body and must be brought to account, and there are mechanisms by which the Government can do this. Let me give a little background. The system of tenure on the Thames and other waterways is extremely complex. Many authorities are involved, but I am concerned only with the Port of London Authority, which was established in 1968. It was given a clear statutory duty; not, as the Minister has suggested, to behave commercially—that is not the language of the Act. The Act says that the PLA should levy the

"best charges that can reasonably be obtained . . . excluding any elements of monopoly power."

The principles behind that stricture have been observed for the past 10 years with an amicable arrangement between the Residential Boat Owners Association and the PLA. For 10 years, a general formula, based on the lengths of boats, was applied. It was a simple administrative procedure with relatively low costs which was accepted by all parties. What has caused that to break down is that the PLA has arbitrarily and without consultation imposed a new system without any redress for the boat owners.

Our objections fall into two parts—they relate partly to the process and partly to the charges. As regards the process, the PLA argues—this is part of the Act—that the boat owners can resort to arbitration. In correspondence with me and some of the boat owners, the Minister seems to feel that the concept of arbitration in this case is reasonable. I ask her to consider why, in practice, it is not. Many boat owners cannot resort to arbitration, including the substantial number who are, in effect, tenants of licensees and so have no direct access to arbitration. That is the most vulnerable category, because they can be asked to quit their moorings at 28 days' notice. They are very insecure. I visited some of them last Friday; many were reluctant even to be photographed because of their insecurity. They are not able to pursue the arbitration route.

There is the broader issue of the difficulty of trying to introduce arbitration into such disputes. I shall draw an analogy. If an employer cut the wages of his workers by 50 per cent. and said, "Fine, if you don't like it, you can always have individual arbitration on your individual wages," we would consider that to be a breach of the concept of collective bargaining. Surely the Minister, in her political capacity, accepts that collective bargaining is essential to protect vulnerable groups.

If one of the water authorities increased charges by 200 per cent., 300 per cent. or 400 per cent.—which is the size of increase that many boat dwellers now face—and said, "If individual water consumers want to dispute this, they can take us to individual arbitration; they can take their solicitor along and fight this in the courts," we would regard that as a gross abuse and grossly unsatisfactory. We have regulators to manage such a problem. Asking individual boat owners to pursue the route of individual arbitration is totally inappropriate to the problem. The process is wrong and arbitrary, and, I would argue, an example of maladministration.

I referred to the terms of the 1968 Act. The Port of London Authority is not required merely to observe commercial principles. The Minister is right to point to the fact that it must be commercial, but it must avoid the misuse of monopoly power. It is clear that in this case there is a monopoly, because there is a gross excess demand for moorings. Individual boat dwellers are not able to pull anchor and go somewhere else: they do not have that discretion, so we are talking about an abuse of a monopoly.

[Dr. Vincent Cable]

An important factor is that the increased charges in no way reflect any improvement in services. I visited some of the moorings at the end of last week, and saw that large amounts of driftwood had accumulated over months. The Port of London Authority makes no attempt to provide services to those people. That stands in considerable contrast to some of the other authorities. The waterways authority imposes charges that are somewhat higher than the present PLA charges, although much less than the new ones, but, unlike the PLA, it offers in return a comprehensive range of services on thousands of miles of canals and rivers.

The Minister wrote to me and explained that she expected the Port of London Authority to operate commercially. What exactly does that mean? I have a copy of the PLA's annual report and accounts, which contains about 10 pages of balance sheets and cash-flow statements. There is not a single reference to the charges earned from boat owners. It is an utterly trivial element within the overall accounting framework of that corporation. That is not surprising. According to my rough calculation, the additional revenue that it will earn from these steep increases is about £10,000, which is ridiculously small for an organisation with a turnover of £20 million: it barely pays for half the salary of one of its non-executive directors. It is a trivially small part of its overall commercial operation. The imposition of this increase was an oversight by top management and had little to do with hard commercial principles. If the PLA were seriously interested in applying commercial principles, it would address itself to anomalies such as the fact that pleasure craft are not charged navigation duties.

I now come to what the Minister can do to alleviate the situation. The least that she can do—not acting in a statutory capacity but simply as a reasonable person who has oversight, albeit indirectly, of the Port of London Authority—is to call in the parties to get them to discuss matters, as we and the Residential Boat Owners Association have requested. I find it difficult to fathom why she is reluctant to do so. I do not know whether she feels that I would be bringing along a group of roughnecks who will break the crockery at her Department and behave irresponsibly. I remind her that the honorary president of the association is Madam Speaker. It is a respectable organisation and its members simply wish to sit down and discuss matters with the PLA.

We are asking the Minister, in a reasonable tone, simply to hold a conversation. If she finds that difficult and if the PLA persists in imposing highly unreasonable charges, she might consider the use of her statutory power, as she does have some. That power lies in the appointment of the non-executive directors. I remind her who some of those people are. They were appointed under the previous Government and bear their stamp. For example, the chairman, Sir Brian Shaw, is paid £50,000 a year for a part-time job, which he doubles up with being chairman of the Automobile Association and a director of Enterprise Oil. The gentleman who was probably directly responsible for the increases is a Mr. C. W. Jonas. He has a £19,000 part-time salary and combines that work with being a director of Railtrack.

Those gentlemen have absolutely no background whatever in the sort of problems that I am describing—the problems of managing a sensitive relationship with a group of home owners on the Thames. Their whole background is in commercial shipping—no doubt they are very competent at that. I ask the Minister to try to impose some of her authority on the PLA by asking one or other of those directors to stand down and, perhaps, to be replaced by someone who is a little more aware of the concerns of the houseboat owners.

Finally, as I do not want to prolong proceedings all night, I must ask the Minister to think about some of the long-term and wider implications of the issue. We have here a classic case of a public organisation with a very substantial monopoly power that is able to impose its will; what is required is either a regulator, or at the very least some form of ombudsman as a court of appeal. Neither exists in this case. Clearly, there is a strong case for a change of governance to bring greater accountability to bear.

I ask the Minister to study all those options but in the first instance, to look again—she has already rejected this option—at how she can intercede and produce more reasonable treatment in this case.

11.22 pm

The Minister for Transport in London (Ms Glenda Jackson): I congratulate the hon. Member for Twickenham (Dr. Cable) on obtaining this debate. First, it may be helpful to the House, Sir Alan, if—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I remind the hon. Lady that we are no longer in Committee.

Ms Jackson: Thank you, Mr. Deputy Speaker.

It may be helpful to the House if I say something about the constitution and statutory powers of the Port of London Authority, before dealing with the authority's relationship with residential boat owners on the river.

The PLA is the statutory harbour authority for the River Thames. It is a trust port with statutory responsibility for conservancy of the tidal River Thames. It owns much of the river bed and foreshore. The statutory provisions relating to the PLA are set out in the Port of London Act 1968. Under that Act, the PLA provides navigational services and is responsible for maintaining shipping channels, moorings and navigation lights. The authority is also responsible for licensing river works. In the case of houseboats, works licences are issued to cover the mooring points.

With regard to the hon. Gentleman's points about requiring changes to the PLA, as I am sure he is aware the Department is conducting a review of trust ports. Accountability is one of the important factors that is being examined. We are also looking at the relationship to be established between the PLA and our proposed Greater London authority.

The PLA funds statutory functions by charging for services provided, including the issuing of works licences. The 1968 Act requires the charge for licences to be the best consideration that can reasonably be obtained having regard to all the circumstances of the case. The PLA regards that as "the market rate". Section 67 of the Act provides for disputes regarding charges to be considered by an independent arbitrator appointed by the president of the Royal Institution of Chartered Surveyors.

Arbitration in such cases should be possible at a reasonable cost to all parties involved, as the arbitrator will be able to assess the appropriateness of the charges being disputed without the need for a detailed legal case. I understand that it has rarely been necessary to resort to arbitration, as it has almost always been possible to reach a commercial agreement by negotiation.

There are 234 residential craft moored on the tidal Thames within the PLA's jurisdiction. Those craft range from floating, purpose-built two-storey houses and bungalows to Dutch-type barges, canal narrow boats and various other vessel conversions with much less living space. Residential craft are mainly concentrated on licensed moorings on both banks of the river between Cheyne walk in Chelsea and Swan island in Twickenham.

Six licensees have negotiated long-term agreements with the PLA's agents in respect of 99 of those craft. Fees have been set and reassessment criteria established for 20-to-60-year terms. A further 105 residential craft are moored at 11 separate locations on bulk licences held by seven licensees. The remaining 30 craft are held on river works licences granted to 23 individual licensees.

Thus, the current 234 moorings are licensed to 36 licensees. That means that the vast majority of occupiers are tenants of the licence holder. In those cases, there is no agreement whatever between the occupier of the boat and the Port of London Authority.

I shall now deal with the current dispute between boat owners and the Port of London Authority. In 1986, the PLA consulted the Residential Boat Owners Association and, at that time, arrangements were made for a rate per foot length to be applied to all residential craft moored on the tidal Thames and linked to the annual retail prices index. That arrangement continued until 1993, when the PLA gave notice to licence holders that a review would be undertaken in 1997.

In recent years, a number of new residential mooring developments have been licensed and the PLA's chartered surveyor agents have negotiated long-term agreements with new licensees. The current annual consideration agreements are for greater sums than those paid under the 1986 arrangements. In addition, the nature of houseboats has changed to some degree, with purpose-built floating houses and bungalows now appearing on residential moorings up and down the Thames.

The PLA was advised that an assessment based solely on the length of craft was no longer appropriate, and was not in accordance with the PLA's obligation to obtain the best consideration. Charging by craft length did not produce a market rate as it took no account of the amount of living area available in each dwelling.

Ninety-nine moorings are not subject to the current round of reassessments. Of the 135 that are currently being re-assessed, some 20 are licensed to individuals. To date, notice of the revised annual charge has been given to two bodies and three individuals in relation to 49 craft. The PLA has explained to those concerned the procedure for making objections to the charges. The PLA's assessor would discuss the grounds for the objection with the licensee and, failing an agreement on the annual sum, an arbitrator would then be appointed, as provided for in the Port of London Act 1968.

All those so far reassessed have formally objected in accordance with the procedure that I have described. The Swan Island harbour at Twickenham, with 37 craft, has appointed a chartered surveyor to represent it in negotiations with the PLA. The Richmond Upon Thames Churches Housing Trust and the three private individuals have appointed the Residential Boat Owners Association to represent them. The remaining 86 moorings fall due for reassessment in the first quarter of 1998.

The Residential Boat Owners Association has recently written to me and to those hon. Members whose constituencies cover the Thames. The association wants the PLA to negotiate directly with the occupants of the houseboats rather than with the licensee of the mooring. That would be possible where the harbour legislation provides for the occupants of houseboats to have licences with the harbour authority, but that is the position for only a few occupants under the Port of London Act.

The Residential Boat Owners Association has asked the Government to intervene. The hon. Member for Twickenham has also asked Ministers to hold a meeting. I found the hon. Gentleman's remarks offensive. I would not disregard a request from people, even if they did break the crockery, and it is clearly a duty of Ministers to meet those who have concerns. I am not aware that his letter also contained a request for a meeting, but if he wishes to ask for one, I shall be happy to oblige.

My Department has no locus to intervene in disputes over mooring charges. However, my officials have raised with the PLA the concerns that have been expressed to me. The PLA has shown that it is keen to reach an agreement and that its agent is anxious to deal directly with the licence holders and those who are appointed to represent them. If that is not possible, there is, as I explained earlier, a procedure for objections which has been notified to licence holders. In the last resort, the Act gives them recourse to arbitration as a means of ensuring that the charges imposed are reasonable.

I accept that occupants who are the tenants of the licence holder are unable to use the arbitration route since the PLA is not levying a charge on them. The fact that all the reassessments made so far are subject to objections demonstrates that the licence holders are not simply accepting the revised charges. Therefore, it would appear that the objection procedure is working effectively, and that licence holders are taking steps to protect the interests of boat owners, who are, in effect, their tenants.

I hope that I have reassured the House that the procedures that are currently in force for the licensing of houseboats on the Thames make adequate provision for those who wish to object to the proposed increases in houseboat mooring charges.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes to Twelve midnight.

House of Commons

Tuesday 25 November 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

Amsterdam Treaty

1. **Mr. Hammond:** If he will make a statement on those provisions of the Amsterdam treaty title on immigration, asylum and visas that allow the United Kingdom to opt in subject to national veto. [15988]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): The United Kingdom will have the right, under the Amsterdam treaty, to take part in the adoption and application of measures proposed under new title IIIa to be inserted into the European Community treaty. UK participation in measures on immigration, asylum and visas which form part of the existing third pillar acquis is an absolute right and not subject to challenge. In the case of the present Schengen acquis, to none of which the UK is a party, the unanimous agreement of the other states is required, but that is qualified by the Council declaration that the decision shall be taken on the basis of an opinion by the European Commission, and that every country shall use its "best efforts" to enable the UK to participate.

Mr. Hammond: Does the Foreign Secretary accept responsibility for the late-night blunder during the negotiation of this title of the treaty, which led the Prime Minister inadvertently to mislead the House on 18 June this year, when he said that, if Britain decided to enter into those parts of the treaty, no other country could block us?

Mr. Cook: My right hon. Friend the Prime Minister was absolutely correct in what he said to the House. Article 3 of the UK-Irish protocol says:

"The United Kingdom or Ireland may notify the President of the Council in writing . . . that it wishes to take part in the adoption and application of any such proposed measure, whereupon that State shall be entitled to do so."

What the Prime Minister said to the House is accurately reflected in that protocol.

Dr. Marek: Why did Her Majesty's Government allow this part of the Amsterdam treaty to be framed in such a way that Gibraltar will never be allowed to opt in, because, as the Foreign Secretary must know, Spain will use and insist on its veto should Gibraltar ever want to join and opt into the arrangements? Is it simply that Her Majesty's Government do not care about Gibraltar and give it a low priority, or was it just a Government cock-up?

Mr. Cook: I am grateful to my hon. Friend for his friendly intervention!

First, I strongly resent the suggestion that Her Majesty's Government are not committed to the sovereignty or protection of Gibraltar. No part of Europe has more occupied my thoughts in the past two months than Gibraltar. Secondly, there was no cock-up during the Amsterdam treaty negotiations. Spain did propose an amendment to have the effect of bringing in unanimity for UK participation in the Schengen acquis. I did challenge it and Spain withdrew that amendment. There was an agreement that there should be an amendment only if it was submitted in writing by Spain. No such amendment was submitted during the hearings of the Amsterdam negotiations.

The subsequent change to the treaty was a bilateral agreement between Spain and the Dutch presidency. When, a week later, we received the text that contained that change, we obtained the declaration to which I have referred, but I repeat: there is no intention on the part of Her Majesty's Government to enter the Schengen acquis. On the contrary, the main gain from the Amsterdam treaty for Britain is that it has achieved a clear legal foundation for our border controls, which was never obtained by the Conservative party in 18 years.

Mr. Faber: The right hon. Gentleman's first and second replies clearly contradicted each other. Did not the Prime Minister boast to the House on 18 June that no other country could block our opt-in? The Foreign Secretary has now admitted that Spain can block that opt-in and he has claimed that Spain and Holland undertook some form of bilateral agreement after the summit. Was not the Prime Minister inaccurate in what he told the House on 18 June?

Mr. Cook: The Prime Minister was entirely accurate in what he told the House and I have quoted from the UK-Irish protocol. I advise the hon. Gentleman to consult the original text, where he will find that there is a clear distinction between immigration, visa and asylum provisions under pillar 3, which are clearly provided for in the way in which the Prime Minister told the House, and the Schengen acquis, to which we are not and have no intention of being a party.

Kyoto Conference

2. **Mr. Bayley:** What communications he has had with the United States Secretary of State about the forthcoming Kyoto conference. [15989]

Mr. Robin Cook: I spoke to Mrs. Albright at the end of last week about climate change and the Kyoto negotiations. I also had an extensive bilateral on those topics with Mrs. Albright in the margins of the United Nations General Assembly. My right hon. Friend the Deputy Prime Minister recently visited Washington to

discuss the Kyoto conference. We shall continue to be in close contact with the United States Government in the run-up to Kyoto to help ensure a successful outcome.

Mr. Bayley: I am glad that the Government are in close touch with the United States Secretary of State. Does my right hon. Friend agree that there is compelling scientific evidence of the dangers of global warming and that quality of life—and, for some people in future generations, life itself—will be threatened if we do not take action? Does he further agree that there is a special obligation on industrialised countries such as the United Kingdom—and especially the United States, as the world's biggest producer of greenhouse gases—to enter into a binding agreement to reduce the quantity of greenhouse gases emitted into the atmosphere?

Mr. Cook: I entirely agree with my hon. Friend on the severity and gravity of the problem. If the present trend of global warming continues, the world will face extremely unpredictable weather changes and a reduction in food-producing areas. For those reasons, it is vital for everyone that, at Kyoto, we achieve legally binding targets for reductions in CO_2 emissions. I am proud to say that the British Government are playing an important part in working for a successful outcome at Kyoto. My right hon. Friend the Deputy Prime Minister has completed a visit to India. He spent the weekend in New Zealand and is currently in Australia working with those countries and taking the lead to achieve the environmental agreement that we need.

Mr. Swayne: Will the Secretary of State acknowledge that the United Kingdom's exemplary record has afforded him a platform from which he can encourage other countries to meet their targets and that that record is largely a result of Conservative policy?

Mr. Cook: I am proud to say that one of the Government's first actions was to ditch the Conservative target of a 10 per cent. reduction and replace it with a target of a 20 per cent. reduction. That shows that our policies are twice as good as theirs.

Mr. McAllion: Does my right hon. Friend accept that decisions about whether to invest in energy systems that burn fossil fuels and pump CO_2 into the atmosphere or systems that promote energy efficiency and reliance on renewable sources of energy are essentially matters for elected Governments? When he meets Mrs. Albright, will he stress the point that next April the Government will not sign up to any multilateral agreements on investment that would take decisions away from elected Governments and hand them to transnational corporations?

Mr. Cook: I am happy to assure my hon. Friend that subsidiarity will certainly apply to those matters. However, Kyoto will be different from Rio in that we will be agreeing to a mandatory target that will then be obligatory on all parties that sign up to it. Although there are different ways in which that can be realised, it is important that Britain and other industrialised countries match their commitment to achieve that mandatory target if we are to have any hope of persuading developing countries to do likewise.

Export Forum

4. **Ms Drown:** If he will make a statement on the impact on his Department of the recommendations of the export forum. [15991]

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): The FCO and the DTI launched the export forum in June to examine the effectiveness of Government support for UK exporters. Their recommendations were published in October. The Government accept their broad thrust. They give a positive and challenging basis for making the Foreign Office's efforts more focused on the needs of our customers—adding maximum value to their efforts and so leading to more jobs and prosperity for Britain.

Ms Drown: I welcome my hon. Friend's reply and the initiative taken by the Government in asking the private sector what was needed to increase exports. Will the implementation of the recommendations of the export forum help small and medium businesses in Swindon and elsewhere in the country to reach out to the markets on which they are missing out?

Mr. Fatchett: I recently had the opportunity of visiting my hon. Friend's constituency in Swindon and seeing the work of the local business link and the support that it was offering to small and medium businesses. We very much welcome that support. One of the export forum's key recommendations is to ensure that greater emphasis and focus are placed on the work of small and medium enterprises, particularly in assisting them to open up new export markets and activities.

Information Campaigns

5. **Mr. Gibb:** What European Commission finance is presently available in the United Kingdom to fund information campaigns. [15993]

The Minister of State, Foreign and Commonwealth Office (Mr. Doug Henderson): General information and communication work concerning the European Union, including the Commission's information activities in the United Kingdom, is funded under chapter B3-30 of the European Community budget. For 1997, 107 million ecu—which is about £72 million at current exchange rates—has been allocated.

Mr. Gibb: On 28 October 1997, the Foreign Secretary made it clear to the House that the Government would not apply for European Union funding to pay for a pro-single currency campaign. How is that statement consistent with the answer that the Minister has just given or with the views of the Chancellor of the Exchequer, who has made it clear elsewhere that the Government will be applying for European Union funds to pay for a euro campaign?

Mr. Henderson: The Chancellor of the Exchequer has approached the European Commission on whether it would provide some funding for a general information campaign, so that British business and British citizens have access to information on very important matters which will be considered in the coming months and years. The difference between the previous Government and

this Government is that they thought that everything should be kept secret, whereas we think that information should be provided to inform people.

Mr. Cunliffe: Does the Minister agree that, for informed debate on Europe, it is imperative that essential information is provided? Is it not clear that the Tories want a debate informed by their own prejudice, and that they are not interested in the facts?

Mr. Henderson: My hon. Friend is absolutely right. The Commission now knows where the Government stand on the issues. Before the general election, the Commission did not know whether it should speak to one end of the Government or the other, because each gave a different answer—making it impossible to provide information.

Mr. Streeter: Is not the point that, on 28 October, the Foreign Secretary told the House that there would be no EU funding to promote the euro? The Minister has now had to concede that there will be a general information campaign, funded by the EU, to inform people about the euro. What is the difference? Is it not merely a disingenuous play on words? Does it not come from the same stable as the Prime Minister's assurance last week that he had paid back the £1 million, only to concede five minutes later that it had not been paid back? Would it not be better if Labour Ministers adopted a new policy of telling Parliament the truth in the first place?

Mr. Henderson: I am surprised at the hon. Gentleman. I should have thought that he would realise that there is a huge difference between the propaganda against Europe that the previous Government frequently tried to perpetrate and giving information to people, so that they can make their own assessment of the issues involved and make their own preparations—so that, when and if a referendum is held on the matter, they can make a decision based on knowledge, not prejudice.

Japan

6. **Mr. Charles Clarke:** If he will make a statement on the United Kingdom's relations with Japan. [15994]

Mr. Fatchett: The United Kingdom enjoys excellent relations with Japan, which we regard as a special partner. Japan is our largest export market in Asia and a major inward investor in the United Kingdom. We work closely with Japan on a wide range of subjects, including joint science and technology projects, international peacekeeping, commercial collaboration in third markets and joint aid projects. There are also growing ties between the British and the Japanese people. We want to build closer relations in the future. The visit of my right hon. Friend the Prime Minister to Japan, in January, will be an important step towards that objective.

Mr. Clarke: I thank my hon. Friend for his response. Will he confirm that future relations between the United Kingdom and Japan will be strengthened by an open acknowledgement by the Japanese Government of the crimes of the past? Will the Government and the Prime Minister, on his visit next year, continue to press for full appropriate compensation for Japanese labour camp victims and civilian internees? Does he acknowledge that full compensation is the basis for a stronger, better and more fruitful relationship in the future?

Mr. Fatchett: Since the Labour party was elected in May, I have had several meetings with representatives of the former prisoners of war. My right hon. Friend the Foreign Secretary and I have also had a series of meetings with Japanese Ministers and officials and we have suggested possible ways in which the wartime sufferings of the former prisoners of war could be recognised and acted on. I am sure that all right hon. and hon. Members welcomed the gesture by the Japanese ambassador in attending the Remembrance day service at Coventry cathedral the other week. That was a warming gesture of reconciliation and I hope that we can build on it in the next few months.

Mr. Menzies Campbell: Do not events earlier today in Japan raise some profound questions about the issue of security? Is it not the case that, for a country such as the United Kingdom, economic turbulence—of the kind seen in Japan—is likely to be as disadvantageous as military threats? In the light of those circumstances, what measures have the Government urged on the Japanese Government, as a fellow member of the Group of Eight, as a means of restoring economic confidence in the domestic Japanese economy?

Mr. Fatchett: We all recognise the global significance of the events in south-east Asia, and Japan and Korea. We know that the Governments in the region are working closely with the International Monetary Fund and others, which is the right approach to open up their trade, to liberalise their markets and to take some of the measures that are crucial for their long-term financial and economic security.

One lesson that we must learn from the Japanese experience—much reinforced to me last week when I spoke to inward investors from Japan—is that, if we follow the Conservative party's European policies, Japanese inward investors will cut their investment in the United Kingdom. Every Japanese company that I visited told me that Conservative policies would put tens of thousands of jobs at risk.

Ms Squire: I very much welcome what my hon. Friend has just told the House. Does he share the concern of my constituents in Dunfermline, and people elsewhere in the United Kingdom, who have benefited from inward investment from south-east Asia? What measures will the Foreign Office take to ensure that we remain an attractive destination for investment by Japan, South Korea and other south-east Asian countries?

Mr. Fatchett: There was no doubt, during my discussions with Japanese and Korean inward investors last week, that the United Kingdom remained an attractive location. We have become even more attractive since 1 May, because inward investors know that we have political stability, and that we are committed to Europe and intend to be a central part of it. The messages from the previous Government were a strong disincentive to inward investment.

Mrs. Virginia Bottomley: I am sure that the Minister is right that one of the reasons why Japanese companies

invest in Britain is our membership of the European Union. What steps will the Minister take to reassure inward investors that the very advantages that they see in investing in Britain—more flexible labour markets—will not be eroded by following the European social model?

Mr. Fatchett: Not one Japanese company mentioned that to me last week. They saw attractive propositions in the United Kingdom and they will continue to look to this country as a suitable location for inward investment. If the right hon. Lady had a strong message on Europe, it would be attractive to Japanese companies. My wish for her is that she could win more support in her party, but she is sadly isolated in her beliefs.

Israeli Prime Minister

7. **Mr. Dismore:** If he will make a statement about his recent meeting with the Prime Minister of Israel. [15995]

Mr. Robin Cook: Prime Minister Netanyahu and I had a two-hour meeting, covering the middle east peace process and other regional issues and bilateral relations. I made clear our support for Israel's security, but also set out our concerns about the current state of the peace process and the urgent need to move forward on issues such as the airport and sea port in Gaza, free passage between Gaza and the west bank, an end to the expansion of settlements and further redeployments of Israeli troops from the Palestinian entity. Britain is committed to a successful outcome of the middle east peace process on the basis of peace with security for Israelis and peace with justice for Palestinians.

Mr. Dismore: Will my right hon. Friend assure the House that he will continue to encourage progress towards accelerated final status talks between Israel and the Palestinians? Does he agree that we can make a major contribution to the peace process by promoting the economic development necessary to underpin it?

Mr. Cook: I entirely agree that progress towards final status talks would be desirable, but there is a lack of confidence on both sides that an offer of accelerated final status talks would be genuine. There must be some interim agreements as a gesture of good will and good faith to make it possible to proceed.

It is vital that economic progress underpins the peace process. One of the problems in the middle east is that the income and standard of living of most Palestinians have declined during the period of peace. That must be reversed. We must show the people on the back streets of Gaza that the peace process will deliver real improvements in their standard of living.

Mr. Fabricant: Does the Foreign Secretary agree that pressure should be brought to bear on Chairman Arafat, who made certain agreements in Oslo that have not been kept? It is unfair to expect Israel to go beyond the Oslo agreement when that agreement has not been fulfilled.

Mr. Cook: Nobody is asking the Israeli Government to go beyond the Oslo accord. They are being asked to adhere to an agreement that, although it was entered into by a previous Government, is binding on the successor Government, as any international agreement is. We repeatedly urge on the Palestinian National Authority the need to deliver greater security. To be fair, most international observers agree that there has been an improvement in the authority's efforts on that. However, the authority is not helped in its attempts to improve security if it is denied the money with which to pay its policemen for two months.

Mr. Ernie Ross: As my right hon. Friend knows, 29 November is the 50th anniversary of United Nations Security Council resolution 181, which partitioned Palestine. As we approach that anniversary, has my right hon. Friend been able to impress on the Prime Minister of Israel the need to move towards final status negotiations, to resolve the problems with the Palestinians and to include in those negotiations the right of the Palestinians to a state?

Mr. Cook: It has long been the position of the British Government that the possibility of statehood for the Palestinian entity should not be excluded from the final status talks. The sooner we make progress on interim agreements, such as opening the Gaza sea port and airport, which would be an immense boost to the local economy, the sooner we can reach the final status talks to consider the larger issues.

Environmental Objectives

8. **Mr. Yeo:** What recent representations he has received about the environmental objectives of foreign policy. [15996]

Mr. Fatchett: I have had extensive contacts with overseas Governments and with non-governmental organisations, covering a wide range of environmental issues, including in particular the forthcoming Kyoto negotiations on climate change and the UK presidency of the European Union.

Mr. Yeo: A few minutes ago, the Foreign Secretary accepted the urgency of the problem of climate change. As the Prime Minister is always keen to claim a close and friendly working relationship with President Clinton, why have the Government failed even to attempt to persuade the United States of the importance of at least achieving the modest carbon dioxide reduction targets set down at Rio five years ago, let alone the far more challenging targets referred to by the Foreign Secretary earlier?

Mr. Fatchett: The hon. Gentleman failed to hear my right hon. Friend's earlier response. My right hon. Friend has already told the House of his contacts with the American Secretary of State, Madeleine Albright. I am sure that the hon. Gentleman knows that the Deputy Prime Minister was in Washington recently and has been talking to many Governments. Unlike the previous Government, we are working for success. We are committed on the environment and we shall make Kyoto a success.

Mr. Llew Smith: Will the Minister explain how nuclear weapons, which would spread radioactive fallout throughout the world, fit in with the Government's environmental objective?

Mr. Fatchett: Nuclear weapons will not be under discussion at Kyoto, but of course there is a process of disarmament talks, and I am sure that my hon. Friend wishes those well.

Mr. David Heath: Has the Minister had an opportunity to read early-day motion 461, in the name of the

hon. Member for Putney (Mr. Colman), which deals with the activities of P and O in an ecologically sensitive area of India? In the light of the Government's environmental and ethical policy, does the Minister propose to take any action?

Mr. Fatchett: I must confess that I have not seen the early-day motion; it is night-time reading that I look forward to this evening, and I am sure that it will be impressive. None the less, I can tell the hon. Gentleman that we would always expect large organisations to operate in an environmentally sensitive way.

Republic of Ireland

9. **Mr. Barnes:** If he will make a statement on relations between the United Kingdom and the Republic of Ireland. [15997]

Mr. Doug Henderson: Relations between the United Kingdom and the Republic of Ireland are excellent. The two Governments are working closely in the Northern Ireland talks and in the European Union. Practical co-operation between Government Departments throughout the United Kingdom and their Irish counterparts has been intensified and I, like many of my ministerial colleagues, including my right hon. Friend the Foreign Secretary, have already had substantive meetings with our Irish opposite numbers.

Mr. Barnes: Is the idea of Ireland's rejoining the Commonwealth ever discussed? Mary Robinson suggested that towards the end of her presidency. Is not the Commonwealth today very different from that which Ireland left in 1948? It no longer has imperial pretensions and is an area for tolerance, trade and democracy. Would it not also be attractive to Unionists, in terms of the peace process, to have their British identity recognised?

Mr. Henderson: That is not a matter that I have discussed at my meetings with counterparts in Ireland; it would be a matter for the Irish Government.

Mr. John D. Taylor: In view of the likelihood of devolved government throughout the United Kingdom, would the Minister support unilateral action by Scotland or Wales to create a council for co-operation with the Republic of Ireland?

Mr. Henderson: That is something that I would not support.

Visa Applications (Punjab)

10. **Mr. Peter Bradley:** What assessment he has made of the difficulties of Punjabi people travelling to New Delhi to pursue applications for entry clearance to the United Kingdom; and if he will establish a consular service in Chandigarh. [15998]

Mr. Fatchett: The size and location of diplomatic posts around the world are under constant review. The difficulties of travelling to New Delhi are well understood, but for logistical and resource reasons there are no plans to open a visa office in Punjab.

Mr. Bradley: Does my hon. Friend appreciate the disappointment with which that statement will be greeted by many people in the Punjab and by their relatives in this country? Does he realise what long distances people on extremely low incomes must travel to New Delhi on missions to obtain visas, which are often fruitless because of the bureaucracy and inefficiency of the service there? Will he give at least some hope to the people in the Punjab that the matter will be kept constantly under review, and that an innovative solution will be found, such as opening a consular service in Chandigarh for one day a week?

Mr. Fatchett: We always review the possibilities and we are keen to provide the best possible service, but I meant to convey to my hon. Friend the fact that, although the process is under constant review, I cannot give any immediate hope that we will be able to open such a facility.

Export Promotion

11. **Ms Shipley:** If he will set out the initiatives taken by his Department to improve its role in export promotion. [15999]

Mr. Robin Cook: Together with my right hon. Friend the President of the Board of Trade, I launched the export forum to examine the effectiveness of Government support for UK exporters. The forum reported in October, and my right hon. Friend and I have accepted the broad thrust of its recommendations.

This morning, I hosted a working breakfast with chief executives and chairmen of some of our top companies whom I have invited to act as ambassadors for British business. Whenever on visits abroad for their companies, they have undertaken to liaise with FCO posts to carry out promotional work for wider business interests. The invitation has been well received by business leaders and should enable the Foreign Office to use their prestige and their expertise to promote British exports and British jobs.

Ms Shipley: I thank my right hon. Friend for his full answer. Does he agree that we need speedy processing of export licences? A medium-sized company, Indentec, in my constituency of Stourbridge needs its licence application resolved, and this has particular relevance in relation to the knock-on effect on small feeder businesses.

Mr. Cook: I can assure my hon. Friend that as soon as I return to the Foreign Office, I will inquire into what has happened to the application. She was good enough to mention before Question Time that this was a licence application for Iran. The House will understand that we need to pay particular attention to the possibility of dual-use equipment going to Iran.

Mr. Alasdair Morgan: In relation to the promotion of Scotch whisky experts—*[Laughter]*—Scotch whisky exports; the Foreign Secretary will realise that that is one of the benefits of drinking Scotch whisky. What progress does he foresee towards the harmonisation of duty within the EU in the near future?

Mr. Cook: I am happy to say that I think I can speak as a whisky expert, and I can assure the hon. Gentleman that it is one of our high priorities to continue to press to make sure that there is fair duty on all alcohol so that our

whisky has a fair opportunity in other markets. That will continue to be one of the major objectives of our European policy.

Mr. Howard: Further to the question from the hon. Member for Stourbridge (Ms Shipley), is not the only practical consequence of the Foreign Secretary's posturings on these matters that the delays in clearing applications for licences for the export of defence equipment have got so bad that orders have gone elsewhere before approval has been granted?

Mr. Cook: I am not aware of any such case.

Mr. Mackinlay: During his visit to Warsaw and elsewhere in central Europe this week, will the Foreign Secretary take time to compare the offensive marketing and promotion of commercial enterprise by the Germans with that of British business, which is generally tardy, despite one or two flagship companies like British Aerospace and Marks and Spencer which are getting stuck in? Private enterprise in this country does not recognise the vast market potential of central Europe, which is being exploited by others but which we are being slow to pick up on. Will my right hon. Friend take some action?

Mr. Cook: My hon. Friend tempts me to go slightly further than the brief of the Foreign Office. As regards our contribution to export promotion, since we have been in power we have carried out a major review of our export services; we have attracted 12 new short-term secondments from British business, who are now in key embassies in key markets abroad; and we are looking for more. We have today reached agreement with 37 top business people to promote British business while they are abroad.

I will be spending three days in central Europe this week. I shall be looking for opportunities for British business, and I shall be carrying the clear message that Britain strongly supports central European countries' membership of the EU—a message which I hope will not be entirely lost on Conservative Members. The rest of Europe is queuing up to join a union from which many of them appear to wish to detach themselves.

Gibraltar

13. **Mr. Tyrie:** If he will make a statement on the status of Gibraltar. [16001]

19. **Mr. Hoyle:** When he next plans to visit Gibraltar. [16007]

Mr. Robin Cook: We stand firmly by the commitment enshrined in the preamble to the 1969 constitution. As I explained to the Spanish Foreign Minister last Friday, there can be no change in sovereignty over Gibraltar against the freely and democratically expressed wishes of the people of Gibraltar.

Mr. Tyrie: Does the Foreign Secretary agree that it is unacceptable that the citizens of Gibraltar are disfranchised, and have no vote in European elections? Now that the Government seem hell-bent on changing the electoral law for the Strasbourg Parliament, will the Foreign Secretary commit the Government to ensuring that, by one means or another, the citizens of Gibraltar get a vote in the forthcoming European elections?

Mr. Cook: This is not a matter that can be resolved by domestic United Kingdom legislation; it would require a change in the legislation that set up the European Parliament, from which Gibraltar is expressly excluded. Had this been a matter that could have been resolved in that way, the opportunity to resolve it was in 1984, when the Conservative Government allowed the accession of Spain to the EU.

Mr. Hoyle: Will the Foreign Secretary confirm his support for the 1969 constitution of Gibraltar? Is he as worried as I am by the hypocrisy of Spain, which has two enclaves in Morocco as well as the Canary Islands, which are further away from Madrid than Gibraltar is from London?

Mr. Cook: I can certainly please my hon. Friend by confirming our support for the 1969 constitution, and by reasserting that there will be no change without the agreement of the people of Gibraltar.

I am not entirely sure that it would necessarily help to bring about a resolution of outstanding matters to accuse Spain of hypocrisy, but we have been robust in defending Gibraltar's interests, and will continue to be so.

Mr. Townend: Does the right hon. Gentleman agree that it is unacceptable that, on a number of occasions, the Spanish authorities have not recognised British passports issued by the Governor in Gibraltar—and, moreover, do not seem to be recognising the identity cards that are produced in accordance with European regulations, and are recognised by the European Union?

Mr. Cook: The hon. Gentleman will be aware that the issue has been raised with the Spanish authorities by both the present and the last Government. Gibraltar is part of the European Union; as a consequence, its residents have the right to free movement throughout the European Union, which includes Spain.

Employment Summit

14. **Mr. Pickthall:** If he will make a statement about the outcome of the Luxembourg special summit on employment. [16002]

21. **Kali Mountford:** If he will make a statement about the outcome of the Luxembourg special summit on employment. [16010]

Mr. Robin Cook: I refer my hon. Friends to the statement made yesterday to the House by my right hon. Friend the Prime Minister.

Mr. Pickthall: I congratulate my right hon. Friend on the positive outcome of last week's summit. Will he confirm that, while it reflects our "welfare to work" emphasis on employability and flexibility, the discussions made it clear that flexibility would not involve the worsening of conditions in the workplace or more insecurity in employment?

Mr. Cook: I am happy to assure my hon. Friend that the text of the presidency conclusions, which were agreed

unanimously by those present, stresses employability and adaptability. The guidelines are entirely consistent with Her Majesty's Government's policy of providing a fresh start for young people who have been unemployed for more than six months, and a fresh start for all adults who have been unemployed for more than a year.

The British Government's success in achieving an outcome that is entirely consistent with our policy objectives reflects the fact that the summit only happened at all because we supported the employment chapter in Amsterdam, and because we demanded a special summit through the ECOFIN meeting. The outcome of the meeting is a success for Britain, and it took place only because Britain made tackling the jobs crisis such a high priority.

Kali Mountford: I thank my right hon. Friend for his reply. Will he tell us whether our European partners agree with the Government that the economic growth required to create jobs should be based on a highly skilled rather than an exploited work force?

Mr. Cook: It was a frequent refrain at the summit that we must ensure that more is invested in training. For that reason, the countries involved committed themselves to making training available to 20 per cent. of the unemployed.

My hon. Friend is right. If we are to protect jobs in Europe, we will not do it on the back of low pay and poor working conditions; we will do it only on the back of high investment, high skills and high technology.

Mr. Letwin: Can the Foreign Secretary tell the House why the Prime Minister said in his statement that he wished to avoid old-style state intervention, and then went on to announce 1.5 billion ecu of old-style state subsidies for industry across Europe?

Mr. Cook: First, to be precise, the sum is 1 billion ecu, not 1.5 billion ecu. The hon. Gentleman is 50 per cent. out. Secondly, it was agreed by all members of the European Union that the money would be provided by the European investment bank for investment in high technology and in small and medium-sized enterprises. We are all agreed that the future of Europe and of our economies lies in high technology, and that the future for jobs lies in the small and medium-sized sector. That is precisely why it was right to encourage investment in that sector.

Mr. Brady: Why has youth unemployment been falling rapidly in this country for the past four years, whereas it has been rising rapidly in all the other major European countries?

Mr. Cook: Primarily because the number of young people in Britain has been declining.

Mr. Derek Foster: I congratulate the Government on forcing jobs to the top of the European agenda, but does my right hon. Friend agree that flexible labour markets have very little to do with macho management, hire and fire, and forcing down wages and conditions of service for staff, and everything to do with high levels of education and training and with releasing the skills and creativity of staff to improve productivity and quality?

Mr. Cook: My right hon. Friend makes a profound point. If we are to achieve the long-term aim of good training and high technology, a commitment is required from both management and work force. That is precisely what the social chapter is devised to achieve. That is why we believe that it is so important that the staff of a large enterprise should have ownership of the strategy of the company, through the right to information and consultation under the social chapter.

Social Chapter

16. **Mrs. Browning:** If he will make a statement on those provisions for bringing forward legislation in the social chapter which operate under qualified majority voting. [16004]

Mr. Doug Henderson: Under the agreement on social policy, legislation can be adopted by qualified majority in five areas: health and safety; working conditions; information and consultation of workers; equal treatment of men and women at work; and integration of those excluded from the labour market.

Mrs. Browning: If in those five areas a matter should come up that is not in the British interest, how does the Minister propose to protect our interest, now that the Government have given away our veto; or does he anticipate that the Government will automatically agree with every measure in those five areas?

Mr. Henderson: Conservative Members are getting repetitive. Before 1 May, the hon. Lady was a member of a Government who had such bad relationships with Europe that they could make no progress on any front, and particularly on the important front of the employment agenda to which my right hon. Friend the Foreign Secretary referred. Now British people have the opportunity to influence what is happening with the social chapter. That is a big advance, and everyone knows it.

Lockerbie

17. **Mr. Dalyell:** What response he has received from the organisation of African states and the Arab League about his invitation to them to inspect the Scottish justice system in relation to Lockerbie. [16005]

Mr. Robin Cook: The initial response of the Arab League and the Organisation of African Unity has been disappointing. The United Nations Secretary-General has accepted our invitation. We continue to press the Arab League and the OAU to send observers to join the visit of UN officials that we hope will take place before the end of the year.

Mr. Dalyell: After nine long years of non-communication, is it unreasonable to ask that an incoming Labour Government should at least talk to the Libyans and hear what they have to say, not least in the light of a written answer from the Home Secretary yesterday following my interview in July with Commander

David Veness of Scotland Yard concerning the circumstances of the murder of Woman Police Constable Yvonne Fletcher, casting doubts—we shall put it no higher—on whether the Libyans were responsible? Before making a final decision not to talk to the Libyans, will my right hon. Friend at least have the Foreign Office lawyers consult Scotland Yard?

Mr. Cook: I have just completed an exchange of correspondence with the Foreign Minister of Libya, in which I made it robustly clear that Britain expects Libya to adhere to the United Nations Security Council resolutions that require it to provide for trial the two men who have been indicted for the mass murder of those travelling on the Pan Am jet and those who were in the village of Lockerbie where it crashed. That remains the Government's position. I am more than happy to have dialogue with all those other countries in the Arab League and the Organisation of African Unity, to remove their doubts, and I am absolutely confident that we can convince them that Scottish justice is fair.

The other matter that my hon. Friend raised is not currently a matter for dispute over the sanctions in relation to Lockerbie. It would help the dialogue between our countries immensely if Libya were to recognise that it has an obligation to provide the two men for trial in order that justice can be done.

Miss McIntosh: Does the Foreign Secretary accept that it would set a dangerous precedent in international law if the trial were to take place in a jurisdiction other than Scotland?

Mr. Cook: There are several problems with having a trial in another country. The most immediate is that there is no legal basis for a Scottish court to sit outside the Scottish jurisdiction. The hon. Lady is right that if I were to ask the House for such legal provision, there is a danger that it would create a precedent whereby terrorists could object to trial in our jurisdiction. That is a heavy consideration which we shall weigh carefully.

Several hon. Members *rose—*

Mr. Dalyell: On a point of order, Madam Speaker. Given the nature of my right hon. Friend's answer, I will attempt to get a 14th Adjournment debate on this matter.

Madam Speaker: That cuts out further questions on this issue.

Mr. Dalyell: I did not see my hon. Friend rise.

Madam Speaker: Order. It is the rule.

Ministerial Visits

18. **Mr. Fabricant:** When he next plans to visit India and Canada. [16006]

Mr. Fatchett: My right hon. Friend the Foreign Secretary has no plans to visit India again in the near future. He hopes to be able to visit Canada on European Union business in mid-January next year.

Mr. Fabricant: When the Foreign Secretary visits Canada, will he acquaint himself with the events of 24 July 1967, when President de Gaulle visited Quebec and gave his now infamous Quebec libre speech? That might give him some useful hints about what not to say when he next visits Kashmir.

Mr. Fatchett: The hon. Gentleman has reached new depths with that question. Perhaps we should congratulate him on his creativity in that respect. My right hon. Friend is looking forward to and will enjoy his visit to Canada, where he will strengthen our bilateral relations with Canada, as he has with every other country that he has so far visited.

Mr. Corbett: Will the Minister assure the House that Her Majesty's Government will continue to make it clear to the Governments of Pakistan and India that we stand ready, as we are all members of the Commonwealth, to make available our good offices to enable those two great countries to try to resolve the problems surrounding Kashmir to bring peace and stability to that region and so improve the lives of people in those countries and in Kashmir?

Mr. Fatchett: We have said throughout that we intend to make our good offices available to both parties if that is the wish of both parties, and we stand by that statement.

Sri Lanka

20. **Dr. Stoate:** What meetings he has had with representatives of the Government of Sri Lanka since 1 May. [16008]

Mr. Fatchett: My right hon. Friend the Foreign Secretary met the Sri Lankan Foreign Minister, Mr. Kadiragamar, on 11 September. I also saw Mr. Kadiragamar on 5 June, and the Minister of Justice and Constitutional Affairs, Professor Peiris, on 19 June.

Dr. Stoate: I thank the Minister for that reply. Did he discuss the situation in northern Sri Lanka, which is of great concern to my Tamil constituents?

Mr. Fatchett: I am pleased to confirm that we discussed the situation on each and every occasion. It is important that there is a lasting and just peace for the internal problems of Sri Lanka. We always encourage political dialogue, which we regard as the best way to make progress and deal with the human rights issues that are so important to all communities in Sri Lanka.

Iraq

22. **Dr. Gibson:** If he will make a statement on Britain's relations with Iraq. [16011]

Mr. Robin Cook: The UK has had no diplomatic relations with Iraq since 6 February 1991. Last week, I chaired a meeting of the five permanent members of the Security Council, which demanded that Iraq accept the unconditional return of UN inspectors. I am pleased that Iraq has now accepted the return of those inspectors, including US inspectors, but we continue to be vigilant to

ensure that the inspectors can carry out in full their mandate to prevent Iraq acquiring nuclear, chemical or biological weapons.

Dr. Gibson: Can the Minister inform the House what we are doing to investigate the biological warfare programme of the Iraqi Government?

Mr. Cook: The report that has been heard in the past week by the United Nations monitoring organisation makes very sober reading, in relation to both the biological and chemical capacities of Iraq. It was reported that Iraqi stocks of VX nerve gas keep increasing and that Saddam Hussein can currently produce sufficient anthrax for two missiles a week. Those are serious and sobering figures that stress the importance of the United Nations being able to carry out in full its mandate to inspect the suspect facilities and to ensure that the world does not allow Saddam Hussein to develop weapons of mass destruction.

Mr. Howard: As the Foreign Secretary knows, the Government have the full support of Her Majesty's Opposition in their stance on Iraq. Is he confident that the inspectors will be able to make up the ground that they lost during the period when they were denied access to facilities in Iraq?

Mr. Cook: We have full confidence in the inspectors: it should be remembered that they have managed to destroy more weapons in Iraq during the period of inspection than were destroyed during the Gulf war. Their continuing to achieve that will depend entirely on whether or not the inspectors get full compliance from the Iraqi authorities and we are carefully monitoring that. The right hon. and learned Gentleman is right to draw attention to the damage done by the interruption to the inspection regime. We believe that Saddam Hussein has used that period to shift material to secret sites; it might take some time to uncover those, but we are determined that it should be done.

Ann Clwyd: Will my right hon. Friend continue to press the UN Security Council to set up a permanent war crimes tribunal, so that Saddam Hussein and his closest associates can be tried for war crimes, crimes against humanity and genocide?

Mr. Cook: My hon. Friend will know that the Government fully support the two existing war crimes tribunals—one on the former Yugoslavia and one on Rwanda. It is also our position that a prosecution for a war crime or genocide should not depend on an ad hoc resolution of the Security Council. It is for that reason that the Government firmly support the case for an international criminal court where such crimes could be tried and where we could make sure that international law was firmly applied and that nobody could commit war crimes and genocide with impunity.

Strategic Defence Review

23. **Mr. Gray:** When he plans next to meet the Secretary of State for Defence to discuss the foreign policy basis for the strategic defence review. [16012]

Mr. Doug Henderson: My right hon. Friend the Foreign Secretary will remain in close touch with his right hon. Friend the Secretary of State for Defence on the strategic defence review as on the many other matters on which we work together.

Mr. Gray: Is the Minister not concerned that his right hon. Friend the Chief Secretary to the Treasury might well be even more diligent in meetings with the Secretary of State for Defence? Will he not accept that the strategic defence review is entirely Treasury driven? If his answer to that question is no, will he stake his reputation on that?

Mr. Henderson: I stake my reputation on every answer to every question, but I can assure the hon. Gentleman that the defence review is Foreign Office led. When determining how to meet Britain's needs, foreign affairs dictate it and defence ensures that it happens.

European Union

24. **Mr. Alan W. Williams:** If he will make a statement on the responsibilities of his Department in promoting enlargement of the European Union and in drawing up Agenda 2000. [16013]

Mr. Robin Cook: We have lead responsibility within the Government for policy towards the European Union, including enlargement. The Department also co-ordinates the Government's overall position on Agenda 2000. Tonight, I depart on a tour of Hungary, the Czech Republic and Poland to prepare for the launch under the British presidency of negotiations on enlargement and to assure those countries of Britain's firm commitment to opening the doors of the European Union to the new democracies of central Europe.

Mr. Williams: Does my right hon. Friend agree that enlargement must involve substantial reform of the common agricultural policy? In the past, there has been a tendency to allow the CAP to be discussed only by farm Ministers, or the Council of Agriculture Ministers. Will he ensure that his Department and others are intimately involved in reform of the CAP? Sixty per cent. of the EU budget is spent on a system that is in need of dramatic reform and that money should be redirected toward other more productive uses.

Mr. Cook: I am happy to tell my hon. Friend that the matter was discussed by the Foreign Ministers of Europe only yesterday and that it is a priority of my right hon. Friend the Chancellor of the Exchequer. It is plainly not satisfactory that we should go into the next century with 50 per cent. of Europe's budget being spent on an industry in which less than 5 per cent. of the work force are engaged. We shall continue to press for realistic reforms.

European Co-operation

26. **Mr. Skinner:** How many times he has met EU Foreign Ministers since 1 May to discuss European co-operation. [16015]

Mr. Doug Henderson: I have met European Foreign Ministers on many occasions since 1 May.

Mr. Skinner: Does the Minister agree that we—and he and the Foreign Office team in particular—should not get too starry-eyed about European co-operation? We have already heard at today's Question Time that the Common Market is in dispute over the Arab-Israeli argument and there is not agreement about Iraq or about Gibraltar. The reason why there are hundreds of people lobbying for mining jobs today is that when those in the Common Market who took the decisions had the chance to do so, they never bought the cheapest deep-mined coal in Europe. Those are the facts and I think that we ought to bear them in mind.

Mr. Henderson: I assure my hon. Friend that I am never starry-eyed about any negotiation. I also assure him that since 1 May, the Labour Government have worked diligently and hard to get a better deal for Britain on a wide range of issues, including the Amsterdam treaty. We have been able to succeed because we have been in the dialogue, making our view count. That is what has made the difference in comparison with the performance of the last Government.

Pre-Budget Statement

3.30 pm

The Chancellor of the Exchequer (Mr. Gordon Brown): The purpose of this, the first annual pre-Budget statement, is to report the Government's assessment of the economy, to outline our Budget aims and to encourage an informed debate of the detailed choices before us. To achieve our national economic objectives, high growth and high levels of employment, the next Budget must address three challenges.

The first challenge is to increase our productivity. Britain today is some 20 per cent. less productive than our main competitors and has been for years. The second challenge is that of employment. Some 3.5 million working-age households—almost 20 per cent.—include no one earning a wage. The third is the challenge of stability. For 40 years, our economy has had an unenviable history under Governments of both parties of boom and bust. Stop-go has meant higher interest rates, less investment, fewer successful companies, and lost jobs. It has been the inevitable result of a failure to take a long-term view.

So the real choice facing Britain in the coming Budget and beyond is between muddling through as we have done for decades from one stop-go cycle to another, or breaking with our past, burying short-termism and securing long-term strength through stability, sustained increases in productivity and employment opportunity for all. This is not a challenge for Government alone. It is a challenge that must also engage both the understanding and the commitment, indeed the energies, of all of us—Government, investors, managers, work forces—together.

So at the heart of this pre-Budget report is the recognition that only by greater openness and informed debate can Britain achieve that shared understanding of the tasks ahead and that shared sense of national economic purpose that has eluded us for too long.

First is stability. The major industrialised countries are expected to grow by 2¼ per cent. this year and 2½ per cent. next year, despite the recent turbulence that we have seen in Asian economies and financial markets. It is imperative that Governments and central banks around the world remain vigilant, but at all times it is the task of Government to ensure a long-term stable framework—exactly the approach that the Government are pursuing.

When we came to power, the economy was already facing yet again the very pressures that have produced the boom-bust instability of the past. Consumer demand was accelerating. It was growing three times as fast as industrial production, as more than £30 billion was released in building society windfall payments. Inflation was predicted to go far beyond its 2½ per cent. target, and was expected to rise towards 4 per cent. next year.

All that was happening because the necessary decisions on monetary and fiscal policy had not been taken. It is because the Labour Government have learnt the lessons from past instability, when interest rates rose into double figures to 15 per cent. in the last economic cycle that, starting in May, we put in place a new monetary and fiscal framework.

Following our reforms at the Bank of England, long-term interest rates have come down, and no one doubts the Bank of England's determination to achieve the Government's inflation target. With our five-year deficit reduction plan, public borrowing, which was £23 billion last year, is now forecast—excluding the windfall tax revenue—to be £12 billion this year and £6 billion next year.

We said in our manifesto that we would work within existing spending limits, and this we are also achieving as we promised. The deficit has fallen from 4½ per cent. of national income just two years ago to just 1½ per cent. this year, and it will be ¾ per cent. next year, well within the Maastricht criteria.

There is a risk that the structural deficit, which takes account of the economic cycle, may turn out to be larger, so we shall be both cautious and prudent. I can tell the House that we will not make the mistakes of 1988, when it was wrongly assumed that the structural deficit had disappeared, and the penalty was the return to boom and bust.

Although I recognise the concern of exporters about the exchange rate, I understand that what companies fear most of all is a return to that boom-bust instability of the past. So this summer and autumn, hard decisions have had to be taken on both interest rates and deficit reduction, and I am now more optimistic that we are on course to put the economy on track for stable and sustainable growth.

It is to reinforce our commitment to the long term that we shall publish proposals for a code of fiscal stability. We shall legislate so that there is a duty on Government to report to Parliament on how they are meeting their fiscal rules; in that way, everyone can plan for the future on a much clearer and better informed basis.

Let me explain why meeting our fiscal rules matters so much—why they are essential preconditions for long-term social and economic progress. It is because the borrowing levels that we inherited are costing the country £25 billion a year in interest payments alone, which is more than our country's total budget for schools, that we had to act. Our aim is to reduce the huge sums spent simply servicing debts, so that more of our money can be spent on meeting the people's priorities.

The prize for this country, valued especially by a Government who are committed to good public services, is sustainable public finances that allow consistent and long-term investment in our priorities.

By reallocating resources, we shall be investing an additional £2.3 billion in education over and above that planned by the previous Government; and this year we shall be investing an extra £300 million in patient care in the national health service and next year an extra £1.2 billion over and above what the previous Government planned. I can tell the House that, as our comprehensive spending review reallocates resources towards higher-priority areas, there will be real year-on-year increases in spending on front-line patient care.

The key to strong public services is long-term prosperity through higher productivity. Government, industry and people must work together to systematically remove all barriers to high productivity—in product markets by encouraging competition and innovation, in capital markets by measures to enhance investment and growth, not least for innovative small businesses, and in the workplace by encouraging the creativity and flexibility of inventors, of managers and of the work force.

[Mr. Gordon Brown]

After our successful Budget initiative in July to encourage one of the most neglected of our creative industries—film—it is time to do more to encourage other creative industries where, from science, computer software and communications to design, fashion and music, our British genius for creativity has made Britain a world leader. This year, entrepreneurs in small and medium-sized companies can draw on £200 million, as we have doubled capital allowances to invest in new technology. From next year, the National Endowment for Science, Technology and the Arts will make grants available to encourage creative talents and industries.

I can also say today that, in advance of the Budget, the President of the Board of Trade and I are examining how to improve productivity, how we can help leading-edge businesses to gain funds to develop new technologies, how we can improve Britain's poor historical record of investment in research and development, and how we can make it easier for small businesses to draw on venture capital to create jobs in a more entrepreneurial culture. It is to encourage and reward long-term investment that we are completing a review of capital gains tax, the conclusions of which will be announced in the Budget.

Our poor record of investment in Britain also reflects a low level of national savings. Half the national population have hardly any savings. To encourage more people to save, we will be introducing from April 1999 new, individual savings accounts, the details of which will be put out to consultation next Tuesday in advance of the Budget.

However, there is one decision on investment that should not be delayed. In July we implemented the first stage of corporate tax reform. We cut the main rate of corporation tax by 2 per cent. to 31 per cent.—its lowest level ever. Following the abolition of payable tax credits we began to consult, as promised, on the second stage. Advance corporation tax, it has become abundantly clear, is now a hindrance to sensible business planning and investment decisions. Britain needs a reformed system that matches the needs of modern companies and favours the long term.

To allow companies to plan ahead I can confirm today that, in April 1999, advance corporation tax will be abolished. At that point we shall begin the move to paying corporation tax by quarterly instalments. Small companies will be exempt from this change; special arrangements will be made for medium-sized companies; we shall phase in the change over four years; and we shall substantially preserve companies' expectations for using their existing surplus ACT.

This afternoon the Inland Revenue is publishing full details of the proposed changes and we shall now start consultation on their implementation. In order to help ease the transitional costs and to take one stage further our pro-business and pro-investment agenda, in the Budget the main rate of corporation tax will be cut again by 1 per cent. to 30 per cent. from April 1999—that will be the lowest tax rate of any major industrialised country.

The July Budget started from the understanding that the greatest waste of our economic potential and the most serious cause of poverty is unemployment. It denies opportunity to 3.5 million working-age households where nobody works. In July, we said that, instead of simply compensating people for unemployment, our priority is to tackle the root causes of unemployment and poverty by providing new opportunities for work.

In the past few months, with the help of Martin Taylor, the Government have been systematically addressing all the obstacles that prevent people taking up and benefiting from work: the absence of workplace skills, the failure of the tax and benefit system to make work worth while, the poverty and unemployment traps that for too many people mean that work does not pay, the lack of employment opportunities and the scarcity of affordable child care.

We have concluded that, to help people move from benefits to wages, nothing less than a comprehensive tax and benefit reform and the modernisation of the welfare state are now required. This strategy involves three basic elements: providing skills for work, making work pay and creating new job opportunities.

First, in order to offer skill for work, my right hon. Friend the Secretary of State for Education and Employment will shortly publish his proposals for individual learning accounts and for the university for industry.

Secondly, I want everyone who can work to be better off in work than on benefit, so the Government now propose an integrated tax and benefits plan involving action at every level. In order to maximise the rewards from work, a 10p starting rate of tax and a reform of benefit tapers will be introduced when it is prudent to do so. To ensure that work pays for families with children, we propose a working families tax credit, backed up by affordable child care. To ensure that the rewards of these reforms flow directly to the employee, we are committed to a statutory national minimum wage.

We shall now consider in detail the working families tax credit—cash paid through the wage packet directly to families on low incomes, side by side with the national minimum wage. The proposal would build on the successful elements of family credit, and would involve better help through the tax system for child care costs.

We will now also consider the future structure of national insurance for the low-paid. Under the current system, some low-paid employees face marginal tax rates of more than 100 per cent. To improve the rewards from work, to simplify administrative burdens on employers, as we want to do, and to encourage them to take on more people, it is now right to consider the scope for bringing the national insurance structure for the low-paid more closely into line with income tax.

Finally, there are men and women who have been excluded for too long, and who need extra help to get back into work. In the Budget, we made our start by announcing a new deal worth £4 billion that provides jobs for young unemployed, the long-term unemployed, lone parents and the disabled. The new deal for the young unemployed will start in January in pilot, and extend nationwide in April, with the support of some of our best known companies.

I can announce today that some of Britain's leading rail and bus companies have agreed to play their part, by introducing a new travel pass for young people on our new deal, cutting by at least 50 per cent. their travel fares to work.

Disabled men and women who want to work should also have the right to work. As the first step in implementing the £195 million programme for people with disabilities, my right hon. Friends the Secretaries of State for Education and Employment and for Social Security will now be inviting bids for the first wave of new projects to start in spring 1998.

Helping lone parents into work is the most effective long-term way to tackle their family poverty. The new deal for lone parents began in eight areas in July. Already it is yielding results where it counts—in higher living standards for lone-parent families. From next year, our welfare-to-work programme will be extended to help every lone parent who wants advice and help, and from April every lone parent coming on to benefit will be offered help to find work, if that is what he or she wants.

Lone parents need, and have a right to expect, affordable child care. Since May, my right hon. Friends the Secretaries of State for Education and Employment and for Social Security have been working with the Treasury on plans to make a reality of a national child care strategy. Paramount in this family policy are the interests of the child. Tomorrow, my right hon. Friends will announce a five-year plan to extend out-of-school child care clubs to every community in Britain.

Funds will be available to set up as many as 30,000 new out-of-school clubs, which will provide places for almost 1 million children. The total cost over five years is £300 million, which is now budgeted for in our plans and represents the biggest ever investment in child care. The cost will be shared between the Exchequer and the new opportunities fund.

To staff these new clubs, 50,000 young people across Britain will be offered training as child carers through our welfare-to-work programme. Under our plan, every lone parent who needs it will be able to find an out-of-school club in his or her community. A national child care strategy is no longer the ambition of workless parents; it is now the policy of this country's Government.

While one in five working-age households have no one working, we also, unfortunately, have extensive skill shortages throughout our economy. The proportion of manufacturing firms reporting skill shortages is up 70 per cent. on a year ago.

We will now introduce pilot projects nationwide, under which any employer who takes on and trains a young or long-term unemployed person and keeps that person on can receive up to three quarters of the new deal allocation up front, thus giving immediate help with training costs. In the case of young people, that will be about £1,700, and for the long-term unemployed, £1,500 for their training.

Those skill shortages are a clear sign of the short-term pressures in the economy that must be tackled. At around this point in every recent recovery, when inflation and interest rates have started to rise, a second wave of wage inflation has brought a recurrence of stop-go instability. Past Governments have allowed themselves to be diverted from their long-term aims because of their inability to deal with these short-term pressures.

This time, we must do everything we can to make sure that the long term takes priority. It is because the previous Government held a simplistic and over-rigid view of the relationship between levels of inflation and levels of unemployment that they told us that high unemployment was a price worth paying.

However, there are three reasons to believe that, provided reform and responsibility go hand in hand, it is possible to lay the foundations to deliver both low inflation and high employment in the long term. First, the more our welfare-to-work reforms allow the long-term unemployed to re-enter the active labour market, the more it will be possible to reduce unemployment without increasing inflationary pressures.

Secondly, tax and benefit reforms that remove the barriers to work and structural reforms that promote the skills for work—in other words, Government intervention to create a more responsive labour market—can make possible long-term increases in employment without fuelling inflationary pressures. The more people return to the world of work and the more we tackle skills shortages, the less pressure there is on employers to bid up wages in the short term.

Thirdly, the reality of the more complex and flexible labour markets of Britain today is that pay decisions are made not by the few in smoke-filled rooms, but by millions of employers and employees across the country. The more we all take a long-term view of what the economy can afford, the more we will be able to have job creation and keep inflation and interest rates as low as possible. So we must all be long-termists now.

The reforms that we are introducing will, of course, take time, but it is in no one's interests if today's pay rise threatens to become tomorrow's mortgage rise. The worst form of short-termism would be to pay ourselves more today at the cost of fewer jobs tomorrow and lower living standards in the very near future. So wage responsibility is a price worth paying to achieve jobs now and prosperity in the long term: it is moderation for a purpose.

The choice is between responsibility and reform that would give us higher growth and more jobs, and short-sighted short-termism that will inevitably mean less growth and fewer jobs. In our forecasts for the coming two years, we demonstrate clearly the choices that we all face. If the economy works in the same way as in the past, growth might be $2\frac{1}{4}$ per cent. next year. If we can combine our reforms with responsibility across the economy, it is possible to achieve growth of $2\frac{3}{4}$ per cent. next year. Similarly, growth can be $1\frac{1}{2}$ per cent. or 2 per cent. in 1999–2000. In either case, the Bank of England will ensure that the Government's inflation target is met.

So the more successful we are in tackling skills shortages and ensuring the success of the new deal for the unemployed and the more effective the exercise of responsibility in pay determination, the more we can achieve our goals of sustained growth and employment.

I have today submitted this new evidence to the public sector pay review bodies and met the chairmen to explain the choices before us. Just as the Government are offering leadership with responsibility in monetary policy and the management of public finances so that we can achieve those higher levels of growth and employment, so must business leaders and work forces match that with responsibility throughout the whole economy. That means responsibility not just on the shop floor, but from Britain's boardrooms outwards, where, in the interests of all, there must be moderation, not excess, and where an example should be set.

We recognise that, if we are to achieve our long-term goals and secure that new sense of economic purpose, fairness and openness must be at the heart of the approach

[Mr. Gordon Brown]

to every Budget. Tax avoidance harms those who pay their fair share of taxes. I give notice today that the Budget will introduce those measures that are needed to root out tax avoidance. A fair and open approach to taxation will also be central to our Budget consultations now under way on North sea oil; on alcohol, where the review will conclude early next year; and on charities, where we are working towards a consultation document next spring.

In securing the long term, nothing is more important than our approach to the environment. On Thursday, the Deputy Prime Minister will publish a consultation paper on ways to help with water pollution, with a view to making proposals in the coming Budget. Together we are also looking at how the tax system can reflect our environmental objectives, and we shall do so in light of decisions taken at Kyoto.

In this pre-Budget statement, we are consulting in all areas where it is right and appropriate to consult, we are taking action in all those areas where action is needed immediately, and we are putting to the country the choices for debate—choices that can be made only by us all.

I promised to make one other announcement today. Following a review by Customs and Excise, which will be published tomorrow, I have decided that VAT on the installation of energy-saving materials under existing grant schemes, such as the home energy efficiency scheme, will be cut from 17½ per cent. to 5 per cent. in the spring Budget of 1998. That means that the funds under the schemes will go further and will help to insulate 40,000 more homes per year. The Government will now explore with our European partners the possibility of a reduced VAT rate for a wider range of energy-saving materials.

Our spending review, like our tax policy, is based on allocating resources according to priorities of investment, employment and fairness, so already, within the Government's tough spending limits, we have redistributed resources to priority sectors: from assisted places to cutting class sizes; £4 billion from the windfall tax paid by the utilities to creating jobs; another £1 billion to repairing our schools; from the defence and nuclear programme to the national health service. After the publication of the national asset register yesterday, there will be new scope to reallocate resources to high-priority capital investment.

I can announce one further reallocation today. I now expect our net payments to the European Union to be some £400 million lower than budgeted. Our pensions review is examining the long-term future of pension provision in Britain, including how we can do more to support Britain's poorest pensioners. We must help the thousands who do not claim benefits, but who need them most.

My right hon. Friend the Secretary of State for Social Security and Minister for Women is announcing today that she will finance several projects to find the best way in which to encourage improved benefits take-up by the poorest pensioners, so that they receive what they need.

We have already cut VAT on fuel and power to 5 per cent., as we promised, but it would be wrong to wait until we have the results of our pensions review to take action to help elderly people with winter fuel bills. Although the poorest do receive some help through cold weather payments, they go only to those on income support, who generally have to wait until after the cold weather for help to be available. The payments are no help at all to most pensioners, including the 1 million not receiving income support entitlements and those on the margins of poverty, and they are of doubtful help even to those who do qualify, who often do not know whether they can afford to spend extra money on fuel when it is cold.

My right hon. Friend the Secretary of State for Social Security and I are simply not prepared to allow another winter to go by when pensioners are fearful of turning up their heating, even on the coldest winter days, because they do not know whether they will have the help they need for their fuel bills. The pensions review will report next year, but we must act in the meantime to help pensioner households.

For this winter and next, every pensioner household will receive £20 extra to help with their bills and every pensioner household on income support—nearly 2 million households—will receive £50 extra. The cost will be met from reallocating the savings on our contribution to the European budget.

The money will be paid in time to meet winter fuel bills, so every pensioner household in Britain will have the benefit of the Government's cut in VAT on fuel, our abolition of the gas levy, new and tougher regulation and competition in the utilities, and the Government's new fuel payment to pensioners. As a result of those changes, the average pensioner household will be helped by up to £100 a year, and poorer pensioner households on income support will be helped by up to £130 a year.

In contrast with the previous Government, who put VAT on fuel, this Government keep their promises and are prepared to take action where it needs to be taken. It is a Government who are meeting the people's priorities, even as we confront the difficult choices that our country must make to build for the long term. In 1997, we have made a start and we will do more year on year. Our approach to the coming Budget shows that we are already setting a new course for Britain, and building a united country where everyone has opportunity and a contribution to make. I commend the statement to the House.

Mr. Peter Lilley (Hitchin and Harpenden): I begin by welcoming some aspects of the Chancellor's statement. In particular, I welcome the good economic news that underlies the Chancellor's forecasts that were published today—stronger economic growth bringing higher tax revenues, lower spending as unemployment falls and the consequent reduction in borrowing. Are they not the result of the golden economic legacy that we bequeathed the Government—the fruit of 18 years of Conservative reforms, every one of which the Chancellor opposed?

Does the Chancellor agree with the last Labour Chancellor, the noble Lord Healey, who said:

"We must remember that rarely, if ever, have a Government had such cause to be grateful to their predecessor when it comes to the economy"?

Will not the figures that the Chancellor has published today prove that his July tax-raising Budget was unnecessary? He did not need to break the Prime Minister's solemn election pledge:

"We have no need to raise taxes at all".

He did not need to raise 17 taxes or impose a £5 billion-a-year pensions tax on people's savings. The simple truth is that he was determined to increase taxes in July, so that he could increase spending later.

In his statement and in the document he has published today, the Chancellor has promised us a fiscal stability code. We are happy to welcome that, but can he confirm what his officials are reported as telling the *Financial Times*: that it will not involve him publishing any information that the Government do not publish anyway? Does not his real motive have nothing to do with what happened under a previous Conservative Chancellor but all to do with what has happened under previous Labour Chancellors, all of whom have been engulfed by the spending demands from their Back Benchers? Previous Labour Chancellors have also tried similar devices to strap themselves to the mast of fiscal rectitude. The code seems to be an even flimsier cord, which will break under the strain of the demand from the Government Back Benches.

The Chancellor hints that he will reduce taxes soon. Is not the truth that none of his proposals will do much to help the typical home-owning family facing £650 a year in higher costs as a result of his mortgage increases, the cut in mortgage tax relief that he introduced and the tax on pension funds that he announced earlier this year, to say nothing of the £1,000 in tuition fees that every family with a student at university will have to pay?

In his document, the Chancellor proposes introducing a 10p basic rate of tax. The Opposition welcome any reduction in tax from a Chancellor who, so far, has broken his clear promise not to raise taxes, and has increased 17 taxes. We shall want to see that any new tax band results in a real tax cut, and is not paid for by messing around with personal allowances.

We shall not allow the Chancellor to get away with a pretence that the reduction is focused on the poor and those on benefits. Will he confirm the figures from the Institute of Fiscal Studies which show that a 10p lower-rate band that was worth £6 a week to a wealthy couple such as the Prime Minister and his wife would be worth only 9p a week to a family on in-work benefits? What other measures does he plan to introduce to benefit those on low pay?

Why is there not more detail in the Chancellor's proposal about the earned income tax credit? Has he cleared his proposal with the Minister for Welfare Reform, who is on record as opposing the payment of family credit as an earned income tax credit because

"more money will get to children . . . if we pay the money to mothers rather than to fathers".?—[*Official Report, Standing Committee B*, 18 March 1986; c. 949.]

However sceptical Opposition Members may be about the Chancellor's make-work schemes and welfare-to-work proposals, we want to see them work. Nothing would give me greater pleasure than to have my scepticism disproved. However, will he confirm that—so far, before his scheme has even got off the ground—the previous Government's dynamic labour market reforms and the jobseeker's allowance have succeeded in getting off the dole half the young people he wanted to help?

Will the Chancellor confirm that he has now abandoned the pledge made by the then employment spokesman, the hon. Member for Makerfield (Mr. McCartney), that a Labour Government would abolish the jobseeker's allowance, and that that pledge has gone the way of so many others?

The Chancellor mentioned the position of disabled people. Opposition Members have always believed in getting able-bodied people into work. We realise, however, that most disabled people cannot work, and deserve extra help, through the disability living allowance, the disability working allowance and severe disability premium. The previous Government introduced those benefits, and we were proud to increase spending on the disabled to four times the level spent by the Labour party. Will he say, here and now, that he will rule out cutting, taxing and means-testing benefits for the disabled, despite the prevalent rumours that are worrying disabled people?

The statement contains remarkably little on tax reform. What it does contain is an announcement that the Chancellor is abolishing advance corporation tax for those who pay dividends, but that he is introducing advance payments of corporation tax for everyone. The announcement merely shows that the pensions tax announced in his Budget had not been thought through. Nothing in the changes will reduce by a penny the £5 billion-a-year burden that he has imposed on pension funds.

It is clear also that the Chancellor has not thought through the consequences of the pensions tax on encouraging people to opt back into the state earnings-related pension scheme. Is he aware that many pensions providers were hoping today to have an assurance from him that he will increase the rebate, to make it worth while for people to stay outside the state scheme and inside personal and occupational schemes? Is he aware that, without such an assurance, pensions providers will advise all their customers to opt back into the state scheme? Is that what he wants?

We welcome the proposals for environmental, green taxes, if the revenues he raises from them are recycled to reduce the costs of employment, and to ensure that more people get jobs.

Does the Chancellor realise that most outside observers will think that his statement today is disappointing? It contains so little detail on future tax reforms, despite what we have been promised, so little to reassure savers who have been disturbed by his proposals and so little to clarify the confusion surrounding all his welfare reforms.

Above all, home owners, savers and taxpayers will be disappointed that there is nothing in the statement to undo the cost to them that the Government have already inflicted by five interest rate increases, 17 tax rises and a cruel tax on their pension funds.

Mr. Brown: After hearing the shadow Chancellor, the country will understand how fortunate it was to get rid of the Conservative Government in May. On 1 May, the Conservatives were not fit to be the Government of the United Kingdom; after Winchester last Thursday, they are not fit even to be the Opposition. The shadow Chancellor talked about statistics deteriorating since May, but the biggest deterioration has been from minus 2 to minus 21,000 in Winchester.

The shadow Chancellor spoke for some time, but he did not mention once what the Government have done for pensioners and their fuel bills. Why does he not congratulate us on doing what the previous Government

[Mr. Brown]

failed to do on tackling fuel poverty? Even now, why does he not apologise for the previous Government putting VAT on fuel?

As for economic policy, the shadow Chancellor suggested that he agreed with what I have been doing, but he opposed our monetary policy reforms and even now he cannot tell us whether he would make the Bank of England independent or stop it being independent. He opposed our five-year deficit reduction plan, and even now he cannot tell us whether he thinks that our figures are too high, right or too low. He opposed our windfall tax to pay for the welfare-to-work programme; so, much as he says that he wants it to work, he would have done nothing to make it possible.

As for stability under the previous Government and what the shadow Chancellor hopes will be achieved under this Government, the people of this country will never forget what happened during the last recession, when interest rates went up to 15 per cent. and inflation went up to 10 per cent. The previous Government squandered the surplus they had, and destroyed thousands of businesses and 1.5 million jobs through their economic mistakes. Until we hear something that persuades the House that the Opposition would not make those mistakes in the future, it is hardly worth the shadow Chancellor coming to the House to give us his views.

As for taxation, the shadow Chancellor suggested—at lunchtime today—that we are responsible for 17 tax rises. Half of those are the closing of tax avoidance loopholes that should have been closed long ago. The others, such as petrol duty rises, are supported by the Conservative party.

Will the right hon. Gentleman congratulate us on cutting corporation tax, first in May and again today? Will he congratulate us on another cut in VAT on fuel? Will he congratulate us on cutting VAT on energy-saving materials? Will he congratulate us on abolishing the gas levy? Will he congratulate us on our proposals for a 10p tax rate and on improving the tax position of low-paid workers, whom the previous Administration ignored for 18 years?

It is not the Labour party that is not trusted on tax: it is the Conservative party that will never be trusted on tax again. The shadow Chancellor should think again about his proposals before the election, which he has not withdrawn, to remove tax relief from pension contributions paid by millions of people.

Finally, I shall deal with the other points that the shadow Chancellor made. *[Interruption.]* I am happy to speak longer and to give the Opposition a lecture on economic policy. On the question of the unemployed, does the right hon. Gentleman not realise that 370,000 young people under 25 are still out of work? Does he not realise that 400,000 people have been unemployed for more than a year? Does he not realise that 3.5 million families have nobody working? Surely he should support not only our welfare-to-work programme but the action we took, through the windfall tax, to make it possible.

As far as the disabled are concerned, it was not the Labour party that cut invalidity benefit for the disabled and changed it into incapacity benefit: it was the Conservative party. I should have thought that the shadow Chancellor would welcome the fact that we will provide opportunities for many disabled people who were denied the right to work under the previous Government.

On 1 May, there was a vote of no confidence in the Conservative party, which was repeated in Winchester. The Conservative party is divided and without policy. It is incapable of telling us what its policies are for the future, and it has nothing to offer the country.

Mr. Malcolm Bruce (Gordon): The Liberal Democrats welcome this consultative Budget, which we think should help to improve the quality of the real Budget. We intend to submit our proposals to the Chancellor shortly, and we hope that the Conservative party will do likewise, to make this a constructive exercise.

We also welcome the code of fiscal stability, which we advocated last year; the proposals for the integration of tax and benefits, which we have long advocated; the cut in VAT on insulation materials; and the help for pensioners. I am happy to thank the Chancellor for those proposals.

There are a couple of points of concern in the Chancellor's economic forecasting. He has revised down the growth forecast for 1999–2000 by 0.5 per cent. and has revised up the inflation forecast by 0.5 per cent.—well above his inflation target. That suggests that there are some storm clouds ahead. I should be grateful for a comment on that. Should not Budgets involve expenditure as well as income? In that sense, is not this a Polo mint of a statement, with a hole in the middle where the spending plans ought to be?

Why is the Chancellor's press office briefing that the long-term objective of a 10p starting rate of tax should be delivered by next March, when the short-term pledges of bringing down NHS waiting lists and class sizes will have to wait until later in the Parliament? He has found the money for cuts in income tax and corporation tax. How can he find the money to cut taxes, but not the money to spend to stop hospital waiting lists rising or class sizes reaching a 20-year high? Are not those the people's priorities that he claimed to be fighting for?

The consultative Budget is a welcome innovation, but we need action to improve the NHS and education this year. Will the Chancellor confirm the figures that his colleague the Chief Secretary gave me last year, showing that there is £2 billion unallocated in the contingency fund? Should not that be used to meet the immediate needs of health and education? Will he also confirm that the control total is coming in lower than was planned by the Conservatives, which also gives him room to manoeuvre? Does the earned income tax credit require the ending of the independent review of taxation of husbands and wives?

I represent an area with a high engagement in oil and gas activity. Will the Chancellor accept that a review of taxation for oil and gas will not prejudice the long-term investment and financial viability of that vital industry? Will he acknowledge that, until he drops his Tory spending plans, national health service patients and those who rely on our state schools will be forced to conclude that, although the Tories are no longer in office, they are still in power in his Department? By the way, I think that he should be reminded who won Winchester.

Mr. Brown: I am grateful to the hon. Gentleman for supporting our code for fiscal stability, our reforms at the Bank of England—reforms that the official Opposition cannot support—and our intention to have an open

consultation process on the Budget. I assure him that he and others will be able to contribute fairly to the review of North sea energy.

However, I have to part company with the hon. Gentleman when he says that we have not switched resources. We have transferred resources to health from defence and the nuclear programme—£300 million this year. We have transferred resources from the assisted places scheme to school class sizes. We are transferring resources next year to education, along with £1.2 billion to the health service.

The Liberal Democrats proposed £1 billion over two years for health. We have put in £1.5 billion—£500 million more. The Liberal Democrat proposals for the schools capital investment scheme—*[Interruption.]* They may be embarrassed, but they should hear this. They proposed putting in £500 million. We have put in £1.2 billion, which will rise to a great deal more with private capital. I also remind the hon. Gentleman that he opposed the windfall tax that is raising the money for education and employment.

I remind the hon. Gentleman that, during the debate on the Queen's Speech in May, the leader of his party said:

"If we tighten our belt now, we have a real opportunity to get to grips with the huge hangover of debt left behind by the Conservatives."—[*Official Report*, 14 May 1997; Vol. 294, c. 74.]

The leader of the Liberal Democrats said that there had to be fiscal prudence, but the Treasury spokesman goes to every by-election promising millions of pounds more, without giving anyone a clue about how the money can be raised. In their literature for the two by-elections last week, did the Liberal Democrats mention the 1p extra on income tax, the 10p increase in the top rate of tax or their new environmental taxes? They have suddenly become coy about the means by which they would pay for their programme, and we do not see it in their election manifestos.

It is all very well to will the end, but if the Liberal Democrats are not prepared to will the means, by taking tough decisions about the use of resources as the leader of their party suggested he wanted to do—*[Interruption.]*—they are not fit even to make their presence felt in the House in the way that they are suggesting. They should go back to their constituencies and prepare to adopt reality.

Mr. Giles Radice (North Durham): I congratulate my right hon. Friend on publishing a pre-Budget report. It is high time that we moved away from the doctrine of pre-Budget purdah and had a more civilised, informed and open discussion of ideas and policies. Of course, the Treasury Select Committee will want to talk to him about the issues that he has raised in his statement, but may I now warmly welcome the help that he has announced for pensioners, which will be most welcome in my constituency? May I also strongly support the idea of a code for fiscal stability, which I believe will help good housekeeping and improve accountability?

Mr. Brown: I shall be happy to work with the Treasury Select Committee, and my hon. Friend knows that he will receive whatever evidence he needs so that the Committee can make comments before the Budget.

Mr. Kenneth Clarke (Rushcliffe): Is the Chancellor aware that, after announcing some small and, on the whole, welcome spending increases and skipping over the spending cuts that he proposes to make in benefits for the disabled, defence and elsewhere, he has still announced public sector borrowing requirement figures that show him reducing public sector borrowing at a rapid rate, and even likely to hit a period of debt repayment that he never intended, despite the fact that we have one of the lowest debt to GDP ratios in the western world?

Does the right hon. Gentleman not accept that that underlines the fact that his July Budget was unnecessary, and that the most courageous social step he could have taken was to reverse his taxation changes affecting pension funds? That would have been the most significant announcement on social policy for the longer term that he could have made today.

As for the other changes in the forecast, has the Chancellor noticed that the Bank of England now forecasts that, as a result both of rapid increases in interest rates and the increase in the exchange rate that has resulted, and of tight fiscal policy, it expects economic growth to fall away very rapidly next year, and possibly to disappear? Does he accept that nothing he has announced today could have a significant effect on that?

Does the right hon. Gentleman really stake his reputation on the forecast of 2.75 per cent. growth next year, which seems highly unlikely? Will he stop justifying what he says with constant references to the late 1980s, when circumstances bore no relation to what we see now, earnings were running away at 8 per cent. per year, there was a balance of payments crisis, and economic growth of 4 per cent. had been running for two or three years?

Before the right hon. Gentleman revives the myth that the Conservative Government were profligate big spenders, reckless on inflation—that was not what he said in opposition—will he not accept that he inherited stable growth with low inflation, falling unemployment and public finances that have surprised him by how rapidly they are improving? Will he go back to the drawing board and consult genuinely on a more constructive long-term economic policy that might protect living standards and jobs?

Mr. Brown: I am grateful for the chance to continue my debates with the right hon. and learned Gentleman. I do not know which will happen more quickly—his reaching the leadership of the Conservative party or the Conservative party's no longer existing to be led.

As for the right hon. and learned Gentleman's three points, first I shall tell him why my July Budget was needed. First, it was needed to cut VAT on fuel, which he had refused to do. Secondly, there was the introduction of the windfall levy that was necessary for our welfare-to-work programme. Thirdly, I had to introduce measures for stability that he had failed to introduce during the three years that he was Chancellor.

The right hon. and learned Gentleman wants to create a myth about the difference between his record, which he wants to promote, and that of Lord Lawson, whom he is happy to see remain in a difficult position. I have to tell him that, when we came into office, we were told that inflation was forecast to rise way beyond the target. Therefore, it is hardly surprising that the Bank of England was telling him for six months before the general election that, on its understanding of the position, interest rates should have risen.

[Mr. Brown]

I was not prepared to go back to a situation, as in the late 1980s, where interest rates had to rise late because the action to tackle inflation had not been taken, forcing the country into the stop-go instability of recession. Let us remind the Conservatives that, in 1990, interest rates went up to 15 per cent. and wages had gone up by 10 per cent.—[HON. MEMBERS: "ERM."] That was before the ERM. Inflation was at 10 per cent. We are not going back to those conditions.

The right hon. and learned Member for Rushcliffe (Mr. Clarke) said that our changes to pension funds were unnecessary. Let me remind him that his special adviser on tax before the election has written an article in the *Financial Times*, supporting our reforms. From what he said in that article, I believe that he will support the further reforms in advance corporation tax announced today.

The tragedy is that the former Chancellor was in power for three years and could—and should—have made these reforms in the interests of long-term investment in this country. We will take no lectures from a Chancellor who should have raised interest rates before the election, but did not do so for political reasons.

Mr. Robert Sheldon (Ashton-under-Lyne): Is my right hon. Friend aware that the costs incurred in earning a living have always been under-estimated, and are very large indeed? He should be warmly praised for what he has done to tackle the problems of child care—an essential part of earning a living. The arrangements he has made for transport are a beginning, and we should look at other areas to see how the tax system can be used to deal with some of the large costs incurred in getting work in the first place.

Mr. Brown: I am grateful to my right hon. Friend, whose work in the Public Accounts Committee on matters such as this and the use of public money has been invaluable.

I think that people will look back on today's statement, and the further announcements which will come tomorrow from the Secretaries of State for Education and Employment and for Social Security, and will say that, at last, a Government have taken on board the concerns of parents about child care costs, provision and facilities in every community of this country. The investment of £300 million over five years to do so is more than any previous Government have contemplated. Side by side with the reform of the tax and benefits system, our child care measures will ensure that child care is affordable, particularly for lone parents who need it.

My right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) referred also to transport costs. Making sure that travel costs to work are low enough for young people joining the new deal will allow them to have more choice of the jobs that they take up.

Mr. Peter Brooke (Cities of London and Westminster): If our productivity deficit by international standards is now 20 per cent., by the same calculation what was the figure in 1979?

Mr. Brown: The right hon. Gentleman makes the point about productivity.

Mr. John Bercow (Buckingham): Answer the question.

Mr. Brown: I am answering the question.

As I said in my statement, this has been the case for years. We are 30 per cent. behind some of the best countries in the world, and we must do far better. The right hon. Gentleman will understand the comparison with 1979. In 1979, we were 13th in the world of industrialised countries in terms of national income per head. Now we are 18th, as a result of the failure of the previous Government to bring us up the economic league. We are prepared to take action to do so.

Audrey Wise (Preston): As someone who has campaigned loud and long for warmer homes for pensioners, may I warmly welcome the increased payments and the reduction in VAT on insulation material? May I draw my right hon. Friend's attention to the fact that his figures make it clear that it is not necessary to abolish benefits for lone parents? As the abolition of those benefits will impoverish the poorest children, deepen the poverty trap and provide a disincentive to work, will he look again at this matter, bearing in mind always the fact that not only economic growth but children's growth is damaged by poverty?

Mr. Brown: I am grateful to my hon. Friend for supporting our initiative on cold weather payments. These go to every pensioner household in the country, with more going to those in the greatest poverty. I welcome what she has said about child care, but I remind her that child benefit is rising every year under this Government. The previous Government did not increase child benefit for two of the years after 1988 in which they were in power. Child benefit will rise. We are announcing the figures: there will be an additional £250 million this year.

The priority must be to enable lone parents to obtain work if they want it. That is why we have said that the £200 million that we have spent on the employment programme for lone parents will now be complemented by millions of pounds that will be put into the child-care element, so that lone parents can choose whether or not to work. From April next year, every lone parent who starts receiving benefit will, if he or she wants it, be given advice on work and training, as well as advice on how to collect money through the Child Support Agency.

We have had to make a decision. What is the priority for this Government? The priority must be to give choice to lone parents who never had it under the last Government, because training, child care and employment opportunities were not made available. We are giving them that choice: that is our first priority.

Sir Peter Tapsell (Louth and Horncastle): As the Chancellor of the Exchequer has repeatedly appealed—with increasing desperation—for congratulations, may I indeed congratulate him on one of his prophetic economic forecasts? Does he recall that, this time last year, he was assuring us that a new Labour Government would reshape the British economy along the lines of the Asian tiger countries? Is that still his intention?

Mr. Brown: The hon. Gentleman may search the libraries if he wishes, but I cannot remember saying that I wanted us to be like Korea or Thailand. What I have said is that we must increase our productivity, and what I did say was that we had fallen from 13th to 18th in the world industrial league.

As for the Asian economies, I said earlier that we must be vigilant. I believe that there are problems in relation to the disclosure of information, as well as the regulation of institutions, that will have to be dealt with on both a regional and international basis; but the most important thing we have learnt from the Asian economies, and from what has happened over the past few weeks, is that the economic fundamentals in every country must be sound.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): I congratulate my right hon. Friend on the way in which he has changed the terms of the debate, and not least on the way in which he has combined economic efficiency with social justice. May I add my appreciation of the way in which he has involved parenting and child care with the efficiency of the economy? Some of the measures that he has announced will take time to work, but others will work much more quickly. They bear sympathetic consideration, and I congratulate my right hon. Friend.

Mr. Brown: I am grateful to my hon. Friend, who I know has been involved in campaigning on the issues that he has mentioned for a long time.

I have always believed that the proper provision of child care is not just a good social policy, but integral to a good economic policy. It is not a side show; it is central to the way in which we conduct our economic affairs. When people look at the figures that will be published tomorrow, they will see that work is to start immediately. It is a five-year programme, providing 30,000 out-of-school child care centres in all communities. That is an ambitious target, but one for which the money is now available.

Mr. John Townend (East Yorkshire): For a green Budget, this is so short on detail that it could be described as a damp squib. Will the Chancellor reassure the many worried family businesses and family farms that, when he talks of reducing tax avoidance, he is not talking about reducing the inheritance tax reliefs that are so valuable in helping to keep family farms and family businesses in operation?

Will the Chancellor also apologise to pensioners? What he has given them back today is peanuts compared with the £5 billion that will be taken out of their pensions this year, next year and every year.

Mr. Brown: I suggest that the hon. Gentleman hold a poll among what I understand to be the 19,000 pensioners in his constituency. I urge him to ask them whether they support the last Government's policy of putting VAT on fuel, or whether they support the policy that I have announced today. I think that he will find that our policies, which have included cutting value added tax on fuel, abolishing the gas levy and introducing a new winter allowance that is far more generous than the cold weather payments scheme under the previous Government, are widely supported. He will find that his right-wing, free market views, which would do nothing to help pensioners, do not commend themselves to his constituents.

Mr. Tony Benn (Chesterfield): The Chancellor made a great point of employment, but is he aware that press reports suggest that the Government are not prepared to help the mining industry, and that up to 50,000 jobs could be lost in mining and associated industries; that the Governor of the Bank of England, when he came to the House of Commons last week, said that he expected interest rates to have an adverse effect on growth, for internal reasons and because of the higher pound; that the forecasts concerning British membership of the single currency suggest that unemployment in the European Union could rise above 18.5 million if the convergence criteria were imposed; and that instability in the global markets could certainly have an adverse effect?

There is a total absence in the statement of any reference to redistribution, although over the years the gap between rich and poor has widened, and it would appear that the poor are especially targeted in some of the cuts proposed.

Mr. Brown: I do not know what my right hon. Friend means about redistribution, because we redistributed £5 billion from the excess profits of the privatised utilities to job creation in some of our poorest and most deprived communities; if that is not an example of the proper reallocation of resources, from those who did not need them to those who do, I do not know what is. He should congratulate us on it.

The Labour party has always believed in a balanced energy policy, and we have always done what we can for the mining industry.

I am glad that the Campaign group and the Governor of the Bank of England are getting together to discuss issues of mutual interest. We are determined to avoid a return to the instabilities of the past, as when we had interest rates of 15 and 16 per cent. under the previous Government. We hope that by taking early action, with interest rates having had to rise to 7¼ per cent., we can avoid a return to the situation of the past.

My right hon. Friend asked me a similar question about economic and monetary union, which I answered, during the EMU statement. One of our economic tests for EMU is the effect on jobs. I have said that we will apply the tests strenuously, considering the effect on industry, jobs and investment, and we will insist that there is a clear and unambiguous answer in favour before joining a monetary union.

My right hon. Friend should look at what we have proposed, including the help for pensioners, and go back to his constituency and support it.

Sir Peter Emery (East Devon): Will the Chancellor answer a factual question: other than the reduction in the deficit, what measures in his statement does he think will lead to greater convergence in the criteria in the Maastricht treaty, and what costs will that have for employment or for the economy generally?

Mr. Brown: The meeting of the convergence criteria is in itself right for Britain. I said in the House a few weeks ago that it is a question not only of meeting the nominal criteria on interest rates, inflation and deficit but of having real, sustained and durable convergence. That means that we are seeking improvements in productivity, structural reforms that will increase our economy's ability to grow, and greater investment. Those are all important factors in judging convergence. The measures are right in themselves, and achieving convergence would be right for Britain.

Dr. Lynne Jones (Birmingham, Selly Oak): May I note with pleasure that, notwithstanding our commitments on

[Dr. Lynne Jones]

tax and spend, it has been possible to provide a welcome improvement in benefits to help pensioners with their heating bills, and express the hope that my right hon. Friend will use some of the resources that are apparently available to cut corporation tax to provide the small amount that will be needed to prevent the cuts in lone-parent benefits? Lone parents will get no increase in their child benefit: it has been frozen, so there will be a cut in real terms. It is essentially an in-work benefit, and cutting it is contrary to our welfare-to-work programme.

May I welcome the Chancellors's statement on research and development, and the importance that he gave it, but also draw his attention to concerns in industry and the business community about the parlous state of our public sector research infrastructure? I hope that he will look at the recommendations from Dearing and the CBI that we should consider the way in which the Treasury accounts for such investment.

Mr. Brown: I am grateful for those questions. My hon. Friend mentioned corporation tax. Of course we cut it, but people know that the pension fund reforms that we introduced in July meant a gain to the Exchequer, not a loss.

On lone-parent benefits, let me remind my hon. Friend that we have put £200 million into new measures to create job opportunities for lone parents. At the same time, we have put £300 million today into child care, which is the best in-work benefit for lone parents, to enable them to work, in addition to raising child benefit.

We have to make up our mind about our national priorities. We stopped the iniquitous housing benefit change proposed by the former Secretary of State for Social Security. We decided that it was right to use the resources we had to encourage many hundreds of thousands of lone parents to enable them to get more income in work. The average difference between out-of-work benefits and in-work wages is £50 for a lone parent. That is what we want to encourage.

Mr. William Ross (East Londonderry): The right hon. Gentleman's proposals on cold weather payments will be much welcomed in the northern parts of the kingdom, certainly in Northern Ireland. They will at least do away with the inequities of the old system.

The right hon. Gentleman has announced a very large spending programme today. As the windfall tax on the privatised utilities and the return of extra money from Europe are one-offs, how will his programmes be financed in future years? It seems unlikely that the growth that he seeks in the economy will be sufficient to pay for them, so he will not be able to achieve a balanced Budget or repayment of capital debt unless he increases taxation. Can we take it for granted that the taxes that he intends to increase are taxes on capital? If so, will the Budget resolutions be framed so as to refer back to today rather than to the date of the Budget?

Mr. Brown: I am grateful for those questions. The payment to pensioners to deal with winter fuel bills will come out of the reallocation of money from the European Union payments, which we budgeted for but from which we can use £400 million. Those payments will be made this year and next year, until the conclusions of the pensions review produce results for pensioners right across the country. We levied the windfall tax this year and next year at £2.6 billion a year. Hon. Members will be pleased to learn that substantial cheques are being paid by the utilities into the Treasury this week.

That money will be used over the five years of this Parliament to create jobs. It is a fund that will be available for giving help to the young, the long-term unemployed, the disabled and lone parents to get back into work and is ring-fenced in that way.

Mr. John McAllion (Dundee, East): I warmly welcome my right hon. Friend's announcement of extra help for pensioners this winter, which will warm not only the homes of pensioners but the hearts of all socialists, wherever they can be found in these post-modern times. On the same principle, can he confirm that the Tory spending plans that he accepted were based on the expectation that, in the first two years of this Parliament, there would be a public sector borrowing requirement of some £31.5 billion?

As my right hon. Friend has announced this afternoon a PSBR some £13.5 billion less than that, can he confirm that there is a significant sum in the current spending plans that is no longer required to service that higher level of debt? If so, can he explain why that unexpected windfall cannot be used to stop the planned cuts for lone parents, people with disabilities and students?

Mr. Brown: May I correct my hon. Friend on some points of detail? The spending totals are £266 billion for the control total, £274 billion next year. The full totals are £315 billion and £325 billion. Those are the totals that we are working within. They have not been reduced. As he would welcome, we have reallocated the money that became available from defence and nuclear programmes to the health service. We have reallocated money today from the European Union programme to help pensioners.

On the PSBR, bringing down public borrowing means that, over time, the £25 billion that we pay in interest payments—which we regard as something that should be reduced—will be reduced far more quickly. That means that, instead of one-off gains in public spending that cannot be continued, we will have sustainable public finances that will enable us to afford the regular, continuous increases in resources for health and education that we want.

Our aim is sustainable finances. We are not going to do what previous Labour Governments did: spend in the first two years, and then have to retrench in the last three. We will have sustainable public finances that allow us to improve health and education over time.

Sir Michael Spicer (West Worcestershire): Why cannot the right hon. Gentleman bring himself to say thank you to his predecessors for the extraordinarily strong economy that they left behind? What is his answer to the question put to him earlier about the fact that, according to the Bank of England, under his regime the economy is set to run downhill?

Mr. Brown: I will not thank the Opposition for what they left behind. They left behind a £23 billion borrowing requirement; they doubled national debt to £360 billion;

interest rate payments were £25 billion; and inflation was starting to rise again. We were going back to the old British disease. It remained for us to take action to create a new monetary and fiscal framework, which the Opposition have yet to tell us whether they support.

Gillian Merron (Lincoln): I welcome my right hon. Friend's statement, which is all about long-term planning to improve people's lives, especially for those who need it most. I particularly welcome the announcement on out-of-school clubs, which, like the West End Kids club in my constituency, will offer a safe and constructive environment in which children can learn and be cared for. Does he agree that, if it is good for children, it is good for parents and for the economy?

Mr. Brown: I am grateful to my hon. Friend. The generosity of her welcome contrasts with the way in which Opposition Members have failed even to welcome our measures for pensioners. On child care centres, we propose to have nearly 30,000 out-of-school centres, built and available as a result of the decisions taken today; £300 million is available, and potentially nearly 1 million children will benefit.

I am pleased that the model in my hon. Friend's constituency is one, among others, that will be looked at as we expand child care throughout the country. We must learn from the successful partnerships that are making child care possible in some communities, and we must provide a nationwide service for all mothers.

Mr. John Swinney (North Tayside): In welcoming the consultation exercise on which the Chancellor has embarked, I hope that he is listening to points of view that are being expressed.

What does the right hon. Gentleman have to say to exporters and manufacturers who are greatly troubled by the strength of the pound and higher interest rates, and the dangers that they cause to their business prospects? Does he recognise that, as public finances have improved, there is room for additional public expenditure to deal with the fact that NHS waiting lists are not improving and that many people on low incomes will have to suffer even more under this Government?

The announcement on payments to pensioners was welcome—unlike the Conservatives, I am happy to welcome it. Does the right hon. Gentleman accept that that announcement was caused by the utter arrogance displayed by the Department of Social Security in refusing to apply the wind chill factor in cold climate payments?

Mr. Brown: We have taken the right measures to help pensioners—far better measures than were ever proposed under the previous Government. My right hon. Friend the Secretary of State for Social Security inherited a review in progress that would have made little difference. Our changes in payments mean that every pensioner household benefits: the poorest pensioner households get £50 and, taken with all the other changes—for example, in VAT on fuel—the typical pensioner household could be up to £100 better off next year.

As for the hon. Gentleman's other questions about the exchange rate, I said in my statement that I recognise the concerns of exporters, but I would put it to him that what they are most afraid of is a return to the stop-go instability of the past. We will not take measures that prejudice the economy as a whole and return us to the boom-bust conditions of the past. If the hon. Gentleman examines the forecasts, he will see that exports are rising in volume by 7 per cent. this year, and are expected to continue to rise by 5 per cent. next year.

As for public spending, if the situation is healthier, that is because of the action that we have taken. The hon. Gentleman should also congratulate us on reallocating resources to the health service, with £300 million this year and £1.2 billion next year; and to education, with £1 billion next year and the £1.2 billion school capital investment programme from which many constituencies will benefit. It is about time the Opposition parties, who were asking for these things—in the case of the Liberal Democrats, asking for far less—congratulated us on what we did.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): I congratulate my right hon. Friend the Chancellor on every detail of his pre-Budget statement, but may I question him more widely about interest rates? As we move towards joining the single currency, we need convergence on interest rates. How will my right hon. Friend produce the economic climate that will allow interest rates in Britain to fall from their current 7.25 per cent. to the 3.3 per cent. of Germany and the rest of Europe?

Mr. Brown: By getting stable and sustainable growth and tackling inflation, we will get interest rates down. Our interest rates will come down as we take the tough action that is necessary. My hon. Friend asks about monetary union, but we have yet to hear an answer to the question put to the Conservatives: do they support the principle of monetary union—yes or no?

Mrs. Theresa May (Maidenhead): Is the Chancellor aware of the real fear engendered among people with disabilities and disability groups that the Government will cut disability benefits through means testing, taxing benefits or a reduction in lifetime rights? Will he answer the question asked by my right hon. Friend the shadow Chancellor, allay the fears of people with disabilities, clarify the Government's position, and state categorically that the Government will not in any way reduce disability benefits?

Mr. Brown: Our proposal is for a comprehensive spending review that is fair—that is the underlying principle. Today, I explained how we were spending £200 million on helping men and women who are disabled and want to work, to do so. Criticism of the Government comes ill from an Opposition party that, when in government, blocked the Civil Rights (Disabled Persons) Bill, and then cut invalidity benefit for thousands of people.

Mr. David Winnick (Walsall, North): Is my right hon. Friend aware that, at the end of last year during the coldest weather, a group of Labour Members of Parliament, including me, went to 10 Downing street and pleaded for help for poorest pensioners, and were refused? I therefore welcome the announcement today, which will certainly help many pensioners. Despite the justifiable points he

[Mr. David Winnick]

has just made about disability and the sheer hypocrisy of the Tory party, is he aware of the concern felt by Labour Members—which is genuine, unlike that expressed by Tory Members—about any taxing or means-testing of disability benefit?

Will my right hon. Friend bear in mind the comments made over the weekend by Lord Ashley and Lord Morris of Manchester—two Members of Parliament who fought bravely and honourably in the House against strong Tory opposition on behalf of the disabled? Those two men know what they are talking about, and I hope that my right hon. Friend will note their words.

Mr. Brown: I am grateful to my hon. Friend for his first comments about cold weather payments. I assure him that, if he turns up at No. 11, or indeed No. 10, Downing street, he will be invited in, rather than kept outside as he was under the previous Government.

As for the comments of Lord Ashley and Lord Morris, I and many people throughout the country have great respect for their work on behalf of the disabled. Our comprehensive spending review is designed on the principle of being fair, and we will be fair to the disabled.

Mr. Cynog Dafis (Ceredigion): The Chancellor referred to the strength of the pound and the problems that creates. He may be aware that that is causing particular problems to agriculture by inhibiting exports, bringing in imports far too easily, and depressing the level of support payments. That, combined with the bovine spongiform encephalopathy crisis, is creating a catastrophic situation in areas such as my own in rural Wales, where livestock farming takes place. He will be aware that the European Union has a mechanism for dealing with such situations by providing compensation and that those payments have been made available by all eligible EU countries. May I plead with the Chancellor to access those funds in order to reduce the pressure on farming?

Mr. Brown: I cannot give the hon. Gentleman any promises, but I shall put his concerns to my right hon. Friend the Minister of Agriculture, Fisheries and Food.

Mr. Ken Livingstone (Brent, East): Will the Chancellor give some forecast about the likely risk of slipping, not only down to 1.5 per cent. GDP growth in our third year, but into recession as the high pound continues to erode our export potential? Given the now inevitable devaluation of the yen, coming on top of the devaluation of south-east Asian currencies, and the fact that the deutschmark has led all the European currencies down about 15 per cent., will we not face a major balance of payments crisis unless we do something to bring down the value of the pound, which means tackling interest rates?

Mr. Brown: I have to tell my hon. Friend that, if we had failed to take action in May and left inflation to rise without taking action on interest rates, that would have caused a recession of the sort he describes. He should therefore support our action in respect of the Bank of England and our subsequent decisions. If he thinks the matter through, he will understand that the very conditions he is speaking in favour of were those that led to the problems the Conservative Government got into in the 1980s.

Mr. Howard Flight (Arundel and South Downs): The Chancellor will, I am sure, agree that the achievement of higher productivity will require not only higher investment but higher savings. The Conservative Government introduced personal equity plans and tax-exempt special savings accounts to increase savings. Will the right hon. Gentleman tell us whether those schemes will be grandfathered in 1999—that is, the amount invested in them will remain under that contract—or whether his statement means that they will be terminated? Seven million people will be affected by the decision.

Mr. Brown: My aim is to increase the number of people with savings. As I said, half the population of this country have hardly any savings at all, and that will influence the proposals we introduce next week on the individual savings account. I look forward to discussing with the hon. Gentleman those detailed proposals, which will be published in a consultation document next Tuesday.

Caroline Flint (Don Valley): I welcome today's statement from my right hon. Friend. As the former chair of Working for Childcare, and on behalf of my constituents, many of whom are lone parents, I welcome the proposals on child care and reform of the tax and benefits systems and other measures to help low-income families into work rather than remaining on benefits for the rest of their life. I recently visited a centre in Doncaster for young mothers under 16 that enables them to continue their studies by providing support in child care and transport. What young parents need post-16 is policies of the future, not a re-hash of the policies of the past.

I remind my right hon. Friend that it was the Conservative party—[HON. MEMBERS: "Question."] Will my right hon. Friend comment on the fact that it was the Conservative Government who introduced a tax on workplace nurseries that put back the development of employer-led child care for 10 years? That was their only contribution to child care while they were in power.

Mr. Brown: My hon. Friend is right, and the jeers from Conservative Members show that they are not interested in child care issues. As she rightly said, there are three elements in our proposals: first, we want to help people to be able to afford child care; secondly, we want to create child care places; and, thirdly, we want to train young people to be child carers. That is why this is the first national strategy for child care, and I hope that, increasingly, hon. Members on both sides of the House will support it.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): The Chancellor's statement contained some potentially far-reaching proposals for the integration of the tax and benefits systems. Will he confirm that it is in his mind to introduce any such changes in four months' time, in his Budget? Will he tell us how the Government will carry forward the process of consultation on that potential reform?

A comprehensive integration of tax and benefits is an extremely complicated thing to do. The Chancellor will know that one of the reasons why the interrelationship between the two systems is so often perverse is that past Governments have gone for short-term fixes, with dire long-term consequences.

Mr. Brown: I am grateful to the hon. Gentleman, who is a renowned expert in these matters, and the Chairman of the Social Security Select Committee. The report and the comments made yesterday about the maze of benefits and the chaos in the tax and benefit system up until now mean that there is a strong case for reform. I can confirm that we are looking at these things.

I told the Committee that we would be prepared to give evidence to it. I hope that the membership of the Committee will join us in examining these issues. We need to find a solution to the poverty and unemployment traps that prevent thousands from benefiting from work. We need to provide a solution that gives as many people as possible who are currently on low pay proper rewards for work.

Mr. Dale Campbell-Savours (Workington): Is it not true that one of our priorities has been to defuse the inflationary time bomb that we inherited from the Conservative Government—and, indeed, the work of the former Chancellor of the Exchequer? What estimate has my right hon. Friend made of the impact on the British economy if we had not raised interest rates since May?

Mr. Brown: I am grateful to my hon. Friend. I see that the former Chancellor has gone from the Chamber. I should remind him that, for six months, he was advised that interest rates had to go up. For six months before the general election, he refused to do so.

When I arrived at the Treasury, it was clear that inflation was going far beyond its target range. It was for those reasons that we took immediate action. We raised interest rates immediately, and made the Bank of England independent. There have had to be further rises in interest rates. The reason for those rises is that action that should have been taken was not taken by the previous Government.

Mrs. Virginia Bottomley (South-West Surrey): Many will welcome the further expansion in child care facilities, but can the Chancellor confirm that what he has really done is raid the funds that the sports, arts, heritage and charities bodies were confidently expecting? Does his announcement not mark the end of the additionality and arm's-length principles? Should we now refer to the national lottery as the Chancellor's back pocket for pet causes?

Mr. Brown: I disagree entirely with what the right hon. Lady says about the national lottery. As she perfectly well knows, the mid-week lottery increased the amount of money that the lottery was able to provide for good causes by about £1 billion. *[Interruption.]* The right hon. Lady should listen, because we put the proposal to the electorate and they supported it at the general election. We said that we would create a new opportunities fund to provide help for fitness centres, out-of-school centres and homework centres that would not otherwise have been provided. That is why it is possible to say that the money is being put to good use.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): We must now move on. There will be other opportunities to pursue these matters.

NEW MEMBER

The following Member took and subscribed the Oath:

Mark Oaten Esq., for Winchester

Welsh Assembly

5.3 pm

Mr. Nigel Evans (Ribble Valley): On a point of order, Mr. Deputy Speaker. Could you advise the House whether the Secretary of State for Wales has sought permission to make a statement to the House, following an announcement last night that the new assembly building will now not be sited in City hall? There is also speculation that it will not be sited in Cardiff at all.

One of the main arguments during the referendum debate was that the assembly should be kept within budget. We stated that it would cost £100 million over four years. We were told that that was a gross over-estimate, and that it would cost less than that figure. If the assembly has to move into either temporary accommodation or alternative new-build accommodation, the final cost of the assembly in Wales could be far more than £100 million over four years.

Mr. Deputy Speaker (Sir Alan Haselhurst): No such request has been made. I can say only that those on the Treasury Bench will perhaps have noted the hon. Member's remarks.

Reform of Quarantine Regulations

5.5 pm

Mr. David Amess (Southend, West): I beg to move,

That leave be given to bring in a Bill to allow the importation of pet animals from the European Union and rabies-free countries without quarantine upon proof of vaccinations, blood tests and permanent identification by microchip; to improve standards in quarantine kennels; and for connected purposes.

The word "rabies" undoubtedly brings terror into people's minds. It is an awful disease. Each year, between £720,000 and £760,000 is spent on actively encouraging the existing system. It seemed rather bizarre, then, that when I recently visited a number of quarantine kennels I observed owners in the cages with their animals kissing and cuddling them. That seemed to me to defeat the object of quarantine.

Rabies was eradicated from the United Kingdom in 1922 and is fast disappearing from the rest of the European Union. It is often claimed that the controls that have been used for the past 100 years have served us well. However, a critical examination of the facts reveals that the current arrangements for pet quarantine, as stipulated in the Rabies (Control) Order 1974, are outdated, unnecessary and in need of urgent reform.

In the past 25 years, 1.7 million mammals, including 200,000 cats and dogs, have entered the United Kingdom. In 1983 and 1990, two cases of suspected rabies were reported in kennels in the United Kingdom, but in both cases the dogs had been deliberately infected with a live vaccine. Neither had revealed any clinical symptoms. Those facts are in the public domain. The only cases of rabies in Britain in the past 18 years have been carried here by humans.

Those who defend the present system need to answer the following question. If no cases of rabies have been detected in quarantine in the past 25 years, why are we maintaining the present system? They will no doubt argue that there is no sufficient scientific basis for reforming the existing system. Besides, they will point to the fact that the current controls have operated successfully. I believe that those points are contentious, because developments in science in recent years have presented an overwhelming case for change.

The World Health Organisation has confirmed that modern inactivated vaccines are both safe and effective for cats and dogs. According to last year's report by the Royal Society for the Prevention of Cruelty to Animals, 72 per cent. of the population believe that the vaccination system would be an acceptable alternative to quarantine. Vaccinations have a duration of one year and need to be renewed annually. Microchips, I am delighted to say, can now be implanted into a cat or dog at an early age. Microchips are now recognised according to world standards.

No argument for change can be considered without reflecting on the risk assessment. Such an assessment has not been undertaken in Britain, although I welcome the decision of the Minister of Agriculture, Fisheries and Food, announced this autumn, to establish a panel of experts headed by Professor Ian Kennedy, to look into the matter. I understand that he is the only person to have been appointed to the panel so far. We should examine carefully the assessment made by the New Zealand Ministry of Agriculture. It is particularly pertinent. It tells

us that quarantine based on a six-month period of isolation has an 11 per cent. failure rate, whereas a method based on vaccination has only a 6 per cent. failure rate.

In the past 25 years, 170,000 families have put their pets through quarantine. A total of 2,500 pets have died during that period, which represents roughly 10 animals a month, and in the past five years, 735 cats and dogs have died in quarantine. All those animals are loved by their owners and are greatly missed.

Anecdotal evidence suggests that quarantine can cause some animals, especially dogs, to stop eating and to stop drinking. Many die when they come out, having picked up something during the isolation period. Judging by the standard of some kennels, that is hardly surprising, because there is no statutory code covering standards in kennels. There is a voluntary code, under which the Ministry makes quarterly visits and approves kennels' licences, but the emphasis on security is uppermost—certainly not welfare.

I am advised by all the interested parties that conditions in kennels vary considerably. The cost of putting an animal into quarantine varies from £1,500 to £3,000. I believe that my Bill would remedy some of those matters, especially the very high charges.

Other countries have successful rabies-free policies. Forty-eight countries are rabies-free. We should also reflect on the successful change that Sweden made in its quarantine laws three years ago.

On top of all the unnecessary cruelty of the current system, not to mention the inconvenience to pet owners, there is a complete lack of consistency because it applies only to pets, not to animals that have been brought to the United Kingdom for sale. They require only the necessary licences and vaccination certificates, just like pet passports. There are no quarantine requirements for all the cattle moving in and out of this country, which makes no sense as the animals are all warm-blooded and capable of carrying rabies. In effect, the existing system allows traded animals to enter the country and move around freely without being subject to quarantine requirements.

Responsible pet owners ensure that their pets are vaccinated against rabies, but they are still forced to put their pets into quarantine. The regulations affect tens of thousands of British people who work abroad, including diplomats, those in the armed forces, holidaymakers and the blind.

I am obliged to the Royal Society for the Prevention of Cruelty to Animals, the pet passport organisation, the Kennel Club and many other organisations for their advice on these matters, and I suppose that I am also inspired by my black labrador puppy, Michael. Eighty-six per cent. of the population would like a change.

I am delighted to see the Home Secretary in his place. I am not challenging the Government's intentions in this matter but, with the best will in the world, it will be a very long time before effective legislation is in place so, as we approach Christmas, I appeal to the Government to reflect on what I have said, and on the views of the former Secretary of State for the Environment, Mr. Chris Patten, and of Lord Waddington. Those former colleagues seem to have changed their minds on the matter, and I was especially moved by the noble Lord, who told the other place that his dog died two days after it was released from quarantine.

I am not necessarily looking for charity in this matter, but I am looking for charity from the Government before Christmas, and I believe that this limited measure would give some relief.

I intend, not to destroy Britain's reputation as a rabies-free country, but to prevent the cruelty, suffering and inconvenience that pets and their loving families experience when they enter the United Kingdom. Pet passports should be introduced into this country. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Amess, Mr. Ivor Caplin, Mr. Alan Clark, Mr. Roger Gale, Mr. Mike Hancock, Mr. John Heppell, Mr. Robert Key, Mr. Terry Lewis, Mr. Alan Meale, Mr. Colin Pickthall, Sir Teddy Taylor and Miss Ann Widdecombe.

Reform of Quarantine Regulations

Mr. David Amess accordingly presented a Bill to allow the importation of pet animals from the European Union and rabies-free countries without quarantine upon proof of vaccinations, blood tests and permanent identification by microchip; to improve standards in quarantine kennels; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 12 December, and to be printed [Bill 87].

Orders of the Day

European Parliamentary Elections Bill

Order for Second Reading read.

5.14 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move, That the Bill be now read a Second time.

The Government were elected in May with firm commitments to improve the democratic process in this country. As the House knows, our programme of constitutional reform is already well advanced. It gives me great pleasure to add another item to the list of manifesto commitments that are being fulfilled.

In the manifesto, we promised to introduce a proportional voting system for elections to the European Parliament; the Bill does just that. It will enable the 1999 and subsequent elections to the Parliament to be conducted using a proportionally based regional list system.

The Bill has had a long genesis. Twenty years ago yesterday, a Bill to provide direct elections to the European Parliament was introduced into the House following a White Paper in April 1977. The Bill initially provided for a regional list system, but in December 1977, the House voted by about 100 votes to reject that system and instead to put in its place one based on first past the post. It is that system which has remained in place ever since.

The first direct elections to the European Parliament took place in June 1979. Since then, for almost all of the past 20 years, the European Union has been attempting to ensure that elections to the European Parliament in each of the member states are based on common principles. The system that we are proposing in the Bill is in conformity with those principles.

A regional list system of elections to the European Parliament has been Labour party policy for a number of years. In 1993, Professor Raymond Plant, as he then was, who is now a distinguished Member of another place, produced a report for another place—I am sorry, for the Labour party—

Sir Brian Mawhinney (North–West Cambridgeshire): It is another place.

Mr. Straw: Well, these days it is very easy to get a place.

Professor Plant produced a report recommending a regional list system for those elections. That policy was endorsed by the Labour party conference the same year, confirmed by the Joint Consultative Committee on Constitutional Reform in February 1997 and included in our formal election manifesto.

Before discussing the Bill, let me say something about electoral reform generally. I believe that it is reasonably well known that I do not have a reputation as an evangelist for proportional representation for the Westminster Parliament. However, I have never been opposed to proportional representation for elections to the European Parliament nor, in certain circumstances, for local elections.

It is of the utmost importance that any voting system is appropriate for the nature and functions of the body that is being elected. My arguments against proportional representation for the Westminster Parliament have been based on the mathematical and political difficulty of securing an identity between votes cast, seats gained and power secured. It is possible to devise a voting system where the seats won are proportional to the votes cast—but there follows a serious conundrum. The greater the proportionality of votes to seats, the less may be the proportionality of votes to power.

PR systems typically give disproportionate power to the smaller minority parties, while first-past-the-post and similar systems with single-member constituencies give power to the largest plurality and so help secure a system where the proportionality, not between votes and seats, but between votes and power, may be the greater.

However, those characteristics of proportional representation and the consequences that may go with it—unstable Governments—can apply only where a Government are being elected. There are fundamental differences between the European Parliament and our United Kingdom Parliament. The European Parliament is a representative body; it is not a Parliament from which a Government are drawn.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): As it is clear to those of us who have served in the European Parliament that many other European countries envy the connection between elected Members and their constituencies and understand that it has one enormous advantage over a system under which the parties control the list, will my right hon. Friend give us the real justification for the system that he is proposing this afternoon?

Mr. Straw: I accept entirely what my hon. Friend says in terms of the Westminster Parliament. She has outlined one of the great strengths of our system of representation, based on single-Member constituencies. It is well worth remembering that the root of the word "Commons" is the French word "commune", meaning a community. I believe—and I am sure that my view is shared by anybody who has been a Minister or a shadow Minister—that one of the enormous strengths of our system is that, however high and mighty we think we may be, the fact that we have to go back to our constituency on a Friday evening, sit in a community centre and receive representations from our constituents, gives us a direct link to our constituents in a way that it is impossible to replicate under a system of multi-member proportional representation.

However, there is a world of difference between a constituency that one can comprehend in terms of its size—such as Crewe, Blackburn and similar places or parts of cities, which broadly accord with the majority of communities—and the vast constituencies that form the basis of representation in the European Parliament, where the direct connection between the Member and his constituents is very much more tenuous.

Sir Peter Tapsell (Louth and Horncastle): In the United States, Congressmen often represent districts with substantially larger electorates than those proposed by the right hon. Gentleman for the European Parliament. There is a direct relationship between those big electorates and

their representatives. Anyone who knows the United States well will know that people continually say, "My Congressman said this," and, "I wrote to my Congressman about that." Under the proposals, that close relationship would be lost.

Mr. Straw: What the hon. Gentleman says is accurate, but Members of Congress in the United States have huge support—typically they have 40 or 50 staff to enable them to achieve the connection. They also have strong media backing and are constantly campaigning as the elections take place every two years.

Moreover, there is a critical difference that strengthens the connection between a constituency and a Member of Parliament or a Member of Congress. In both cases, we are talking about people who act to form a Government—in this country, they act directly to form a Government and in the United States, they act to support and form part of a Government—and to ensure that the Government are provided with revenue. In the European Parliament, those considerations do not apply. The European Parliament does not form the basis of a Government, but is simply a representative body.

Had the hon. Gentleman been correct in his assertion, we would have seen over the past 20 years a close connection between the European Parliament's constituencies and its Members. However, generally speaking, that is not the case.

Mr. Douglas Hogg (Sleaford and North Hykeham): Even granted the truth in what the Home Secretary is saying, it would have been possible for the Labour Government to come forward with proposals that provided for proportional representation, but maintained a constituency base for the electorate. The Home Secretary has not said why he has chosen the one PR system that ensures that there is no constituency basis.

Mr. Straw: I shall come to that point—I have only just started my speech. If the right hon. and learned Gentleman is dissatisfied with the explanation that I shall give later, I shall happily give way to him again.

Mr. A. J. Beith (Berwick-upon-Tweed): I merely wanted to deal with a myth. The Home Secretary is making a perfectly reasonable case for the different nature of the European Parliament, but lest he should imagine that it is impossible to have a constituency link in a PR system, may I suggest that he visits the Irish Republic, where Members elected under the single transferable vote system are well aware of their link to constituencies and most certainly spend their Friday nights addressing constituency problems?

Mr. Straw: I have studied voting systems for more than 30 years and I have kept a close eye on the politics of the Irish Republic, where the Irish have a system to which they are attached. I have always found it difficult to understand a system whereby the voters' will does not always appear to be translated into either a change of Government or the sustaining of a Government. In the Irish Republic, Governments have changed every three years with extraordinary regularity.

We are dealing not with the election of a Parliament which then sustains a Government, but with the election of a representative body in Europe. The role of a Member of the European Parliament is different from that of a Member of Parliament, yet they are both directly elected by the same method.

The United Kingdom returns only 87 Members to the European Parliament and, quite apart from the disconnection between the constituencies and the Members, the huge constituencies that we currently have mean that disproportionate results are greatly magnified. As a result, even a small swing in the vote can lead to a substantial difference in the number of seats, as the fluctuating composition of the UK delegation to the European Parliament over the past 20 years has demonstrated.

Members of the House who have studied such matters with care may be aware that it is easy to construct an index of proportionality of seats gained to votes cast. I should be happy to explain the method of calculation to hon. Members who are not familiar with it, either now or later. I hope that colleagues will take my word for the fact that Westminster elections and the first-past-the-post system typically score between 80 and 89 per cent. in terms of proportionality—quite a high score, bearing in mind the criticisms that are sometimes made of the first-past-the-post system in Westminster.

In the last European elections, because of the size of the constituencies, the proportionality index score was only 70 per cent. For that reason, we believe that a simple regional list system of PR, for which the Bill provides, is the most appropriate one for electing Members of the European Parliament.

Mr. Llew Smith (Blaenau Gwent): The Minister stated that he has kept a close eye on electoral reform over the past 30 years. I have kept a close eye on the document that he produced for the national executive of the Labour party a number of years ago. I shall not embarrass him by quoting from the document, but will he clarify two points? Is he in favour of proportional representation for election to the House of Commons? Following on from the point made by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), is my right hon. Friend now accepting that under a regional list system, Members of the European Parliament will not be accountable to their electorate?

Mr. Straw: I am not sure whether my hon. Friend was present for my opening remarks, when I think that I made it tolerably clear that I am not enthusiastic about proportional representation for Westminster elections. My hon. Friend would not embarrass me if he were to quote from the document that I produced some years ago, as my views on the subject have not changed. I have always accepted that electoral systems must be appropriate for the particular political institution to which they apply. We must consider the nature of the relationships that we are trying to establish and, for that reason, I am highly sceptical of any systems that move away from single-Member constituencies for the House of Commons. However, as I am seeking to explain, different considerations must be borne in mind in relation to the European Parliament.

Mr. William Cash (Stone): Would the right hon. Gentleman be good enough to explain why the Amsterdam treaty, which amends the European Union

[Mr. William Cash]

treaty and which we shall be debating in a couple of days' time in Committee, contains a provision stating:

"The European Parliament shall draw up a proposal for elections by direct universal suffrage in accordance with a uniform procedure in all Member States"—

which pretty well follows the words of the arrangements entered into at Maastricht, but also adds

"or in accordance with principles common to all Member States."?

In other words, the treaty that the Government—and, presumably, the right hon. Gentleman himself—negotiated contains arrangements that would insist on those common principles, which are essentially proper democratic principles. Why, therefore, in the light of the Amsterdam treaty, have the Government gone down a route that is less democratic than the arrangements that could have been provided for?

Mr. Straw: I do not accept that for a moment. The arrangements that we are putting in place—whether or not the hon. Gentleman agrees with them—are extremely similar, and in some cases identical, to those that are in place in the majority of other European countries.

Dr. Tony Wright (Cannock Chase): May I try to make a helpful suggestion to my right hon. Friend? Many of us will be persuaded by his argument that, with regard to electoral systems, it is horses for courses, but many of us will not be persuaded by the argument that closed party lists on a regional basis are the right horse for this course.

When the proposal first came before the House exactly 20 years ago, in 1977, at a time when there was an arrangement between the Labour party and a previous incarnation of the Liberal Democrat party, the House was offered a free vote on the kind of system with which it would feel most happy. At a time when we are offering a referendum to choose an electoral system, and when there is genuine disagreement about the kind of system that we want for the European elections, I suggest that it would be appropriate to give the House a choice of proportional systems. That would allow us to meet our obligations, and to select a system with which the House would feel comfortable.

Mr. Straw: Today we are implementing a manifesto commitment on which all Labour Members stood. I cannot speak for the Opposition—no doubt they are as divided on this as they are on other issues—but it is fair enough for us to stick to a whipped vote.

The vote in December 1977 was a hybrid. It was a whipped vote for the payroll vote, except that two members of the payroll were allowed a special dispensation to vote against the payroll, and other Members were able to enjoy a free vote. It is interesting to note that there are 60 Members still in the House from the more than 500 who voted in December 1977 on that matter. Two members of the current shadow Cabinet voted in favour of the proposition for a regional list system at that time. It will be interesting to see what they do this evening.

Let me deal with a point that had been raised and was implicit in the question from my hon. Friend the Member for Cannock Chase (Dr. Wright). I refer to the referendum on voting systems for Westminster.

I have long believed, as has the Labour party, that it is time to bring to a conclusion the arguments over which electoral system should apply to Westminster elections. The Government do not claim a monopoly of wisdom in that regard. We hope very shortly to be in a position to honour our manifesto commitment to establish an independent commission to consider what would be the best electoral system to adopt, if we are to move away from first past the post. After that, we intend to let the people decide in an entirely free vote on the system that should apply.

Let me deal with what the Bill does. It provides for elections to the European Parliament to be conducted using a proportionally based regional list system. The counting of the votes will be based on the "highest average" formula using the d'Hondt divisor. I intend to say a little more about divisors in a moment.

Mr. Christopher Gill (Ludlow): As I came into the Chamber this evening, I received a ministerial reply from the Minister of State, Foreign and Commonwealth Office, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), who stated:

"We take seriously our responsibilities for Gibraltar within the EU."

I am sure that the Home Secretary recognises that there are 30,000 people in Gibraltar who, if my information is correct, are the only people in the entire European Union who do not have a vote in European elections. Given the present proposition that we should change to a regional system, it would seem simple to include Gibraltar in one of the new regions. I invite the Home Secretary to give the House an assurance that Gibraltarians will be given an opportunity to vote in the European Parliament elections in 1999.

Mr. Straw: That is an enticing prospect. I await further advice, as Gibraltar is not my responsibility. The Channel Islands and the Isle of Man are my responsibility, and I believe that Gibraltar is in a similar, but not the same, position. Gibraltar is a dependency under the Crown, but it is not part of the United Kingdom. It is the United Kingdom that is part of the European Union, not the dependencies. People who live on the Channel Islands and the Isle of Man do not have representation in the EU, even though they are clearly affected by decisions made by it.

Mr. Richard Shepherd (Aldridge-Brownhills): Will the Home Secretary return to the point made by the hon. Member for Cannock Chase (Dr. Wright)? It was not part of the Labour party's manifesto to propose a closed list system. That is perhaps the most obnoxious feature of the proposed arrangement. Will the right hon. Gentleman address that matter?

Mr. Straw: If the hon. Gentleman will be a little patient, I shall come to that and hope to provide some comfort, both to him and to my hon. Friend the Member for Cannock Chase.

A list system is used to elect Members of the European Parliament in every other member state of the EU, apart from the Republic of Ireland. The particular simple list electoral system that the Bill would introduce is the same type of system as is used in France, Germany, Greece, Portugal and Spain, so nearly two thirds of EU citizens

already elect their MEPs in this way, and the figure would rise to over 70 per cent. if Britain also adopted that approach.

Under the Bill, the United Kingdom will be divided into regions. Scotland, Wales and Northern Ireland will each constitute a single region. They will return eight, five and three MEPs respectively, as they do at present. Northern Ireland already elects its three MEPs using a proportional system—the single transferable vote. It works well there and appears to enjoy wide support, so we do not propose to change it.

England will continue to return 71 MEPs. It will be divided into nine regions. The regions, which are set out in schedule 2 to the Bill, will be the regions that are currently used by the Government offices for the regions. We have chosen those regions because they are well established and understood by the people who live in them. [HON. MEMBERS: "Oh."] It is no good Opposition Members mocking the regions or their boundaries. In an effort to be ecumenical, I have chosen those regions because they were established by the right hon. Member for Suffolk, Coastal (Mr. Gummer). I hoped that there would be no suggestion of any fiddling of the boundaries, which were established by the previous Government, following clear geographical lines, and have been widely accepted.

Mr. Dale Campbell-Savours (Workington): If, in a particular area such as Cumbria, people feel strongly that the MEP should be part of a northern regional arrangement, will there be some flexibility in the decisions that my right hon. Friend takes?

Mr. Straw: I regret to say that if the Bill is passed unamended—it will be open to my hon. Friend to move amendments to the schedule laying out the regions—that will not be the case. I understand my hon. Friend's concern, but if there are standard regions, it is important, in order to maintain people's confidence in the system, that we should adopt them without trying to change them.

Had I sought to move Cumbria into the North East—although I understand the arguments for that—I would have ended up in dispute with some but not all of the local authorities in Cumbria, and I would also have been open to accusations that we were doing that for the wrong reasons. I hope that my hon. Friend will accept the reasoning behind the schedule.

Mr. Patrick McLoughlin (West Derbyshire): May I re-emphasise a point made by the hon. Member for Workington (Mr. Campbell-Savours)? Is the Home Secretary aware that under the proposals that he is presenting to the House, the Peak national park will fall into four regions—four counties? There is therefore a case for him not to follow dogmatically the areas corresponding to the regional offices. It is nonsense that the area of the Peak national park should fall into the East Midlands, the North West, the West Midlands, and Yorkshire and The Humber, and thus have no voice at all.

Mr. Straw: I am sure that they will write a good line about the hon. Gentleman in his local paper—and I am sure that he needs it. I have been in this place longer than him, and I never heard him speak, while a Minister, against the boundaries devised by his predecessors.

The only exception that we propose is Merseyside, which we shall combine with the North West region for electoral purposes. That is simply a recognition of the fact that Merseyside alone would be too small to return enough MEPs to make the system work effectively. The number of MEPs for each region depends on the number of registered electors in that region. As nearly as possible, the ratio of electors to MEPs will be the same in each region. The Bill contains provisions for the numbers to be adjusted to take account of population shifts, as schedule 1(4) makes clear. The initial number of MEPs for each region is set out in the table in schedule 1.

Under the Bill, parties will be able to put forward a list of candidates containing up to as many names as there are seats to be filled in that region. In addition, any independent candidates who wish to stand may do so—including lots of independent Conservatives if the Opposition have arrived at that position by then. Under the proposal on the face of the Bill, voters will vote either for a party's list or for an independent candidate. They will not be able to vote for individual candidates on a party list. As now, the process will be simply to mark a single cross on the ballot paper.

Mr. Gill: How will the electorate get rid of an MEP whom the people dislike and who they believe is failing them under the new system?

Mr. Straw: They will do that in the same way as they get rid of any politician: by not voting for him. I shall deal with the gravamen of the hon. Gentleman's point in a moment.

Under the system, the number of votes cast for each party and each independent is counted and the seats allocated. The seat allocation process, which is set out in clause 1, is as follows. The first seat in a region goes to the independent candidate or the party with the highest vote. If the seat is allocated to a party, it goes to the first candidate on that party's list. The remaining seats are allocated, one by one, in the same way except that, at each stage, the parties' original totals are divided by the number of seats that each party has won, plus the number one. That gives me an opportunity to say more about another scintillating subject.

Mr. Hogg *rose—*

Mr. Straw: I shall give way to the right hon. and learned Gentleman, but I ask him to hold back until I have dealt with d'Hondt and Sainte-Lague. I shall then give way to him immediately.

I know that this question has gripped many people: they talk of little else at open-air meetings in Blackburn. The divisor is the set of numbers by which party votes are progressively divided to take account of the number of seats that a party has already won. The divisor used in the Bill is known in Europe as the d'Hondt divisor. It was devised at the end of the last century by Victor d'Hondt, a Belgian. I hope that hon. Members will take careful note of Monsieur Victor d'Hondt, as it is not often that a Minister of the Crown offers them a chance to improve their prowess at that popular Christmas parlour game, "Name 10 famous Belgians". I have contributed greatly to Christmas disputes and to the sum of human knowledge in that area by naming at least one famous Belgian.

[Mr. Straw]

Lest anyone think that the d'Hondt divisor is a highly complex mathematical calculation, I shall divulge the first few numbers in the series: one, two, three, four and five. In other words, a party's total vote is always divided by the number of seats that it has already been allocated, plus one. There has been some suggestion that the Bill should use a different divisor—specifically, the Sainte-Lague divisor. The numbers in the Sainte-Lague—

Mr. Hogg: Who is he?

Mr. Straw: He is not Belgian. The right hon. and learned Gentleman may be interested to know that divisors are used for council elections in Cambridge, Massachusetts. However, the d'Hondt system is called the Jeffersonian method and the Sainte-Lague system is called the Webster method.

I must give the House more information about this interesting subject. The numbers in the Sainte-Lague divisor are not one, two, three, four and five—as under the d'Hondt system—but one, three, five, seven and nine. As I am sure hon. Members will have worked out already, the effect is that, when allocating seats, a party's total is always divided by twice the number of seats that the party has won, plus one.

To complicate matters, there also exists a modified version of Sainte-Lague—which is generally used in Scandinavia—in which the initial number one, the divisor, is replaced by 1.4. I know that hon. Members will ask—even I did—why 1.4 is used. Those hon. Members who have studied art history will know that 1.4—which is approximately the square root of two—is the golden number that was much admired by Leonardo da Vinci, and is embedded deep in European architectural history.

Mrs. Dunwoody: It sounds logical.

Mr. Straw: My hon. Friend, for whom I have always had high regard, expresses some dissent about the use of the modified Sainte-Lague system. I am pleased to say that she and I are at one in rejecting it. We shall ensure that it is not used in Britain. There is a serious point to this—as there often is. Different divisors can produce different results, and there may be arguments as to which is the most truly proportional.

Mr. Llew Smith *rose—*

Mr. Hogg *rose—*

Mr. Straw: I promised to give way to the right hon. and learned Gentleman.

Mr. Hogg: I am most grateful. I think that hon. Members have enjoyed the right hon. Gentleman's presentation of the various formulae, but will he now return to the question posed by my hon. Friend the Member for Ludlow (Mr. Gill): how will the electorate in a particular region get rid of a candidate whom the people do not like? In reality, the people will simply choose one or other party and the party will appoint the MEP.

Mr. Straw: I shall come to the issue of voter preference later. I assure the right hon. and learned Gentleman that there is no difference in principle. He was chosen to stand as the candidate for his constituency, not by the voters but by his constituency association.

Mr. Hogg: They can vote against me.

Mr. Straw: Yes, they can—indeed, we tried to ensure that they did so, and it is one of the few constituencies where we failed in that endeavour. The electors of Sleaford and North Hykeham could vote for candidates from another party, and exactly the same situation arises in principle under any of the other systems.

Mr. Gill *rose—*

Mr. Smith *rose—*

Mr. Straw: I must continue but, if time allows, I shall accept more interventions—and give way to my hon. Friend—on the fascinating issues of divisors and the kind of list system that we should introduce.

Those who argue for Sainte-Lague say that it favours smaller parties and that d'Hondt discriminates in favour of larger parties. However, we do not believe that that is so, and we have calculated the likely effect of using all three divisors. The differences that they produce are minimal, and we have decided to use the d'Hondt divisor for four reasons. First, we believe that it will produce a fair result. Secondly, Sainte-Lague does not necessarily produce more proportional results. I have already introduced the proportionality index to the House—I noticed how hon. Members listened with bated breath. By calculating the index score for six regions using the 1994 European election vote in the United Kingdom, we found that, on average, d'Hondt scored higher than Sainte-Lague.

Thirdly, as I hope my exposition has demonstrated, d'Hondt is simpler and more logical—I do not claim that d'Hondt is simple or logical, but it is simpler and more logical than the other two systems. Fourthly, d'Hondt is the most commonly used divisor in Europe—of the nine other EU member states that elect their MEPs using the highest average list system, eight use the d'Hondt divisor. Only one—Sweden—uses Sainte-Lague, and it uses the modified form with the golden number 1.4 as the initial divisor.

Mr. Beith: The Secretary of State will recognise, I hope, that the effects of which divisor is used are most marked where the seats have only a small number of MEPs. If we take the example of Wales and the 1997 general election results—the most recent that we have—using the d'Hondt system, no party other than Labour and the Conservatives would have won seats in Wales, and Labour would have won 80 per cent. of the seats on 54 per cent. of the votes. That is an extreme case within the system, but it would happen, given the d'Hondt divisor and a seat with only five MEPs.

Mr. Straw: The right hon. Gentleman and I have discussed that at some length outside the House. We have considered carefully the proportionality index that would apply in Wales in respect of d'Hondt, Sainte-Lague modified and Sainte-Lague pure. I am happy to tell him that, in the 1994 elections, d'Hondt and Sainte-Lague

modified would have produced a proportionality index for Wales of 88.5 per cent.—the same index—and Sainte-Lague an index of 90 per cent., but overall, there is no question about it: d'Hondt produces a marginally better proportionality relationship between seats and votes than Sainte-Lague.

Let me deal with the issue that has perhaps been more controversial: the nature of the list system.

Mr. Llew Smith: May I give the Secretary of State another opportunity to explain this to the House? If the electorate are dissatisfied with one Member of the European Parliament, how can they rid themselves of that MEP under the regional list system?

Mr. Straw: I have already explained that: the electorate should not vote for the list that includes that candidate. It is a straightforward system.

Mr. Gill: Will the Secretary of State give way?

Mr. Straw: Let me get on; I hope to give some comfort to the hon. Gentleman. *[Interruption.]* It may be a matter of dispute between the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) and his colleagues, but it is not for me.

When a party wins one or more seats, its candidates are elected in the order in which they appear on the list. The fact that voters are unable to influence the order in which candidates are on a party list has attracted some adverse comment, both outside and inside the House. Let me explain the reasoning behind that.

The electoral regions will be very large, and individual candidates are unlikely to be known by more than a small—not to say tiny—fraction of the electorate. Voters cannot, therefore, be expected to make an informed choice between individual candidates from the same party. If the electorate were required to rank candidates of the same party, such choices could be arbitrary. I also fear that it could disadvantage women and ethnic minority candidates. I understand that Lord Plant shares that view.

To reinforce the point, lest that is somehow presented as a radical departure, let us not forget that that is essentially the way in which hon. Members are chosen. Candidates are selected by the parties, and voters have no influence over who the representative of their chosen party will be in their constituency. If they do not like the representative of the party, they have to vote for a different party. That is the simple way in which the system operates and the way in which this system will operate.

The system that is set out in the Bill has the great virtue of simplicity. As now under the first-past-the-post system, the elector has to mark a single cross on the ballot paper. As I mentioned, simple list systems of that sort are already used by nearly two thirds of voters in the European Union to elect their MEPs, so we are in reasonable company.

I realise that this is an important issue that goes to the heart of the Bill, and I have listened carefully to all the representations that have been made to me on the point. In particular, it has been suggested, both by the constitutional group Charter 88 and by the Liberal Democrats, that we could introduce an electoral system of the sort that operates in Belgium and Denmark, whereby voters can vote either for the party list as a whole or for an individual candidate from the party list—or, of course, for an independent candidate. Under that system, party votes and individual votes are combined to determine how many seats each party is entitled to, then seats are allocated to candidates by a method that adds party votes to those received by individual party candidates.

As with any other system, there are arguments both ways. The modification of what we propose in the Bill would provide some more direct voter preference and may assuage the concerns even of the right hon. and learned Member for Grantham.

Mr. Hogg: For Sleaford and North Hykeham.

Mr. Straw: I apologise.

On the other hand, that is marginally more complex than the present simple system that we propose, and it is possible for a candidate low down on a party list to receive many personal votes—perhaps more than those of his or her party colleagues—yet still not be elected, because the weight of party votes helps those higher up the list.

Nevertheless, I am prepared to listen to the arguments for adopting a Belgian-type system and to give them careful consideration. To help hon. Members, I shall arrange for a brief description of how the Belgian system operates to be placed in the Library, alongside a greater description of how the system in the Bill is intended to operate, and I shall be interested to learn how hon. Members on both sides of the House perceive the system. This will therefore be a subject to which we can return at a later stage of the Bill's passage.

Several hon. Members *rose—*

Mr. Straw: I give way first to the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney).

Sir Brian Mawhinney: I want to be clear as to what the Home Secretary has said. Has he just said that, having proposed the Second Reading of a major Government Bill, he is now signalling that he is willing to change one of the fundamental aspects of that Bill?

Mr. Straw: It may come as a surprise to the right hon. Gentleman, as a member of the previous Government, who did so badly, that we are a party and a Government who listen to argument.

I do not propose that we adopt the open list system that was in the European Parliamentary Elections Act 1978, because there are all sorts of disadvantages in electors simply trying to rank candidates on a list and not being able to choose a party list if they wish to do so.

Several hon. Members *rose—*

Mr. Straw: I shall give way in a moment.

However, I am willing to look—I do not say that we have signed up to them—at the proposals that we received after the Bill's publication from the Liberal Democrats and from Charter 88 for a modification of our simple list system. Under that modification, it will be open to electors to vote for the party list as a party list, if they wish to do so. It happens in Belgium. The majority—I

[Mr. Straw]

think the overwhelming majority—of voters, offered that free choice, do so, but it will also be open to voters to vote, if they wish, for an individual candidate on the party list. When it comes to the allocation of seats within the total that a particular party has won, those personal votes are added to the votes that it received.

I hope that we can achieve—because I happen to think that it is the House that should decide these things—a serious debate on the merits of that proposal, as opposed to the proposal in the original Bill. I have not come to a firm view. I certainly believe that the old complicated system in the 1978 Act has many disadvantages, but I can see the argument in favour of this one. I am willing to have it discussed.

Mr. Beith: I thank the Home Secretary for taking this open-minded view after the long discussions that we have had. He should not accept criticism from those who, having criticised what he proposed, now criticise him for giving any hint of changing his mind. The merit of this system is that, although it allows the party to state its preferred order, it allows a large part of the electorate in that constituency to decide that they are not satisfied with that order and to produce what I might call the Tatton outcome.

Mr. Straw: I understand that point, and I am grateful for the fact that the right hon. Gentleman has been generous in response to what I have said. He has come to this in an open-minded way.

Mrs. Margaret Ewing (Moray): The Home Secretary said that he is considering the possibility of modifying the Bill. Obviously, all the political parties and, indeed, the independents are concerned to know exactly when the legislation will be on the statute book. Does he therefore have a clear timetable as to when a final decision will be taken?

Mr. Straw: The legislation obviously needs to be on the statute book by the end of this parliamentary Session, which is October next year.

Mrs. Ewing: The elections are in June.

Mr. Straw: The elections are in June 1999, but I think that there is ample time within that period to discuss the matter. I shall assist the House and individual Members by ensuring that as much information as possible is made available about those different systems, before the House and the other place come to a conclusion.

Mr. Shepherd: As the Home Secretary did not mention it in his incredible discourse to the House, does he expect turnout to improve? It is now at the extraordinary low level of 36 per cent. and it has been around 30 per cent. Why on earth does he think that the incredible system being proposed should help induce people to come out and vote?

Mr. Straw: We are not a country that can lecture other European nations about turnout. Generally speaking, turnouts are higher in Europe. One argument in favour of change is the fact that turnouts are so low. It is difficult to argue that the current electoral system has gripped the electorate. It has not. My guess—and it can be only a guess—is that turnout will improve under the proposed system.

I should now like to make some progress. While I have been on my feet, the Chamber has filled up and many hon. Members wish to speak, so I shall refer to some more detailed points. Let me explain how vacancies will be filled. Schedule 2 empowers the Secretary of State to make regulations that will be subject to parliamentary approval by affirmative resolution. The regulations will provide that when a vacancy occurs in a seat that was originally filled by a candidate from a party list, it should be filled by the next eligible and willing candidate from that list. If, however, the list has been exhausted, or if the vacancy has been caused by the death or resignation of an independent MEP, a by-election will be held.

To work effectively, the electoral system that the Bill will introduce—or a Belgian-type system—requires political parties to be registered. We have already announced that legislation to establish a registration scheme for political parties will be introduced during this parliamentary Session. Once such a scheme is in place, only parties that have been registered will be able to put forward lists of candidates. Of course, independents will also be able to stand.

A registration scheme will have the added advantage that it will offer parties the protection from spoiler candidates such as the notorious case that occurred in the 1994 European elections, involving a candidate who styled himself a "Literal Democrat".

Introducing a new electoral system inevitably involves a good deal of detailed work. New nomination forms need to be designed, new rules about election agents need to be devised and many other practical points have to be covered. All that is consequential on introducing the new system, and will be dealt with in regulations which, of course, the House will be able to approve. Schedule 2 covers the power to make such regulations.

A new ballot paper will need to be designed. I have already produced—and made available in the Library—a sketch of what the ballot paper might look like.

The Bill also permits regulations to be made governing candidates' and parties' election expenditure. Clearly, the old rules, which are concerned solely with controlling the spending of individual candidates at constituency level, are no longer appropriate for a system that is based on the promotion of a party list, so there will need to be limits on parties' regional expenditure. However, as it will be hard to distinguish between parties' regional and national expenditure, we shall need to consider carefully the case for placing limits on national expenditure.

As it has been a matter of some debate since 16 October, when I published our proposals to legislate in respect of the funding of political parties, let me make it clear that paragraph 6 of schedule 2 provides regulation-making power to control national spending by political parties on European elections. I know that my right hon. and hon. Friends will welcome that.

Mrs. Ewing: Once again, I am grateful to the Home Secretary. As there will be separate lists for Scotland and Wales, recognising the nature of the four-party system in

those countries, will limitations be placed on the unionist parties, so that they spend the same amount as other parties competing in Scotland and Wales?

Mr. Straw: The usual way to place limits on spending is to use a calculation based on the number of electors in the areas where candidates are standing, but, as ever, we are open to representation. We are a listening Government.

We said in our manifesto that we would introduce a proportional voting system for elections to the European Parliament. The system that we are proposing has many advantages. It is appropriate for the nature and functions of the body that is being elected. It will be simple for the electorate to use. It allows independent candidates to stand. It produces fair results so that in each region, a party or independent candidate will win a share of the seats proportionate to the share of the vote in that region. The Bill is another major step forward in the modernisation of our constitution. I commend it to the House.

6.4 pm

Sir Brian Mawhinney (North-West Cambridgeshire): I congratulate the Home Secretary on one of the most impressive performances that I have seen in the House for a long time: for a man who did not believe a word of what he was saying, he said it with great aplomb. I agree with my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) that the Home Secretary delivered his speech with great charm.

The Home Secretary told us that the Government were elected to improve the democratic process and then signally failed to convince even his hon. Friends that the Bill would in any way achieve that aim.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) and I have had a number of friendly but robust exchanges during our time in this place, particularly when I was at the Department of Health. When I was at what was then the Ministry of Transport we became more like-minded. Today we are as one. The hon. Lady put her finger on one of the major flaws of the Bill—the severing of the link between a constituency and its elected representatives. From the expression on the faces of Labour Members, it was clear that many of them agreed with her, as we did.

I was intrigued by the Home Secretary's suggestion that because the single transferable vote works well in Northern Ireland and commands widespread support there, it does not need to be changed. I remind him that the first-past-the-post system works well in England and commands widespread support, so the logic of his position falls.

I was also intrigued by the circular nature of the Home Secretary's argument to the effect that we want a list system so we have to have big regions and that if we have big regions we have to have a closed list system. That argument did not convince the House and it certainly will not carry the Committee, just as the right hon. Gentleman did not carry the House when he failed four times to answer questions from hon. Members, including his hon. Friends, about how electors—and elections are about electors and not party apparatchiks—would get rid of a Member who they thought was doing a poor job.

Mr. Richard Burden (Birmingham, Northfield): The right hon. Gentleman said that electors are the most important consideration. Is he the same person who on 13 March 1996 said:

"Even in 1983 and 1987 when we won landslide victories, a good 58 per cent. of those who voted supported other parties. We do not need to win over everyone or even most people in order to win."?

Are those the right hon. Gentleman's democratic credentials?

Sir Brian Mawhinney: It is interesting to reflect that the hon. Gentleman's party won fewer votes in 1997 than we won in 1992. That is the best answer that I can give him.

This evening, we are considering a Bill that has been introduced with no justification. Bert Lance said,

"If it ain't broke, don't fix it".

The Home Secretary has signally failed to convince the House that there is anything wrong with the present system. He cannot be suggesting that the system is biased in our favour because his party has the preponderance of seats at the moment. He cannot be claiming that the system is too complicated because everybody understands it and is able to go into a voting booth, put a cross on a piece of paper, see the votes counted and understand who has won.

The hon. Member for Crewe and Nantwich might have said that the Bill will not only break the link between constituencies and individual elected representatives but will prevent electors from electing individuals—which, thus far, has been another fundamental aspect of our electoral system.

It is worth recalling that most people in democracies around the world vote with the first-past-the-post system. I therefore wondered whether there was perhaps something intrinsically better about the Home Secretary's proposals. I reflected on the fact that, in 1993, after years of unstable government, Italy moved away from a system of proportional representation. After trying PR, France switched back to its second ballot system. The Swedes are changing their PR system, because they discovered that none of their elected representatives was responsible for developments or hazards in any sphere. After introducing PR last year, New Zealand had to wait for more than two months before a Government could be formed. I suspect that the Home Secretary realises, after his private talks with Irish TDs, how much they dislike the system under which they operate.

Therefore, there is no argument that proportional representation is intrinsically better. Consequently, the question is whether less problems—

Mr. Straw: Fewer problems.

Sir Brian Mawhinney:—whether fewer problems are associated with PR. I once read somewhere:

"I have not been persuaded that under PR"

one does not

"end up with a disproportionate power being wielded by small parties. There is no perfect electoral system. Each has its problems and I simply do not believe that the problems"

one gets

"with PR are less than those"

one gets

"with the existing system."

[Sir Brian Mawhinney]

I see that the Home Secretary agrees with that statement. It is a good job that he does, because they are not my words but those of the Prime Minister, who uttered those words only a couple of years ago, making it clear that he is quite unimpressed with PR and with the argument that PR provides a system with fewer problems than our current system.

Mr. Straw: I have been following the right hon. Gentleman's speech with care; he is making an important argument. Does he accept that there is a profound difference between the Parliaments that he has described, which are national Parliaments elected to determine a Government, and a European Parliament that in no sense forms—or should form—a Government, and that is wholly and solely a representative body?

Sir Brian Mawhinney: We are talking about the election of public representatives—that is the fundamental issue—which is a feature that is shared by the European Parliament and the House. As hon. Members and the Home Secretary know, the great unspoken aspect of the debate is that this Bill is but a dry run for another Bill which will eventually emerge, stating that the Government have decided to change the method of election to the House.

At the risk of upsetting traditionalists, I shall depart for a moment from the normal confrontational tone of our debates in the House and pay a genuine tribute to the Home Secretary. It was courageous and typically honest of him to state quite openly what he has stated frequently in the past, and what all hon. Members know to be true: when it comes to elections to the House, he has no great love of any form of proportional representation. Hon. Members will remember that fact, which I do not mention in any aggressive sense. I pay tribute to him.

I pay even greater tribute to the Home Secretary because of the nature of the Government. To understand the Government, one must understand two matters. The first is that the Government are determined to be re-elected—for the first time—for a second term, which is in itself a perfectly honourable objective, although it becomes much less honourable if the Government resort to changing the goalposts to achieve it.

The second thing that one must understand about the Government is that their driving emotion is a strong dislike—I shall be diplomatic in my phraseology—for Conservatives. Ministers are perfectly happy to link up with any other party with which they think they can do business, on this or any other issue, permanently to disadvantage the Conservative party. That is a perfectly obvious motivation for the Labour party, and it is why everyone understands that the Bill is but a dry run for what will come later. We will have to proceed on that understanding.

Mr. Beith: I should like to understand two aspects of the Conservatives' position. The first is why they accepted a treaty obligation to have an electoral system for Europe that is based on common principles, including proportionality. The second is why they have retained for all these years the single transferable vote system of proportional representation in Northern Ireland.

Sir Brian Mawhinney: I was about to deal with that point. My hon. Friend the Member for Stone (Mr. Cash) raised a point on article 138(3). I remind the right hon. Member for Berwick-upon-Tweed (Mr. Beith) that, although that was a treaty obligation—we signed the treaty and took on the obligation—it was one that was subject to unanimity. That aspect of the treaty was as important to us as the treaty obligation itself. I think that he will grant us that, over the years, we have consistently maintained that view.

The Home Secretary made an important point on unanimity. Thus far, because of the need for unanimity, we have not gone along towards a single unified electoral system in Europe. The Bill is a major step in that direction, as he himself acknowledged in his speech. Will he reassure the House that we will not move from any electoral system towards a harmonised European one without the House deciding on such a move and thereby legitimising it?

Mr. Beith: What about Northern Ireland?

Sir Brian Mawhinney: If I may, I will return to that matter.

Why are we considering the Bill when we know that the Prime Minister is not in favour of proportional representation? Who was pushing for it when the Prime Minister was against it? The answer is obvious—it was the right hon. Member for Yeovil (Mr. Ashdown), who realised that he and the Liberal Democrats would never be elected to govern. He realised that he had one thing in common with the Prime Minister and the Minister without Portfolio—a willingness to enter into any deal to do down Tories.

The right hon. Member for Yeovil was willing to contemplate any secret deal to achieve that aim, and that is what he and the Government did. Off into a secret room they went—probably, given the favourite genre of the Labour party, a smoke-filled room—and did a secret deal. We still have no idea what the deal was, except that it gave the right hon. Gentleman a seat at the Cabinet table, for an hour every two or three weeks, in return for a commitment to help pass legislation that he and the Prime Minister thought would be to their political advantage and to the political disadvantage of the Conservative party. We shall see.

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): The right hon. Gentleman is off on a flight of fancy, and I am loth to interrupt him. He accused my right hon. Friend the Prime Minister of having dreamt up the scheme, as if it has come out of the ether. I presume that he has read the House of Commons research paper on the Bill. Does he acknowledge that, on page 17, it quotes my right hon. Friend's party conference speech, of 30 September 1993? My right hon. Friend, then shadow Home Secretary, said:

"We will reform the voting system for the European Parliament".

Does the Opposition Front-Bench spokesman accept that there was some precedent for my right hon. Friend's decision on the subject?

Sir Brian Mawhinney: I do not want to upset the Minister too much, but the quotation that I gave from the Prime Minister post-dated the one that he has given the House. Mine was from 1994.

Mr. Howarth: For reasons that I well understand, the right hon. Gentleman is confusing arguments about

PR systems for electing a Westminster Parliament with those for electing Members of the European Parliament, which is what the Bill covers. If he checks the quotation that he mentioned, he will find that it refers to the Westminster Parliament.

Sir Brian Mawhinney: I am grateful to the Minister and to the Home Secretary because it has emerged from the debate so far—and we have been going for only an hour and 20 minutes—that the Labour party is perhaps moving further away from reforming elections to this House. That is a helpful development and I hope that it will continue. The Minister accused me of flights of fancy, but it is not a flight of fancy to say that the leadership of the Liberal Democrats and the Labour party met in secret and did deals on this country's constitution. That is a matter of record and we are now starting to see the results of those deals.

Dr. Tony Wright: May I put it to the right hon. Gentleman that the reason why he is having so much difficulty—and attacking a Bill that does not exist to avoid discussing a Bill that does—is that he does not understand what is going on? The examples that he has given—one party having a civilised discussion with another to improve a measure, and a Home Secretary who accepts arguments about improvements to the Bill to improve voter choice—are examples of the sort of politics that people want. The politics that he is giving us are those that people wanted to boot out.

Sir Brian Mawhinney: I shall assume from that that the hon. Gentleman is giving me a gentle rebuke and asking me to get on with my speech about the Bill. I shall be happy to move on to demonstrate its inadequacies to him.

The Bill will sever the direct link between the constituency and the Member. For the first time it will prevent the electors having a direct vote for their representatives. No one should be in any doubt about the fundamental changes in the Bill. It will break the constituency basis of British elections. It will break the individual basis of British elections, and it will break the democratic basis of British elections. It is not new democracy, new young Britain or new modern voting: it is new cynical political control, undreamt of by old Labour.

Let us examine the Bill. Constituencies will go and European-style regions will be in. In future, as the Home Secretary said, Members of the European Parliament will represent, say, Scotland or London, as if those were homogeneous areas. What do Swindon and Land's End by way of the Scilly Isles have as a unifying feature? That is to be a region. Hon. Members will have noticed that the regions are an amalgam of urban and rural areas. Given the Government's record, we all know that the urban voice will prevail at the expense of the rural voice. Who will argue the case for inner London or the west of Scotland? Who will argue the case for minority views in those huge regions? How can Members feel a sense of ownership of their regions or identify with them?

Those of us who spend time, as I suspect most of us do, talking to Members of the European Parliament will know that they are already frequently criticised by their electors for not being seen around. Given the size of their constituencies, they have to spread themselves thinly over a large area. That is already a source of irritation for the electors, but how much worse will it be when Members of the European Parliament have to cover a region that stretches from Oxford and Milton Keynes, via Portsmouth and Cowes, to Dover? The job will be impossible in any terms that we, as elected representatives, understand our job.

Mrs. Dunwoody: I do not think that the job is meant to be done in the terms that we understand. The purpose of Members elected under a list system is to do exactly as they are told by the people who decide their position on the list. As long as that is clear, there is no conflict of interest.

Sir Brian Mawhinney: I hope that I will not wreck the hon. Lady's reputation, but I entirely agree and I shall come on to that point shortly. The Home Secretary told the all-party electoral reform group recently that, for the Scottish Parliament and the Welsh Assembly, it was important to maintain a constituency link, but that it was not important to do so for the European Parliament. Indeed, the Home Office's press release states:

"People do not enjoy, or need,"—

I emphasise that word—

"the same close links with their MEP as they do with their MP, so it is possible to elect MEPs on a regional basis."

It is clear that the Home Secretary is determined to sever the link that has stood this country in good stead for hundreds of years.

Mr. Hogg: Does my right hon. Friend agree that although Members of the European Parliament have a smaller constituency case load, they deal with some constituency work involving personal cases? Under the list system, it is difficult to know to whom an individual could turn.

Sir Brian Mawhinney: My right hon. and learned Friend is correct and I agree with him. He might have added that, increasingly, businesses make representations on European matters and I know that MEPs for the area that covers my constituency spend a fair time dealing with those matters.

The second point that arises from the Bill is that it will bring party politics into what has hitherto been a representational role. As a Member of Parliament, I act for all my constituents, whether they voted for me or not. I know that that is true of the Home Secretary, because I recently heard a complimentary story about action that he took on behalf of some constituents who probably did not vote for him. I also suspect that it is true of most hon. Members. It is certainly true of Robert Sturdy, the MEP for Cambridgeshire. However, in future, such representatives will be more indebted to their party than to their electors.

The third point is that the Bill will throw away the personal and individual basis of our electoral process. Every vote I have cast has been for a person—a name on a ballot—to represent my interests. I have voted for an individual with strengths and weaknesses, with skills and experience, with a family and a job history. Now I will get to vote only for a party. That is a profound difference and a profoundly backward step. Of course I am proud of my party, just as the Home Secretary is proud of his. I am proud of its history, its achievements, its statesmen and

[Sir Brian Mawhinney]

women and its beliefs. Obviously, I want people to identify with those party aspirations, but I want to vote for a person whom I can test, examine and get to know. The Bill will prevent me from doing that.

What am I offered in the Bill? I am offered one vote for a party, which could give me up to 11 Members of the European Parliament—from four in the north to 11 in the south-east. One vote for one party will produce multiple MEPs. Of course I would want all 11 in that region to be Conservatives. The Home Secretary would want them all to be Labour.

Mr. Straw: No.

Sir Brian Mawhinney: Of course he would. The House does not believe the Home Secretary. The voter will not have a chance to have some from one party and some from another, if that is what he chooses. The House should be in no doubt, that is a fundamental change to the way in which we do business.

Mr. Beith: First, under the present system, a voter cannot choose to have one Member from one party and one from another. Secondly, if he does not like the person offered by his party, as has happened to some Conservatives over the years, as well as to some in the Labour party and no doubt to some in my party, his only option is to reject the party's choice. He has no way of substituting another individual from that party whom he would prefer.

Sir Brian Mawhinney: I understand that the right hon. Gentleman is in favour of the change. I understand that he has no prospect of getting into government unless proportional representation in Europe bounces across to this House. However, I do not accept the premise from which he is working and I am not impressed by his argument.

Mr. Shepherd: Our politics is often dominated by great issues. In the run-up to the European elections, economic and monetary union will be central. When there are different views on that great issue within all the parties, how can we identify those on a list who are for or against it? The apparatchik rule of central party control will confuse the electorate and reduce the number of votes cast.

Sir Brian Mawhinney: My hon. Friend makes a strong point.

What is envisaged is even more restrictive than what we have talked about so far. The party, not the voters, will decide the order of people to be elected. Surely Ken Coates, Labour MEP for Nottingham, North and Chesterfield, was right to say that with such a system

"We will end up with a bunch of new Labour clones. The MEPs elected under this system will not be accountable to their constituents, but to Peter Mandelson—this will be nothing but a recipe for creeping."

Whatever Ken Coates's skills, he does not write editorials for *The Times*. Lest Labour Members are inclined to dismiss him, let me quote an editorial of 23 October, which says:

"The party's actions show all the worrying signs of a leadership that has become obsessed with control."

It continues:

"Whatever their personal interest, the dissidents are right to protest against an electoral system that puts the power of selection in the hands of the party's centre, leaving none for voters or party members. This is bad for democracy and will be bad, eventually, for the parties too. The Government plans to introduce the worst possible kind of PR for the European elections. Its 'closed list' system allows voters no say over which candidate they want: they can merely vote for a party, which will then appoint its own placemen to the Parliament."

It concludes:

"As it is, 1999's European elections promise to be a triumph of party manipulation over genuine voter choice."

The hon. Member for Crewe and Nantwich put it at least as elegantly.

What was the reaction of new Labour to the dissidents in its ranks? Open? Tolerant? Transparent? Modern? It gagged them. They were told that they could not discuss the issue, that they could not criticise the party and that they could not complain. That is new Labour.

Mr. Straw *indicated dissent.*

Sir Brian Mawhinney: There is no point in the right hon. Gentleman shaking his head. That is his party. Ken Coates has further said:

"If an MP can be gagged and stopped, then democracy is on the way out."

Hugh Kerr, MEP for Essex, West and Hertfordshire, East said that the gagging

"shows that new Labour is increasingly authoritarian and centralised."

The Sunday Telegraph tells us that the national executive committee rushed through a new disciplinary code specifically banning MEPs from campaigning against proportional representation.

The hon. Member for Bolsover (Mr. Skinner), who is not in his place—I wish that he were—thinks that the whole thing is political suicide. The hon. Member for St. Helens, South (Mr. Bermingham) has said:

"Many MPs are concerned about the loss of constituency identity by going for a regional list of candidates."

It is a pity that he is not in his place today. He would have found that more of his colleagues than he realised share that concern. According to *The Guardian*, the hon. Member for Birmingham, Northfield (Mr. Burden) is opposed to centralism and people being barred from voting for individuals. If he were in his place—[*Laughter.*]

Mr. Burden *rose—*

Sir Brian Mawhinney: If he were in his place, as he is—

Mr. Burden: I am here.

Sir Brian Mawhinney: I know. If he were in his place, as he is, I would give him an opportunity to confirm the accuracy of that quotation.

Mr. Burden: I know that I have shaved off my moustache, but I wonder whether the right hon. Gentleman did not notice me. I oppose the centralisation

of political parties. That is why I welcome the receptiveness that my right hon. Friend the Home Secretary has shown to the representations that have been put to him and the co-operation that there has been on the issue. As the right hon. Gentleman is obviously so concerned about centralisation and intolerance in political parties, how does he relate what he has just said to the treatment given to the hon. Member for Leominster (Mr. Temple-Morris)?

Sir Brian Mawhinney: The hon. Member for Leominster (Mr. Temple-Morris) made his own decision. I regret that he has left the party. I hope that that answers the question.

From Aberdeen to Eastbourne, from St. Ives and Bangor to Norwich, the message to anyone who wants to be a new Labour MEP is clear: "Don't worry about the voters; just mug up on the Mandelson mantra. Learn how to creep and surrender to Millbank thought control. Remember that the party always comes before the voters and that the party is always right."

How will all that come about? The Bill says:

"The system of election . . . shall be a regional list system"

and that

"A vote may be cast for a registered party".

The Home Secretary does not want the spin doctors to refer to it as a closed list system, but it is. It is closed to the public, but open to new Labour control freaks.

At the electoral reform meeting, the Home Secretary found it necessary to warn the Liberal Democrats not to have an argument in public about the closed list, because otherwise the Tories would capitalise on it. Now he knows that it is not the Tories who will capitalise on it, but the members of his party who are so dissatisfied with the Bill that they will want to examine it further.

What is the redeeming feature of the new system—a redeeming feature so strong that it overrides all the arguments against the Bill that have been aired tonight? Perhaps it is its simplicity. The present system is pretty simple: one voter, one candidate, one vote; count them up and there is one winner.

What is the new system like? I turned to the Home Office handout to find out:

"1. The first seat is allocated to the individual or party with the highest vote. Where the seat is allocated to a party it goes to the first candidate on that party's list.

2. The second seat is allocated in the same way except that if the first seat has gone to a party, that party's total is divided by two.

3. The process continues until all the seats have been allocated. At all stages party totals are divided by the number of seats that party has already been allocated, plus one."

Is that what I am supposed to tell my constituents? I wonder whether there is an easier, simpler way than one person, one vote, one winner.

I turned next to the Library research paper:

"The . . . system used aims to allocate each seat to the party which would at that point have the highest average vote per seat. The total votes of each party are divided by the number of seats it already has plus the next seat to be allocated. Thus the party totals are divided first by 1 [0 seats plus 1] then by 2 [ie 1 seat plus 1] then by 3 [2 seats plus 1] etc. The first seat goes to the party with the largest number in the table below, the next seat to the next highest number etc."

Is that supposed to be an improvement? Is that supposed to be what the Home Secretary started by telling us was a simpler system? The House does not believe a word of it.

The Home Secretary told the electoral reform group that he was thinking of holding the 1999 European elections on a Sunday. Perhaps in his winding-up speech, the Under-Secretary will tell us whether that is still likely.

The Bill offers to so-called new Britain, new Labour's brave new world: no constituencies, no link between an individual MEP and an area, no individual to vote for, no choice of individuals to vote for, no way in which to buck the control of the party machine, and no understanding by most people of what they are doing or why.

In truth this is just an old-fashioned political deal, based on political expediency, between the Prime Minister and the leader of the Liberal Democrats—at the expense of the British people and of the traditional British voter's link with his or her public representative, elected personally.

So much for openness and transparency. So much for being modern and accountable. So much for the Home Secretary's reputation; he is introducing a Bill in which even he does not believe. Like him, we do not believe in it. Unlike him, we shall vote against it.

6.42 pm

Mr. Richard Burden (Birmingham, Northfield): I congratulate the shadow Home Secretary on an imaginative way of attempting to oppose the Bill. The only trouble was that he did not actually address what is in the Bill—and I found his unique interpretation of the term "secret deal" most interesting.

I was under the impression that the hallmark of a secret deal was the fact that people did not know about it, yet the right hon. Gentleman appeared to be criticising the pre-election agreement between the Labour party and the Liberal Democrats on constitutional affairs, which was not only published but announced at a press conference and mentioned in the party manifestos. If that was a secret deal, it was rather different from my normal definition of that term.

I welcome the Bill. Such arrangements have been a long time coming. Several treaties and other agreements in Europe, some of which have been mentioned, have already urged a more common and compatible electoral procedure for the European Parliament.

That is different from saying that all European Parliament electoral procedures in each member state must be identical. At present, no two systems for election to the European Parliament are identical. If we want a Parliament that will hang together as a representative body—as my right hon. Friend the Home Secretary said, it is not a Government body—it is important that the essential principles of the electoral systems by which Members get to that place should be compatible.

That seems to me a fairly elementary point, but the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) did not mention it in his long speech. When Members of the European Parliament go to Strasbourg, the strength of the parties there should be broadly proportional to their voting strength in the elections. That fairly simple point seems to be lost on Conservative Members.

[Mr. Richard Burden]

The elections to the European Parliament now reflect that principle, in one way or another, in most member states—except Britain. Today, we have the chance to begin the process of putting that right.

The system is based on regional lists, and there have been some criticisms of that in the debate. I shall return to the subject. It is important that we also examine the system that we already have in Britain, and the distortions that it produces.

Few systems are wholly proportional. Indeed, these days few people would seriously suggest that an electoral system should be entirely proportional. That is very difficult to arrange. The first-past-the-post system goes to the other extreme.

Labour as a party has often done fairly well out of that system. In the most recent European elections we got about 44 per cent. of the vote—a sizeable vote and a good success for the party. However, on that 44 per cent. share of the vote we secured 74 per cent. of the seats. The Liberal Democrats secured about 17 per cent. of the vote, yet ended up with 2 per cent. of the seats.

I realise that Conservative Members may have difficulty with my argument, because I am not putting it forward on the basis of looking at the entire political process simply by asking what will be to our party's advantage. I am trying to address a democratic issue.

Mr. Shepherd: The hon. Gentleman should look around at his own party's Benches, when they are occupied, because the concern about his argument is shared on both sides of the House. He should also remember that this is a highly controversial measure. He has already heard interventions by his hon. Friends who do not support the method of denigrating another argument in that way, by focusing it on us.

Mr. Burden: The hon. Gentleman has an honourable record of looking for greater democracy and openness in the House, and I pay tribute to him for that.

The right hon. Member for North-West Cambridgeshire did not address the argument that is most important for the debate—the principle that, if a party wins seats in the European Parliament, there should be some relationship between the number of seats won and its voting strength.

Mr. Hogg: Will the hon. Gentleman give way?

Mr. Burden: I shall let the right hon. and learned Gentleman in soon.

The distortions in this country's present system are extreme. No system is wholly proportional, but the distortions are so great as to require attention. The Bill attempts to deal with that.

Mr. Hogg: I do not think that for those purposes my right hon. Friend is trying to oppose—or, indeed, that I am doing so—proportional representation as a means of electing the European Parliament. Our objection is to a particular kind of proportional representation. The hon. Gentleman needs to focus on asking why we are to have a proportional representation system that does away with the constituency basis for choosing Members, while giving party bosses exclusive control over the candidates. That is the real issue that the House wants to discuss.

Mr. Burden: If the right hon. and learned Gentleman is patient, I shall come to those points.

In looking at the genesis of the Bill—and its importance to the House and to democracy in this country—it is important that we address the distortions in the present system. The right hon. Member for North-West Cambridgeshire said, essentially, "If it ain't bust, don't fix it." My view is that the present system of elections to the European Parliament is bust—or, if not bust, severely weakened by distortions.

That is certainly the case in terms of seats won in relation to votes cast, but it also produces distortions within the European Parliament. The party group to which my party is affiliated in the European Union, the Party of European Socialists, is the largest group; that is absolutely right, given the number of votes cast. I admit that the numerical dominance of the group is out of kilter with the overall number of votes cast. The situation was reversed between 1979 and 1984, when the right-wing group experienced a similar dominance. That has developed because elections in this country have been an influence and because our electoral system is out of kilter in terms of votes cast and seats won.

Some groups within the European Parliament are under-represented, and that will continue under the present system. I hold no brief for the Green party which, in recent elections, has secured very few votes. That was not always the case. In 1989, the Green party in this country secured one of the highest votes in a European election of any Green party in Europe—nearly 15 per cent. It has not repeated that share of the vote. Although the Green party achieved a high proportion of the vote, the UK did not elect one Green MEP. It is right that we address that problem.

It is not as if Green parties are not represented in the European Parliament—about 27 Green MEPs were elected in that election, often on a lower proportion of the vote. It may be that the systems in other European member states are wrong. Their thresholds may be too low, which may lead to the over-representation of minority parties. I ask the House to consider whether our system—in which a party that gets a significant share of the vote does not gain one MEP—is right.

The share of the seats won in European elections may be out of kilter with the share of the vote that a party secures. Does the British system have other compensatory benefits? In the main, it does not. One issue which could be looked at, and to which my right hon. Friend the Home Secretary referred, is participation. Does our system encourage a closer relationship between the electorate and the MEP at the time of election? Is that reflected in a high turnout? It is not. At the last European election, Britain had the third lowest turnout. In 1989, Britain had the lowest turnout. That is not a great vote of confidence for our electoral system.

Does our system provide a greater balance? For instance, does it ensure that the right proportion of women are elected as MEPs? It does not. At the last election, only two countries in Europe—Italy and Portugal—had a lower proportion of women MEPs elected than Britain. The

argument, "If it ain't broke, don't fix it," does not stand up. There is a huge disparity between seats won and votes cast, but we do not have other compensating factors.

Arguments have been made about whether the regions are the right kind of area from which MEPs should be elected, and these arguments deserve an answer. It is right in this House to pay tribute to the work of MEPs of all parties in Brussels and Strasbourg, as they do an excellent job. The fact is that the constituency basis for MEPs provides no great coherence. Until recently—fortunately, the name is changing as a result of the last boundary review—I lived in the Birmingham, East European constituency. That is a simple title, but there is one fundamental problem—my house is in west Birmingham. It is a strange situation.

The constituencies are very large and the ability of MEPs to relate closely to individual constituents is limited. If we are looking for an appropriate area from which MEPs might be elected, the regional basis has a good deal going for it. In the economic life of our country, the regions are becoming more and more important.

We are engaged in serious constitutional change in which the regional dimension in England will become increasingly important, and I look forward to the creation of regional development agencies and other initiatives. If they are to work, it is important that the economic system relates to the political system, and vice versa. The regional dimension is very important in terms of the distribution of European structural funds. Giving the European Parliament a direct relationship with the regions makes great sense.

The new system will also be important in terms of subsidiarity. In my view, subsidiarity does not stop at a national level, and the objective of all parties should be to locate power at the lowest possible level appropriate for the functions through which any legislature or representative body exercises its power or influence.

Whereas in most parts of Europe, the regional dimension has been recognised—regions have benefited from that recognition—this country has not done that sufficiently. We are now seeing improvements with devolution and the creation of a Scottish Parliament and a Welsh Assembly. That will devolve power from the centre here in London, and I look forward to the English regional dimension being promoted in the UK. If the European Parliament can be linked with that, it will be good for our economy and—more important, in respect of this debate—good for democracy.

Before the Bill was published, concerns were expressed about what has been called the closed list system—in other words, the system whereby individual voters have the chance to vote for a party or an independent candidate, but not to express a preference for an individual candidate within a party. I had reservations about that as well. The British tradition of being able to vote for a person and not just a party is important, and we need to think seriously before we depart from it. It is not a one-way street.

A multi-Member constituency system for MEPs has a down side. Different candidates from the same party campaign against each other and become involved in a kind of beauty contest to ensure that they get more votes than the other candidate from the party. That may or may not be healthy for democracy. I want to retain the voters' right to chose between candidates, but I should make it clear that there is a down side to the system.

I welcome what my right hon. Friend the Home Secretary said at the beginning of the debate. Legitimate concerns have been expressed about the closed list system. There need not be a straight choice between a system that is entirely open—in which it is left to the voter to chose between candidates, without any party role being involved—and a closed list system. I am pleased that my right hon. Friend has listened to the many representations made to him, and has said that he will reconsider. I look forward to the debates that will take place in Committee and outside.

When they oppose the Bill, Opposition Front Benchers should take into account what was said by my right hon. Friend. It appeared from what was said by the shadow Home Secretary that he had not heard my right hon. Friend's recognition of some of the anxieties that had been expressed, and his undertaking to address them. I feel that my right hon. Friend's reassurance should be welcomed by hon. Members on both sides of the House, and I welcome the Bill.

At times, today's debate has almost resembled a proxy debate about electoral reform of the House of Commons. I am known to support electoral reform of the House of Commons, as well as electoral reform of the European Parliament. It has been said that electoral reform of the House would inevitably destroy the link between Members of Parliament and constituencies, but that is not true. A number of proportional representation systems retain that link. The hon. Member for Poole (Mr. Syms) shakes his head, but I can tell him that the "additional Member" system retains the link between a single Member of Parliament and a constituency. The retention of the link is entirely possible under a proportional representation system.

Mr. Robert Syms (Poole): Does the hon. Gentleman acknowledge that, under the "additional Member" system, there are two categories of Member of Parliament—those who represent constituencies, and those who are on a party list? That changes the nature of politics and representative democracy, because it involves people with different responsibilities.

Mr. Burden: The hon. Gentleman is entirely right in that, under the "additional Member" system, Members of Parliament would arrive in the House of Commons, or whatever legislature was involved, by different routes; but I was making another point. It was said earlier that a proportional system would destroy the link between Member and constituency, and that is not so. Under the "additional Member" system, there is a link between the individual Member and the constituency. There may be another category of Members by virtue of the top-up system, but that is a different question. It may be desirable; the hon. Gentleman clearly considers it undesirable, but I believe that it could introduce a diversity and richness from which the House could benefit. I do not see why we need have any great attachment to the idea that Members of Parliament must all arrive here by one route.

We can debate that when the time comes, of course, but I think that we need to be clear about our facts. It is erroneous to say that a proportional system inevitably means destroying the link between an individual Member and a constituency. Moreover, there are other proportional

[Mr. Burden]

systems based on multi-Member constituencies that retain a link between Members and the constituency. The two systems are not in conflict.

That, however, is a debate for another time. Suffice it to say now that I will welcome—my right hon. Friend the Home Secretary reaffirmed the commitment in our manifesto—the early establishment of an independent commission on voting systems, which will examine these questions in detail. I welcome the commitment, both in the manifesto and in the agreement with the Liberal Democrats that was made before the election, for the commission to be charged with recommending a proportional alternative to the first-past-the-post system. I especially welcome the commitment to ensure that it will not be politicians, but the people, who ultimately decide the shape of our Parliament and our parliamentary elections. That is why I am so pleased about the commitment to a referendum on the voting system for the House of Commons.

That is not what we are talking about today. We are talking about the electoral system for the European Parliament, which raises different issues. As I have said, I support electoral reform for both Westminster and Europe, but it is entirely possible and logical to support electoral reform and proportional representation for Europe and to oppose it for the House of Commons. As my right hon. Friend the Home Secretary rightly said, different representative bodies have different functions, and there is no one ideal voting system that is appropriate to all circumstances. The idea that, in principle, there should be a single Member is not appropriate to all circumstances. At times, the shadow Home Secretary seemed to suggest that he considered that to be a principle; he should look at our current system of local government, which, in most parts of the country, is based on multi-member constituencies.

One principle strikes me as important—a principle that I mentioned at the beginning of my speech. If we are to be taken seriously in Europe, and if we are to have a representative body in the European Parliament that will be credible both at home and in Europe, is it too much to ask that the seats won by parties should broadly reflect the support that those parties receive in the country?

Mr. Shepherd: We are talking about representative systems, and I am mindful of what actually happens in Europe. I personally feel that this represents the degradation of democracy, but I will cite my reasons.

The European Parliament voted on the Maastricht treaty. All the various systems pulled together with their representatives in Strasbourg, and voted on the treaty. It was almost a hallelujah performance. They acclaimed the treaty—but what happened in the electorates that they supposedly represented when it was put as a direct proposition? The hon. Gentleman will have noted what happened in France, where the result was 49 per cent. to 51 per cent., and Denmark actually rejected the treaty. The system that the hon. Gentleman proposes is no more representative than a dance on a drum.

Mr. Burden: The hon. Gentleman's views on Maastricht are well known, but I have witnessed debates in the European Parliament. I should point out that, although the vote in France was close, it was in favour of the Maastricht treaty.

Although there is some strength in the way in which the House conducts its affairs, it could learn one or two things from other legislatures. The confrontational "one gang against another" style that we have seen here—I am pleased that the present Government are trying to do something about it—does not feature to the same extent in the European Parliament. Of course, the European Parliament has all sorts of weaknesses—it does many things of which I do not approve, and many things that could be done better—but, if we are to improve the workings of the House of Commons, we can learn a good deal from what happens elsewhere. I know that the hon. Member for Aldridge-Brownhills (Mr. Shepherd) wants to do that, as he has commented on these matters many times. We should not dismiss the traditions of other legislatures quite so quickly.

Let me return to the central part of the Bill. The point is to ensure that the number of seats won reflects the number of votes cast. I welcome the commitment of my right hon. Friend the Home Secretary to look again at some of the details, and I am convinced that, in the context of the wider constitutional agenda—of devolution for Scotland and Wales, the expansion of the regional dimension here in England, the creation of a Greater London authority and the ability of the people to decide the voting system that is best for the House of Commons—the Bill will prove a boost and a boon to democracy.

7.8 pm

Mr. A. J. Beith (Berwick-upon-Tweed): The Liberal Democrats welcome the Bill. It gives us an opportunity to provide fair voting for Europe. It fulfils a commitment that successive British Governments have made through treaty obligations, and it implements an agreement that was made publicly between my party and the Labour party before the election and put to the voters at the election—an agreement that we would reform the system for European elections. Although we would suggest some improvements to the Bill, the Home Secretary has already said that he has an open mind on the key point. We applaud the determination with which the Government have produced the Bill in sufficient time to ensure that the next European elections are fought according to a fair system.

I was amazed to hear the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) first attacking the Home Secretary for appearing to change his mind, and then revealing that his main criticism of the Bill was the very point on which the Home Secretary had said that he was willing to listen to arguments. At no stage did the right hon. Gentleman suggest that he might actually vote for amendments, such as those that we shall table, that would achieve his objective by introducing a system with more voter choice within the regional list structure.

At the moment, we have a closed list system of one, with no proportionality. The total outcome is nowhere near proportional, and people who strongly disapprove of their party's one candidate can effectively express that disapproval only by voting against their own party, and perhaps bringing about the election of a candidate from another. Many people are not willing to do that.

Much as many of us like to promote the idea of the individual in politics, there is no doubt that most people, at every opportunity, make a party choice. That is a fact

of political life, from which many of us often gain. There is a myth surrounding the British political system, pretending that voters have nothing to do with parties. Party names used to be kept off ballot papers on that principle, but that is long gone. Parties are central to the British political system.

We value the opportunity that can be given to voters to affect the way in which parties determine who is to stand on their behalf, and to express their views directly, as they will be able to do in the referendum on the electoral system for Westminster. We welcome the Government's commitment to that.

The first-past-the-post system as used in the European Parliament elections produces the most outlandish outcomes, bearing no relation to the votes cast. The system applies only in England, Scotland and Wales. The right hon. Member for North-West Cambridgeshire, who comes from Northern Ireland, never explained why it was acceptable for Northern Ireland to have a proportional system, when it was anathema to him for England, Scotland and Wales to have one.

What has the system produced in Great Britain? In 1984, the Conservatives won 45 seats on 38.8 per cent. of the vote, while Labour won just 32 seats on only 4 per cent. fewer votes. At that stage, British seats made up about one fifth of the Parliament, so misrepresentation of the votes cast in Britain could have a significant effect on the political balance.

It is as if one county in England suddenly decided, of its own accord, to run a completely different electoral system for Westminster from that of the rest of the country, and had enough seats to make a profound difference to the balance of the parties. That clearly could not continue. We have a treaty obligation to make a change.

Had the votes in 1984 been counted on a proportional basis, the Conservative representation in the European Parliament would have been reduced by almost one third. We won no seats at all, despite winning more than half the number of votes obtained by Labour. In the 1989 election, the Green party won 15 per cent. of the votes—a respectable tally for a party that came from nowhere, and has since returned there—and got no seats. That is not a fair outcome. The Conservatives won 32 seats on only twice as many votes as the Green party, which got none.

In 1994, Labour got 74 per cent. of the seats on 44 per cent. of the votes. That is 25 more seats than it would have won on a proportional system. The Tories got 28 per cent. of the votes and 21 per cent. of the seats. We got 16 per cent. of the vote and 2 per cent. of the seats. The system produces the most ludicrous results in terms of the number of representatives sent to the European Parliament by each party.

To claim that the system is retained in order to preserve a sacred link between the voter and his representative in Euro-constituencies simply flies in the face of reality. If any hon. Member goes out into the street and asks any passer-by to name his Member of the European Parliament—or, better still, to name his European constituency—he will get a pretty low tally. It can sometimes be embarrassing to do that for Westminster Members of Parliament, but we would get a much better total for them than for Members of the European Parliament, for whom the results would be derisory.

The system does not work in single-Member constituencies, because they are too large to be treated as we try to treat Westminster constituencies. Legitimate questions can be asked about the role of the voter in relation to the candidate. For example: how does one get rid of a Member whom one does not want? Earlier, I called that the Tatton question. It is significant that, in those circumstances, to avoid putting people in the dilemma of being only able to elect someone of a different party, two parties stood down.

The scale of European constituencies is such that it is almost impossible to get rid of someone of whose financial dealings one disapproves or who represents a point of view that is completely alien to that of most of the party. That has not happened in any European constituency since the system was introduced. Members of various parties are most critical of their Members of the European Parliament, but they have never yet mounted a successful campaign to get them unseated by the electorate.

It would be better to introduce some voter choice into the regional list system, as some other countries do. By doing so, we would involve the voters more fully in the election. We must try to increase the participation of British people in European elections. We shall not do that by giving them a system in which the outcome in most constituencies is certain, giving them no chance of securing representation for their favoured party, which is what happens now.

Proportionality should increase the attractiveness of taking part in an election, and it would be increased further if we allowed people to use their votes to change the order of candidates. That was attempted in 1977, when options were put before the House to allow voters to have one vote only, which they would give to a candidate but which would also count as the party vote.

The disadvantage of that system from the Government's point of view is that it does not involve the party in setting out a preferred choice. It is reasonable to say that a party should be allowed to put to the electorate its view of what the order should be, even if the electorate can then modify or disrupt that view.

We have proposed a compromise, given our known preference for the single transferable vote system, in which people cast a party vote but can, if they prefer, choose which candidate should be ranked highest. If enough people do that, we can ensure that someone lower down the party's list has the best chance of being elected.

It has been argued that, in such a system, it is possible for someone to get many—indeed a majority—of the preference votes and still not be elected, but that is because the majority of people have declared themselves content with the party choice by voting the straight party ticket. A successful rebellion, as it were, involves a majority of the party's voters seeking to overturn its choice. That opportunity should be there.

I hope that the consideration launched by the Home Secretary today will lead him and his hon. Friends—and, indeed, Conservative Members—to accept that the regional list system would be better with that element of choice. We shall certainly table an amendment to that effect and, if the Government want to improve its wording or tighten it up, we shall welcome that.

[Mr. A. J. Beith]

The Home Secretary launched, perhaps unwisely, in some detail on the subject of the relative merits of different divisor systems. Suffice it to say that the Sainte-Lague system helps to ensure a more proportional result, particularly if many of the constituencies each have a relatively small number of MEPs. That is because the standard Government regions and nations have been chosen. For example, we have a five-seat constituency in Wales and a four-seat constituency in the north of England.

It should be fairly obvious to hon. Members that a high vote would be needed to get a minority candidate elected in a four or five-seat constituency, so the way in which we deal with surplus votes is crucial. The Sainte-Lague divisor would ensure that, on the basis of the general election results, there would be at least a third party representation in Wales, for example. Representation would not be confined to the two largest parties. On the general election results, in Wales Labour would get a disproportionate share of the seats—80 per cent.—on just over 50 per cent. of the vote.

Overall, the Home Secretary is right to say that, given a sufficient number of constituencies of sufficient size, there is not much difference between the two systems but, on the scale of the smaller constituencies, the difference is significant. That may be important, especially in Wales, northern England or other smaller constituencies. We shall press the Government to reconsider by tabling an amendment.

I welcome the Bill's reference to a cash limit on the amount that parties can spend nationally during the European elections. In a way, a change was inevitable because we are no longer dealing only with single candidates. It is absurd that candidates in elections to Westminster are strictly limited on what they can spend—their agents can go to gaol, as happened to a Labour agent in a constituency that neighbours mine—but nationally, parties can spend as much as they can raise, by whatever means they can raise it. That must change for Westminster. We support the Government's moves in that direction and welcome the inclusion of this provision in the Bill.

Through this Bill, or through electoral registration legislation, we may have to address the legal position of measures that parties might take to get more women on to lists. It is up to parties whether they choose to adopt the methods that Labour has used in the past, or that we have considered, to try to ensure that voters have a fair choice of both sexes, but there are legal problems, as Labour found before the general election. We should define the position more clearly to avoid legal tangles.

We cannot go on running European elections on a system that produces outlandishly disproportionate results or go on pretending that there is some mystic union between Members of the European Parliament and every one of their 200,000 constituents. That is not the real world. We want to elect to the European Parliament Members who broadly represent the proportion of votes cast for the various parties and to ensure that, in the process of electing them, voters have as much choice as possible. I believe that the Bill is the right vehicle to do that. If it can be improved by more open lists in the way that we have suggested, it will be a very good Bill and we shall certainly support it.

7.21 pm

Mr. David Drew (Stroud): This is an important debate that shows us along an important path towards electoral reform. As one who has long opposed the arrogance of first past the post, I find it pleasing that, on the back of Scotland and Wales, we are prepared to change our European electoral system. That is long overdue. I strongly welcome the move towards proportionality as a means of achieving that.

I also welcome the approach of my right hon. Friend the Home Secretary, which I imagine will now be called the "Straw compromise". He is open to considering different approaches to the issue. That is important in its own right, because the history of electoral reform in Britain has been one of listening to people from different political persuasions and of no party political persuasion. That shows the strength of the movement.

I declare an interest as a member of Charter 88 from its inception. The strength of the electoral reform movement has been borne out by the way in which we have managed to pull together across the political divide and produce a coherent strategy. What may technically be called the part-open list approach offers us the best of both worlds. We shall get a regional list system, which involves a vote for a party but offers the electorate the ability to choose the people whom they most want to represent them. I hope that we shall consider—as the Government have apparently done—how we can put together the best possible way of electing representatives by a system which I believe will be fairer and more representative, and will bring to the fore a regional perspective.

One reason why I have always supported electoral reform is that I strongly believe in using the appropriate method for the different electoral challenges that we face. I am more than happy, and open-minded enough, to believe that we can have our cake and eat it. At the outset, we could have considered the single transferable vote. We have come down in favour of a regional list system, one of the strengths of which is that it allows checks and balances. It allows us to do things differently for Scotland and Wales from how we do things for our Westminster Parliament and our European Parliament. That is a strength of the electoral reform movement.

Mr. Gerald Bermingham (St. Helens, South): I have listened with interest to my hon. Friend. If he is prepared to consider a single transferable vote, would it not be sensible to use it within existing European constituencies? That would retain the link between Members and constituents while keeping some idea of proportional representation.

Mr. Drew: I welcome my hon. Friend's comment. As with anything, we must plump for the appropriate system for the assembly concerned. For all sorts of reasons, the regional list system was chosen. I would not have been unhappy to consider STV for the European elections but we have chosen an alternative system. More important than the particular system that we have chosen is the fact that it provides checks and balances in respect of the different ways in which we elect our representatives for different assemblies. As long as we can run that on a fair-minded basis, and recognise that the electorate will now get a choice of person as well as of party, we can have the best of all worlds.

I welcome the Bill because of the checks and balances that it offers and because I represent a south-western constituency. All too often, we have ended up in the south-west with one party, or one and a bit parties, dominant. That is neither fair nor reasonable when people want to know that their vote counts. Understandably, because their vote counts for both a party and a person, they want to have some knowledge of whom they are voting for, even though they may not get that person elected under the present system. With the alternatives that are being made available, they can make their votes count. That is why proportionality is such an important principle.

People in the south-west will be able to vote Labour on the understanding that they will elect Labour representatives. While we may have been fortunate in the roll of the dice in the May general election, we must find systems that have checks and balances and that allow people to know that their vote counts. That is why I support this approach, which brings together alternatives that mean that people know, when they vote in different elections for different bodies, that, while their votes may count in different ways, they will bring forth a true representative democracy. I believe that that will lead to increased turnouts. People will know that their votes are being collected and used properly. Unlike previous European elections, I expect that more people will vote when we go to the polls next time because people will see that their vote counts. I welcome that.

Finally, I should like to say something that might sound strange coming from a Labour Member. In 1989, it was a scandal that, although 14.9 per cent. of the electorate voted for the Greens—a party I have fought at parliamentary and local level, and whose principles and policies I do not support in many respects—no one from that party was elected to the assembly in Europe. The most recent election was the first in which Liberal Democrats were elected under our bizarre first-past-the-post system. Looking at my hon. Friends and the hon. Member for Somerton and Frome (Mr. Heath), who is nodding, I can say that it is wrong that, in the past, people's votes did not count. At least we have remedied that in part, albeit not well enough.

I warmly welcome the direction in which the Government are moving. We have bitten the bullet and demonstrated that we are prepared to consider alternative ways to elect members to different assemblies. On the question of the loss of a constituency, how can anyone pretend that an MEP has a constituency? Given that the number of people an MEP represents is so large, it is a meaningless concept. On the basis of the proposals in the Bill, an MEP will represent a region and advance a regional agenda—a form of regionalism that will take forward the debate in the south-west and every other part of the British Isles. We are considering a system that is fairer, more representative and more efficient and will lead to higher turnouts. I hope that the compromise offered by my right hon. Friend the Home Secretary will be taken up so that we can find the most appropriate system—a system that the people will support.

7.31 pm

Mr. David Curry (Skipton and Ripon): The Home Secretary announced that the Bill was designed to improve the democratic process, and promptly almost collapsed in a fit of giggles. That clearly sums up his attitude to the legislation, which is redolent of lack of belief. Had he come to the Chamber and said, "Don't blame me, Guv—I'm only here to read the speech," we would have entirely understood the attitude he displayed. He set off at a funereal tempo and became even slower as his speech progressed—it was one of the few speeches that came to a halt before it started. He also demonstrated that he understood the nature of neither the American Congress, nor the European Parliament. To be ignorant of one is remiss, but to be ignorant of both is positively inspired.

Some of the speeches tonight have caused the House to resemble a set of engineers who are fascinated by what lies under the bonnet of the bus, but occasionally forgetful of the fact that there are passengers on the bus and that their prime concern should be to deliver the passengers to their destination, rather than to be preoccupied with the state of the plugs. We must not become completely fascinated by electoral systems.

Although I enjoyed the Home Secretary's cheap jibe about the Belgians—I should point out that Monsieur d'Hondt was almost certainly a Fleming, rather than a Walloon, and that the correct form of address is Mynheer d'Hondt—we should address ourselves more precisely to the nature of the system we are trying to sustain and to how the electors benefit from that system, rather than simply enjoying its intricacies.

I spent 10 years in the European Parliament and would accept that the role of an MEP is not the same as that of a Member of Parliament. The people an MEP deals with tend to be more institutional, in the sense that one's three major client groups tend to be local government and public bodies, education, and business.

That is the nature of the European Parliament—as an organisation, it has powers to amend and now to prevent legislation, and those tend to be the groups most affected by such measures. One does not wish to ignore the important individual cases that arise, but they do not rank in the same order as they would for a Member of Parliament in the surgeries to which the Home Secretary referred. Incidentally, he is jolly lucky if his surgeries are thinly enough attended to let him get through them on a Friday evening.

It is also slightly discouraging that the role of MEPs in their current constituencies has been simply dismissed as wholly ineffective. One of my colleagues in the European Parliament was the Minister of State, Home Office, the hon. Member for Gateshead, East and Washington, West (Ms Quin); I am not sure whether she feels that, during her 10 years' service as an MEP, she was wholly ineffective in representing Tyne and Wear.

I am not sure whether the hon. Member for Cynon Valley (Ann Clwyd), who represented Mid and West Wales, feels that she wasted her time. I am not sure whether Mrs. Glenys Kinnock thinks that she is ineffective in representing the people of her Welsh constituency. The presumption with which we started the debate—that the present system is indefensible, by definition—is not one that we can accept if we are to have a sensible debate.

Mr. Bermingham: If we introduce a regional system that produces, say, four MEPs for one party, two for another and two for yet another in a 10-seat area, whom should the local council—for example, the metropolitan

[Mr. Bermingham]

borough council of St. Helens, which I represent—approach for assistance in obtaining inward grants for roads and other infrastructure projects? Whose advice should be sought? At the moment, the council has an MEP who very adequately performs that service.

Mr. Curry: That is exactly one of the points I shall address. The council might find that there is no one it can approach, because no one has been elected who has the faintest interest in St. Helens, which would be the worst possible scenario from the council's viewpoint. If individual constituencies are so ineffectual and unable to establish some sort of identity with their MEP, it is curious that our remedy is to base the system on a region with which there would be no identity of any description.

We ask what those regions will consist of, so let us take as an example the south-west. Everybody knows that someone who lives in the Thames valley or in Wiltshire is light years from the preoccupations of the residents of Devon and Cornwall. The hon. Member for Stroud (Mr. Drew) will know that people who live in Cornwall think that the other side of the Tamar is a different country. Being lumped together in a south-west region with no MEP who is identifiable and linked to that part of the world is, as my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) said, a negation of representative democracy.

We are told that the new system will boost the turnout, but turnouts for elections to a European Parliament will be lower than those to a national Parliament, because nothing is at stake in the same sense as it is for a national Parliament. One votes in a national Parliament election to produce a Government; but the rules of the European Parliament and its constitutional position require weighted majorities, resulting in a need for the major parties to get together across the spectrum to build a consensus. Therefore, the impact of choosing different parties is less obvious, and the incentive to vote is a lesser one, irrespective of the nature of the electoral system.

Mr. George Howarth: The right hon. Gentleman has made interesting and valid points about the reasons why we might have lower turnouts, but in what way does that argument add to his defence of constituencies?

Mr. Curry: At least in a constituency, electors are voting for a specific Member of Parliament, who will retain that constituency link and to whom they can go. I shall outline shortly how, under the regional system, constituents will not have the faintest idea who is supposed to represent them, and will have to take pot luck as to which MEP they end up with.

How are we to get proper coverage in a region? The hon. Member for St. Helens, South (Mr. Bermingham) mentioned the possibility of the people elected—the top few in each list—representing only a particular part of a major region. In my own area, I would be fearful of all the MEPs elected tending to represent only the interests grouped around the large metropolitan areas of West and South Yorkshire; I would fear for the fate of North Yorkshire.

The hon. Member for Workington (Mr. Campbell-Savours) asked the Home Secretary about the particular status of Cumbria. Cumbria is wholly different from the regions that lie to its east or its south. It has a strong sense of identity. Its people need to feel that one of theirs is representing them in the European Parliament and is able to respond to their particular needs. How would proper coverage be achieved?

How would the candidates be selected? That is the crucial issue. Is it to be one man, one vote? Are 30 or 40 candidates from Yorkshire and Humberside or the south-east to parade around moots throughout the region offering themselves to the electorate? Will there be party hustings? If there is a restriction on those who can present themselves to be chosen, who will choose the people who are eligible to present themselves to be chosen? Will the party apparatchiks choose them? That is what we all fear, of course. Will the electorate somehow choose them? Will electors spend a whole week interviewing person after person? Will they listen to 15, 20 or 30 candidates? Once candidates are elected, whole parts of the region could find themselves without someone to represent their interests.

How is the order on the list to be determined? Once the list is drawn up, most of the election will be over. One might as well be realistic about it. I know that the Labour party wishes to indulge in some ethnic cleansing of its MEPs. We know that some of them have been rather difficult. Perhaps the Government will devise a system that will enable that purge to take place.

Let us take the south-east, which has the largest number of MEPs—11 are to be elected. In the normal course of events, the first four to five Conservatives on the list will be elected. The first two or three Liberal Democrat and Labour candidates on their list may well be elected. Those at the top part of the list will be able to spend the entire election on holiday in Barbados, or go ahead to Strasbourg to sniff out the best restaurants and offices. They will not need to campaign, because they will be certain of being elected.

Nor will the ones at the bottom of the list need to bother turning up, because they will not be elected. They may as well not take the time off work and lose pay. The only contest that will matter will be between the two or three people in the middle of the list. The real argument will be about them. Everyone else will have been elected by the party apparatchiks who decided where people were placed on the list.

Mr. David Lock (Wyre Forest): Is not the argument that the right hon. Gentleman makes precisely the same as that which used to apply to his party in the south-east of England? I appreciate that that is a long time ago—we have had several events such as Winchester since then.

If a candidate was selected for the Conservative party for the constituency of South Downs West, he might as well go out and buy the restaurant guide for Strasbourg. The same applied in south Wales. If someone managed to get the Labour nomination for a single-Member constituency, the result was a foregone conclusion. Is not the precise defect of single-Member constituencies the fact that the power resides with the selectocracy—the people who put forward the candidate under the party name—not the people doing the voting?

Mr. Curry: There is a difference that the hon. Gentleman has not identified. At one minute to 7

o'clock on polling day in a Westminster election, every candidate has zero votes. Everyone starts exactly the same. We are moving to a regional list.

The Home Secretary did not answer the question that was put to him by my hon. Friend the Member for Aldridge–Brownhills and others. If I happen to like very much the person who is first on the Conservative list and dislike the person who is second on the list—the same applies to the Labour or Liberal Democrat list—how do I ensure that I get my man elected, not t'other one? That is the crucial issue. The Home Secretary may have given us some way forward, and we wish to explore that.

Mr. Hogg: Is there not another answer to the question put by the hon. Member for Wyre Forest (Mr. Lock)? The constituency associations—for example, in Westminster seats, but also in Euro-seats—choose the candidate they think is likely to be most attractive to the electorate in that constituency. Accordingly, if there is considerable antipathy to a candidate, it is likely that either the candidate will not be selected in the first instance or that he will be elbowed out by the association responsible for choosing him.

Mr. Curry: I agree with my right hon. and learned Friend. The associations are often very particular in the requirements that they lay upon their candidates. Even if the candidate is not an original of that part of the world, they make jolly sure that he quickly establishes an identity with it. That is such an important part of the relationship.

The Government are setting up a complicated paraphernalia to govern the way in which the vote is to take place. There is a much easier solution, and the Home Secretary hinted at it. It is to let each party compile a list of as many candidates as there are seats available, and let each elector have that number of votes. If necessary, the elector could vote the ticket as well.

Such a system would not be particularly complicated. The elector could vote across the lists if he wished to do so. Instead of the cabal choosing the people who were elected, the electorate would choose them. That would still be far from perfect, because the problem would remain of who represented which part of the region and with whom people would identify, but at least it would get us off the bizarre, mechanistic approach, and would allow the electorate to make the ultimate decision, which is what our politics should be about.

When I looked in my files, I discovered that the Home Secretary had written to colleagues a little while ago a letter with a breathtaking arrogance to it. It says:

"The Government believes that this system is the most appropriate".

Always beware the word "appropriate". It is the word that people use when they cannot think of any other word. In my years as a Minister, I refused to sign any letter that included the word "appropriate". Perhaps the Home Secretary meant that it was the right system.

Mrs. Ewing: I shall check my fishing file.

Mr. Curry: The hon. Lady may well check her fishing file. I think that she will find that I had a particular aversion to that terminology. The Home Secretary said that the system was the most appropriate for elections to the European Parliament because

"MEPs' links with their constituents are not as close as those of MPs and the public, for the most part, lacks the detailed knowledge which would enable them to make an informed choice between candidates on a party's list;".

That is a blindingly patronising, paternalistic form of authoritarianism. The Home Secretary said that his system

"has the virtue of simplicity,"—

anyone hearing his explanation will immediately have grasped its simplicity—

"requiring voters only to put a single cross on the ballot paper".

I am sure that voters will be grateful for having democracy made easy. They might well resent having to use their brains in order to cast a vote. The Home Secretary's arrogant little dismissal of the electorate's capacity to think for themselves is particularly offensive. It may be a touching desire to help the poor, bemused voter, but why not trust the voter instead?

Mr. Bermingham: Does the right hon. Gentleman agree that such a system also destroys the chance of the individual? Unless voters can vote across a regional list and choose candidates of different parties and flavours, the individualistic person who is sometimes a breath of fresh air in politics—not the machine man—has no chance whatever.

Mr. Curry: I agree with the hon. Gentleman. The eccentric has always played an important role in politics and in defending constituents. If we moved to a machine-operated system, we would risk the quality of the people we elected, as well as the quality of the representation they offered to the electorate.

Clause 1(3)(2) states:

"A vote may be cast for a registered party, or an individual candidate, named on the ballot paper."

Are those exclusive choices? As the Bill is drafted, could an elector vote for a name on the party list? This is supposed to be an accessible system, but to whom does the poor constituent write? Does he stick a pin in the list of MEPs? Does he write to all 11, or nine, or seven? Will the territory be divided up by the MEPs, like a colony, into districts? Will each MEP have a little parish or bailiwick? Will all electors write to the Minister or the Commissioner on the same subject?

It is a recipe for either massive overkill or nothing whatever. I fear that it might well be the latter. Does the elector simply give up? Does the MEP disappear into cyberspace, leaving only a slowly vanishing dot behind?

We then come to by-elections. The Bill envisages the promotion of the next candidate on the list, unless, I presume, a single independent has been elected and that independent has to be replaced. The measure does not recognise the changing mood of the electorate, and it provides a lovely insurance policy for a party that happens to be in government. Politics needs what my party and all parties have felt from time to time—the sharp dose of purgative that by-elections give, reflecting the changing mood in the country.

This is a fundamentally bad Bill. I find it patronising in concept, undemocratic in its probable operation and open to cabals, cliques and cartels. It is politics by remote control, and I do not like that type of control.

7.49 pm

Mrs. Margaret Ewing (Moray): As you will appreciate, Mr. Deputy Speaker, I am disappointed that the amendment that I and my hon. Friends tabled has not been selected for debate, but I accept Madam Speaker's decision.

The Bill is about proportionality; I believe that all hon. Members recognise the importance of that principle. I doubt that there is a perfect system of proportional representation. I suspect that many hon. Members, like myself, have received countless letters from school or university students, asking their opinion on PR and the most effective way of introducing it.

I believe that the amendment that I tabled addressed the issue of proportionality. The idea that Scotland should have an additional seat in the next European elections is not new—indeed, we discussed it in 1993, when additional seats were being awarded to the United Kingdom as a whole.

When we discuss the principle of proportionality, it is important to consider Scotland's position. Ministers should read the debate in Committee on the 1993 European Parliamentary Elections Bill, in which the current Prime Minister argued a very strong case that there were three effective reasons why Scotland should have an additional seat. He accepted the strong geographical case for increased Scottish representation, asserted that Scotland was not currently over-represented, and rejected claims that such a move would be unacceptable from an English point of view. The Labour party saw fit to back our amendment in 1993, and I am interested to know the present Government's view, now that Labour has changed sides in the House.

At the end of that debate, the then shadow Secretary of State for Scotland, now the Minister for Film and Tourism, said:

"the arguments presented today by the hon. Member for Moray and . . . by the Labour party are unanswerable."—[*Official Report*, 6 July 1993; Vol. 228, c. 198.]

I wonder why it is not possible, for the purposes of proportionality, to have an additional Member of the European Parliament for Scotland under the new system.

The arguments that were propounded from both sides of the House must be debated and explored. A great deal has been made of the link between a Member of the European Parliament and his or her constituency; that link is important, but the House must examine its conscience on that subject. The first direct elections to the European Parliament were held in 1979, and for years many of us campaigned for a much closer link between MEPs and Members of Parliament, yet only in the past two or three years have we been able to telephone Brussels and Strasbourg directly and had access to fax machines, enabling us to receive material from MEPs and to forward material to them, making possible a real dialogue between the two institutions, which take so many decisions affecting our constituents.

The links between the House and the European Parliament are deplorable. MEPs continue to turn up in this place as "Strangers", and must wait in Central Lobby until their Member of Parliament meets them. Unlike every other Parliament in Europe, we have no effective joint committees.

When hon. Members use the link between the MEP and the constituency as an excuse to avoid the prospect of proportional representation in future elections, they fail to take into account their past actions. The guilt lies especially with the Conservative party, which was in government for 18 years but did nothing to create a closer connection with European institutions.

It was ridiculous that I had to wait so long before it was possible for me to send material to my MEP in an envelope provided by the House of Commons with a European stamp on it, without having to pay out of my pocket, as I did for many years. I object not to the finance but to the fact that the House did not foster these contacts far earlier, and create a more effective link.

The links of the House with constituents are far from perfect. I hope that the Government will put that issue on their agenda and consider creating joint committees in which MEPs can join us in debates on the series of issues that we are discussing as we look to the next European elections and to a closer union and the expansion of the Union.

I say to hon. Members who speak about their fear of apparatchiks in Millbank, Smith square or, I suppose, North Charlotte street in Edinburgh, which is where my party's headquarters may be found, that the choice of candidates for a list system is a challenge to all the parties. Four or five people sitting in smoke-filled rooms—or, to be politically correct, non-smoke-filled rooms—must not decide the names on the list. We should have enough confidence in political party activists to allow them to help decide the candidates.

I know that that would be difficult for the Conservative party because, as we well know, it has undergone deliberations even on how it elects its leader, about how decisions are taken about the management or design of conferences, and on how individuals can introduce resolutions so that real debates take place at the party conference. Internal democracy in parties will be under scrutiny.

Mr. George Howarth *indicated assent.*

Mrs. Ewing: The Minister nods in approval. He must know from his experience at this year's Labour party conference that the apparatchiks did not always get the results they want in the national executive committee elections. This is where the right of each member of a party to help decide which names appear on the lists is extremely important. This is not a question of "control freaks"; it is about democracy within parties, and we must look at ourselves to choose the best way to proceed.

The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) suggested that the Government were considering holding elections for the European Parliament on a Sunday. May I make a particular plea against that thought, if that is what it is at the moment?

My constituency lies in the Highlands and Islands European constituency, and we do not even count on a Sunday. It is a fairly nail-biting process waiting from the close of the poll at 10 pm on a Thursday until Monday before we get on with the count. That is done in recognition of the feelings of people in our area who have strong Sabbatarian views, and I am sure that there are many other areas in the United Kingdom where people would object to the concept of voting on a Sunday. It happens in continental Europe, but it has never been our practice in the United Kingdom, and I would make a special plea that it is not considered.

Secondly, the time scale of the legislation should be clarified. I have read the Charter 88 material. I have listened to the Home Secretary's interesting and erudite comments, the details of which I shall study when I have the *Official Report* tomorrow, because none of us would claim to understand all the niceties of what he was talking about. I welcome the possibility that he is considering a more open list rather than a closed list system, but it is important that we have a clear idea of the time scale.

The Home Secretary said that he expected the Bill to be on the statute book by October 1998. I am sure that you, Mr. Deputy Speaker, will appreciate that, in 1999, we in Scotland and Wales will also be facing elections for the Scottish Parliament and the Welsh Assembly. In Scotland, we shall also have all our council elections because every seat is competed for in 1999. There may be a possibility of voter fatigue, but there may also be a possibility of political party fatigue.

It is important that we have a clear time scale to ensure that all the mechanisms are in place; we need to have more than just a vague promise that October 1998 is the deadline—that leaves little time for those of us who are involved in the work of the elections. The pressure on the democratic body politic will be immense over the next 18 months, and I seek further clarification on that.

I now turn to the financing of the elections and the campaigns. We shall come to the money resolution later, but there is to be no debate on it. When I intervened on the Home Secretary, he said that he was part of a listening Government. It is important, in all the regions of England and in Wales and Scotland, where individual campaigns will be run by the parties on behalf of their policies, that we know what the expenditure levels can be.

For example, will Scotland and Wales have separate budgets for the campaigns, with all parties being equal, or will we have to face additional expenditure from Millbank or Smith square on behalf of the Labour and Conservative parties that will be seen as state expenditure? If we are talking about proportionality and equality, the subject of finance in these elections is important. I hope—my party and I shall certainly make representations—that the Government will look seriously at that matter.

My party welcomes the Bill in principle, although—for obvious reasons, given the number of seats in Scotland—we tabled an amendment declining to give it a Second Reading. We think that it is a step forward. Over many years, the Scottish National party and Plaid Cymru have campaigned on the issue of proportional representation. People say that we have done so because we are minority parties. Existing figures show that my party achieved almost a quarter of the vote at the last general election, but won only one twelfth of the seats in this place.

It is important that all voters should feel that their votes count; they should be able to go into the polling booth in their locality and feel that they are making a determined mark for democracy and for the representation of the beliefs they hold dear.

8.2 pm

Mr. Gerald Bermingham (St. Helens, South): This evening, I am faced with a dilemma. I am a democrat; I believe in the right of election. I believe that many systems are sometimes better than the first-past-the-post system, but I do not believe that the system suggested tonight moves democracy one inch further forward. I say from the outset that I shall not vote against the Bill, but I have already given notice to those in my Whips Office that when the Committee stage of the Bill is taken on the Floor of the House, I propose to table certain amendments.

Why do I take that view? I gave one of my reasons in an earlier intervention. I represent a small town called St. Helens; we have not had an easy time of it, with the loss of glassworks and the subsequent loss of jobs, the closure of our coal mines and the removal of our chemical industries. We have needed help. Where has it come from? It certainly did not come from the Conservative Government. The only help that we had came from Europe. How did we get that help? We went to our Member of the European Parliament—a very fine man called Mr. Wynn. He is from the same party as me, and he has been a very good MEP. The Under-Secretary of State, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), will know, because he is in the same Euro-constituency as me, that Mr. Wynn has fought time and again, not just for my metropolitan borough, but for my hon. Friend's.

We knew whom to go to, but what shall we be left with in future? We shall be left with a regional list that will cover 10 seats. I have looked at the voting figures. I know a little about voting: I have stood in national and local elections since the 1970s and I have participated in a few, some of which I have won. In fact, I have won most of them and lost only one in 1979. In all those years, when I went to seek election, I went to an elector; I went on behalf of myself and my party and I was either accepted or rejected. In 1999, on behalf of whom shall I go to the elector? Do I go to him on behalf of the first on my party list? What happens if I find a good Member at the top of the party list and, at the bottom of the list, I find a chap or a lass who is superb and who I know, from experience, will make a jolly good representative for my area? How do I ensure that he or she gets elected? How do I fight? We have been given one solution tonight, but there is a much simpler and easier way: the Euro-seats exist.

I shall explain another of my worries. I represent a small town. To the east is a rather large city called Manchester and an equally large city called Salford. To the west is Liverpool and to the north there is farmland with different interests. Who will represent me? Will it be someone with the interests of the major conurbations at heart? Whom do I go to? Whom do my electorate go to—my small companies, unions, various groupings, Churches and other bodies? We are suggesting that they will have to go to a representative who may not even be of the same political persuasion—that frequently happens now. Conservatives come to me in respect of matters in St. Helens, but at least they know to whom to come.

I warn the House that if we adopt a regional system, the first port of call for anyone with a Euro-problem will be the local Member of Parliament. We must not kid ourselves. At present, I know exactly where to shift the problem so that it will be dealt with properly and efficiently, but if we adopt the new system, which one of the area MEPs should I contact?

The constituencies exist. Should we have a first-past-the-post system? Our election manifesto states that there will be proportional representation for the European elections. I thought long and hard about that—for Westminster, I have always been in favour of first past

[Mr. Gerald Bermingham]

the post. I know that the Westminster first-past-the-post system has been described as arrogant, but it leaves us fighting for every vote—it does not matter if someone has a safe seat. Safe seats can suddenly become unsafe, as the Conservative party knows only too well. My own Labour party knew that only too well some 14 years ago, when even my seat teetered on the brink of marginality. My hon. Friend the Under-Secretary of State also knows the problems that we encountered when we were despised by the electorate, which we were—let us not kid ourselves about that.

The essence of democracy is serving the electorate, and that cannot be done from the extremes of left or right. That is a lesson that I hope all of us in the House have now learnt.

There is no arrogance in the first-past-the-post system, but I agree that it is not the fairest. I have looked long and hard at the systems that exist in New Zealand, on the continent and in the land of my birth, Ireland. The system there, with multi-Member constituencies, is interesting, but I can see problems with that.

It would be fairest to say to an elector, "You have a choice. You choose which candidate you want. If you can't have him or her, choose the next one—your second choice, your third choice and your fourth choice. If you don't want to use those choices, it is a matter for you." I regret to have to admit, and I admit when I am wrong, that that system—the alternative vote system—would reflect much more broadly the wishes of the area.

Such a system, applied to single-Member constituencies, would produce a far fairer result, and would achieve the object of the exercise of ensuring the representation of the area by someone on behalf of the area.

To those who say to me that the constituencies are too big, I say, "Try Merseyside area. Try Cheshire. Try the rural parts. Try Manchester." My hon. Friend the Member for Manchester, Blackley (Mr. Stringer), who was formerly leader of Manchester council, used his MEP time and again to the benefit of the city of Manchester. That has been proved to work.

Everyone says that the constituencies are very big. "Ever been to America?" say I to the critic. "Ever seen the congressional districts? Not very small, are they? However, they have one representative. Try the Senate. The areas represented are whole states. Admittedly, they may have two or sometimes three Senators, but the system works."

When one looks across the world, one sees large tracts of land that are represented by a single person, who reflects the interests and represents the nature of the area.

The one great check and balance is that where there is single representation for an area, whatever size it might be, there will ultimately be accountability. Regardless of party, if the person fails to represent the area, as we have all seen in this place, out he goes. After all, politics is not made for politicians. Politics is about representing the interests of the single elector.

Therefore I urge the House, while accepting the Second Reading of the Bill, to bear it in mind that some of us have our own view about what democracy means, and about how we should select and elect the person to represent our town, village or country area in the Parliament of Europe.

8.12 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): It is a pleasure to follow the speech of the hon. Member for St. Helens, South (Mr. Bermingham). The only difference between us is that I shall vote against the Bill, and he will not, but our views are very similar.

The Bill is small—six clauses, four schedules and 11 pages. Despite that fact, it is a Bill of far-reaching significance. It is therefore not surprising that from both sides of the House, considerable anxiety has been expressed about it. There is a sense on both sides of the House that the Bill strikes at the accountability that elected representatives ought to have to those whom they represent, and a feeling, too, that it gives far too much power to the party machine.

I shall amplify those points in a moment, but against that background, I make two preliminary remarks. First, it is a great pity that there has been no widespread consultation about the contents of the Bill. It is true that the Plant committee established it, but the Plant committee was created by the Labour party and was part of the Labour party. There has been no Green Paper, no White Paper and no public debate.

On a matter of great constitutional significance, that is lamentable. It is lamentable, too, when one considers that the Labour Government purport to be a listening Government. That is what the Home Secretary said in his speech, but the plain fact is that the Bill has been introduced without any substantial prior consultation and without any pressing need, now or at all.

Secondly, it is worth reminding ourselves that the noble Lord Williams of Mostyn said on 11 June that he had no plans this Session to introduce such a Bill. That changed, but it makes the point that there is ample time to consult, and that there is no pressing need at this time. Indeed, there is no pressing need at all. While it is true that the European institutions of various kinds have expressed a view in favour of harmonisation, there is no requirement for us to implement that.

I personally would object to harmonisation in this field. Why should we harmonise? If subsidiarity is to have any real meaning, surely we should determine our own electoral methods. We are under no existing requirement to introduce the Bill. It was hastily put into the programme, and introduced without prior consultation and without any requirement. That is evidence of the arrogance of a Government with an overweening majority.

The Bill greatly confuses the electoral methods that we have in this country. It provides for a list system. The first-past-the-post system operates for Westminster. The single transferable system is used in Northern Ireland. There are to be devolved assemblies in Scotland and Wales, where there will be an additional member system, or something like it. Which system will be adopted for the election of a mayor for London? I understand that it will probably be the second ballot.

Five or six different electoral systems will be in operation. That diversity of electoral systems is unlikely to reinforce the confidence of electors or encourage them to vote. I entirely agree with what my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) said on that point.

On the detail of the Bill, I have no objection to proportional representation as a means of electing the European Parliament. For that matter, I have no objection

to PR as a means of electing the second Chamber, should ever we be required to do that. My objection is not to PR as such, for those assemblies. I would die in a ditch in the case of Westminster, and I may be called upon to do so, because I deeply suspect that the Labour Government will ask us to have PR for Westminster. I will die in a ditch for that.

For the European Parliament and for the second Chamber, there could be a PR system that retains the constituency base. The alternative vote system, the single transferable vote system, the additional member vote system and the second ballot system all, to some degree, retain a constituency member base, although it might be a multi-member base. The one system that inevitably involves the destruction of at least small constituencies is the one proposed by the Labour Government.

Let us focus, first, on the destruction of the constituency base, and secondly, on the power given to the political parties. The hon. Member for St. Helens, South argued strongly the case for retaining the constituency base for electing Members of the European Parliament. Doing away with the constituency base would disadvantage the represented, the representatives and the body politic. I shall give one example in respect of each category.

The represented need to know to whom to turn—the hon. Member for St. Helens, South made that point graphically. Under the list system, the people will have no idea to whom to turn. The representatives need to have the authority and the status that come from direct election, otherwise, in the end, they are but nonentities and creatures on a list. All Members of Parliament in this place represent people who know of us and who have chosen us. We have the status of representatives who speak for our areas. The list system does not permit that.

As to the body politic, what damages accountability and makes it difficult for people to become engaged in a process will also damage democracy. A system that does not have accountability between the representative and the represented and that gives undue power to the party machine—which means that, ultimately, the representatives stand for nothing—is not likely to be regarded with respect by the electorate. If people regard institutions with contempt, they will not vote i.. elections.

Another issue is the power of the party. Let us be absolutely clear: the candidates will be chosen not by constituency associations, but by the party machine. I ask myself and the House, rhetorically, what kind of person will be chosen by the party machine. I can tell the House that the party will choose the safe pair of hands—the conformist who will not rock the boat. It would not choose someone like my hon. Friend the Member for Ludlow (Mr. Gill), who has always been a thorn in the side of the party, which, in many ways, is a very good thing. We shall see represented on the candidates' list not broad churches but political hacks. If the representatives do not start life as political hacks, they will surely end up that way, because their only chance of re-election will be to please the party machine.

Mr. Gill: I ask my right hon. and learned Friend to consider another proposition. A great strength of the British democratic system is that Members of Parliament are not dependent upon their party, but are sustained by the people who elect them. My right hon. and learned Friend will be aware of the circumstances surrounding the withdrawal of the party whip from me and several other colleagues which, under the party list system, would have been the end of our careers. However, we were sustained by our constituents. The great strength of the British democratic system is that there is belt and braces to ensure that the people's voice is heard.

Mr. Hogg: I agree with my hon. Friend's point. I do not conceal from the House the fact that he and I have had the most appalling rows; we disagree quite a lot. However, I believe that parties need diversity, and I welcome broad churches. Diversity brings independence and independence brings quality—or, to put it differently, if we remove diversity and independence, we shall not attract quality. People will not offer themselves as party candidates if they will be under the thumb of the party bosses, on whichever side. It is disruptive.

Mr. Drew: I am confused by the right hon. and learned Gentleman's argument. It is surely for the parties to choose the most democratic method of selection. The Labour party believes in exhaustive ballots: we ballot for the national executive committee and for parliamentary candidates. Who is to say that the Labour party will not decide to conduct regional ballots in order to choose its candidates? That is the proper democratic method, and it is far better than some of the stitched-up processes that existed in the past.

Mr. Hogg: That may or may not be so, but we are discussing the Bill. The Bill severs the territorial connection between the elected representative and those whom he or she represents. What is more, it gives absolute power to the party machine as to the choice of candidate. It may be that parties will choose to temper that absolutism through some system that they dream up. However, I have been in the Whips Office and I know that elected representative bodies want a safe pair of hands who will do what he or she is told. I am sure that the Government Whip agrees: the parties want Members of the European Parliament who will do what they are told. However, the electorate do not want that because it undermines democracy fundamentally.

Why has the Labour party produced a Bill that is so obviously untenable? My right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney) suggested one reason: there has been a deal. Most Liberal Democrats have gone home, but that is one explanation. There are two other possible reasons. The first is that the Labour party knows that it will be humiliated in the 1999 election under the first-past-the-post system, and it can temper that result through proportional representation based on the single transferable vote. It can do a great deal more to reduce that potential humiliation through the list system. That is gerrymandering.

What is the other reason for the Bill? The Government are afraid of their own party. Labour is afraid of those who would select its candidates: its voluntary party. It is also afraid of its prospective candidates, so the party bosses will choose them. Labour is afraid of the people who would be returned, so it has created a system that ensures that Members of the European Parliament will be firmly under the thumb. The truth is that the Bill is an affront to democracy. If the House were truly concerned about democracy—we are; the Government are not—the Bill would be rejected.

8.27 pm

Mr. David Lock (Wyre Forest): It is a great pleasure to follow the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) and his flights of fancy. If we strip away the layers of his argument, we find the cri de coeur of an unreconstructed Whip who sees the opportunity of controlling the system and having no democracy in his own party. He knows perfectly well that, unlike other political parties, the Conservatives would impose regional candidates if they were given that opportunity. As the right hon. and learned Gentleman said, it will not be up to the associations or the Members. We shall see a rerun of the Conservative leadership election in which the Leader of the Opposition was elected by a mere 169 votes—he has even less support now, as the hon. Member for Leominster (Mr. Temple-Morris) no longer sits with the Opposition.

Mr. George Howarth: He had the whip withdrawn.

Mr. Lock: That was another act of an unreconstructed Whip. Some of us have slightly more faith in the structure of our parties and the way in which they will exercise their power and responsibilities under the Bill.

Much has been said today about the identification of MEPs with their constituencies. I must disagree with those who suggest that, when MEPs walk down the average high street, they are instantly assailed with concerns about 5b status, European grants and the like. The truth is that there is limited identification between the 500,000 people in a Euro-constituency and the MEP, however hard he works, and I come from a region with an exceptionally hard-working and effective MEP. I am sure that, despite all his hard work, he would be the first person to agree with me.

I have a column in my local newspaper through which I regularly communicate with my electors. Every time I say anything remotely controversial, I receive a lot of mail in response. So there is communication. The MEP does not have and cannot have that. I pick up on the point made by the right hon. Member for Skipton and Ripon (Mr. Curry), who explained that an MEP focuses mainly on working with institutions, businesses and schools.

There is nothing wrong with having a panel of MEPs who represent a region. That provides the answer to the question that hon. Members raised about how electors get rid of an MEP. At present, with the first-past-the-post system, it is extremely difficult, but if electors have several MEPs and one is particularly knowledgeable on grants, that is the MEP to whom electors can go to ask about grants. If they have a problem in the agricultural sector and an MEP within their list is particularly knowledgeable about agriculture, he or she will be their port of call.

A Member of Parliament has to be a jack of all trades, and that is not a reflection on my right hon. Friend the Home Secretary. We have to deal with everything. Under the proposed system, MEPs will have the opportunity to provide a better and more specialised service for constituents in a larger constituency, so the criticism levelled against it does not bear proper analysis.

There is a further reason why the system is to be preferred. The first-past-the-post system forces all parties to target their resources on that small group of marginal seats where control is likely to change, as happened at the general election. In some places, votes do not count. Under the proposed system, the vote will count everywhere. That is a considerable improvement on the present system.

It is a feature of British political life that support for proportional representation tends to rise and fall in inverse proportion to a party's strength. The more seats a party has in the House of Commons, the more converts it has to the first-past-the-post system. On that basis, and following the results in Winchester and Beckenham, I expect many Conservative Members to convert to proportional representation. However, I suspect that they have not quite grasped the position that they are in.

The Bill makes a considerable stride forward in one particular respect. It provides for the first time for the registration of political parties. Political parties are powerful creatures in our democratic society and they are largely unregulated. It is one of the ironies of the previous Government that they provided for excessive regulation of trade unions but for no regulation whatever of political parties. The political party regulation system, which, under the Representation of the People Act 1983, is largely ignored, is more like a system designed to regulate a tennis club than a system to regulate a vital organ of democracy. The time has come to recognise the position of political parties within our legal and democratic structure.

That will get rid of the scandal whereby if a "Literal Democrat" candidate runs and confuses the electorate, there is no remedy because there is no legal registration of political parties, and whereby, at the last election, Madam Speaker, not being opposed by any of the major parties—as is traditional—was faced by a "new Labour" candidate and could do nothing about it. The registration of political parties to provide clear descriptions will go some way towards alleviating that problem.

I welcome the cap on funding. However, I ask my hon. Friend the Minister to examine one aspect in particular. At present, funding is triggered when the election is called or when a party begins a campaign. In reality, one way or another, campaigns are fought for many months before the election formally begins. A cap on party funding nationally will have no effect if it can be sidestepped in the first six months of a campaign. All the posters, whether paid for by the party or by tobacco companies, have to be taken into account if the cap is to be meaningful, and if the limit is to be observed properly and effectively.

Subject to that small point, I strongly welcome the Bill, through which the representation of our MEPs will reflect far better the wishes of the electorate, who vote for parties in the main, not for individuals, and who are entitled to vote on a party's manifesto and to expect their views and votes to count, wherever they happen to be.

8.35 pm

Mr. Richard Shepherd (Aldridge-Brownhills): When I hear the twaddle that has been advanced, I think that I must be an unreconstructed, old-fashioned Member of Parliament. Where does the notion that there is an imperative to introduce the Bill come from? I listened carefully to the Home Secretary, who bedazzled me with his knowledge of Dutch pronunciation and all manner of contrived and other systems. He advanced the proposition that the Bill was based on a manifesto commitment, and I

note that one or two Labour Members agree that the Labour party manifesto mentioned the introduction of proportional representation for European elections. However, the manifesto did not talk about a closed list.

I am genuinely bemused by the Labour party's constitutional change programme—which is fundamental to its concept of the modernisation of Britain—because its approach is essentially piecemeal. The approach for Scotland is different from that for Wales and for London. No Bill is ever in front of anyone and there are no regulations; it is all up in the air.

Let us consider what a manifesto commitment amounts to. I have to confess—and I have done so for many years—that I have not always read the Conservative manifesto. It confuses me and I would not want to confuse the electorate with all its aspirations and promises. I suspect that my approach to a manifesto is not so different from that of most hon. Members. Few could attest to the contents of their party's manifesto, or pass even an O-level on its contents.

Central to the Welsh Labour party's manifesto was a commitment to have a devolved assembly—it was the primary argument in the general election—but to show us that this was the will of the people, the Government invoked a referendum. And what was the resounding result? Seventy-five per cent. did not support the proposals. The Government's response was, "We have had a victory." Notwithstanding the fact that 25 per cent. voted for, 25 per cent. against and 50 per cent. did not vote, the Government said that it was an endorsement of their manifesto commitment. It is laughable—risible.

The most profound objectors and commentators were Labour Welsh Members. They were harried and hounded by the Under-Secretary of State for Wales, who reminded them all the time of their election commitment. It does not matter a row of beans. In the end, we shall throw the straws into the air and unsettle something that has been pretty settled and has worked to the benefit of our country. Wales contributed to the great Labour victory of 1945 and the huge social change that commanded our nation for nearly 30 years thereafter.

We now move to the Government's extraordinary proposal. I join my hon. Friends and Labour Members who have the greatest reservation about the profound change that the new Labour Government are setting in motion. Much has been made of the fact that the Home Secretary himself does not really have his heart in it. I am unable to comment on that, but I can well understand why that might be the case.

The Government's proposal would break something that I consider extremely important. One of the commanding facts of our constitutional arrangements throughout British history—even in the post-war era—is the association and identification of an individual with an area and the electorate within it. First and foremost we are representatives not of a party machine but of an area.

It used to be said—and Churchill invoked it to save his own skin before the second world war when Conservative central office was trying to unseat him for being awkward and difficult—that the duties of a Member of Parliament were first to his country, second to his constituency and third to his party. The Bill reverses all that. Now, the first duty of a Member of Parliament is to his party. I hear hon. Members asking, "But isn't that the reality of the world?" The world may sometimes have rotated on its axis but the odd Member—the individual supporting a cause and standing against the great guns of his party—remains extremely important.

Therefore, the question, "How do we get rid of a Member?" is extremely pertinent. The Government can well advise us on that subject as they did so spectacularly well at the general election.

Identifying an individual and what he stands for—or fails to stand for—has always been a deep and important part of our process. Given the huge geographical regions proposed in the Bill, I wonder how I can go and see my MEP. According to the Bill, my region—the West Midlands—comprises the counties of Herefordshire, Staffordshire, Stoke-on-Trent, Shropshire, Warwickshire, West Midlands, The Wrekin and Worcestershire. There are eight counties and there will be eight MEPs. Where can I meet them? The first relationship for a representative is the ability to meet, argue and try to impress his constituents. I do not know where I could possibly meet the MEPs representing my area.

I know the gibes I have made about the shortcomings of MEPs in my own area. We hardly ever see them, but I accept that it may well not be their fault. The very nature of the area makes it extremely difficult for them to serve their 500,000 potential electors. It is not impossible, but it may be difficult.

Under the proposed arrangement, who will be responsible? Whom do I lobby and where in that vast range of counties do I go as a constituent and as a citizen to lobby my MEP? I find it an extraordinary arrangement. What happens about the individual election address? At every national election—including European elections—every candidate makes a personal address that identifies his nature and character and why one should vote for him. Under the new arrangement, that is absolutely meaningless.

How does one encourage the sensitivities and the reflections that develop during a Parliament? How we start on day one is not always how we end up on the last day of our term of office. Experience, circumstances and other factors may change our approach, yet I do not know who the anonymous people are who are elected by a list.

I raised another question that was not really answered. Every right hon. and hon. Member, and all those elected to represent us in the European Parliament, will have to have a position on the single currency. It is an important issue that will confront all parties. There are profound reservations within the Labour party about what amounts to a change in British democracy. Although the Liberal Democrats are 100 per cent. for everything, the polls tell us that the overwhelming majority of their supporters are against a single currency. Their manifesto will doubtless proclaim the merits of a single currency, but what about the hearts and judgments of the millions of people who believe in the Labour party yet have reservations and doubts about the single currency? What about the millions of Conservatives who do or do not believe in the merits of a single currency? In the June 1999 European election, how will they make a choice under the closed list system?

I welcome the Home Secretary's generosity in saying that he will consider suggestions. However, my experience of the parliamentary system is that a Minister's good intentions are often overcome by the rigours and demands of the timetable and programme of the House and the other Departments' need for legislative time.

[Mr. Richard Shepherd]

I make a plea to the huge majority who support the Government. We are not all nodding donkeys; we reflect on these matters. In the end, the expression of our country and our liberty has been through the individuals who represent us—often against the tides of opinion in their own parties. In the Labour party it used to be almost a mark of honour to have the whip withdrawn. One of the former leaders of the Labour party suffered that indignity. The father of the national health service also had the whip withdrawn. Are the souls and the characters that moulded our political life to be denied representation in an anonymous list system covering, in my area, all those counties—unreachable and inaccessible?

I was schooled in part in Italy where I did postgraduate work. One of the features of the Italian political system that has marched with me all the years of my life has been the attention to impossible party lists, which were the doing down of a great country for many years. The people of Italy could never get to grips with the corruption, the back-room dealing and the favouritism.

My hon. Friends the Members for Stone (Mr. Cash), for Rochford and Southend, East (Sir T. Taylor) and for Ludlow (Mr. Gill) all had the whip withdrawn as those then in charge of the party could not weigh up the seriousness and earnestness that huge numbers of Conservatives—and not only Conservatives—felt about the nature of the surrender of our democracy in the advancement of European treaties.

Mr. David Watts (St. Helens, North): Might some of the hon. Gentleman's worries be dispersed by the fact that a new system could give every member of the Conservative party and every member of the Labour party a voice in the selection process for the list? Would that alleviate the problem? Although the hon. Gentleman has raised an important issue, it can be addressed by the way in which the system is put together.

Mr. Shepherd: Yes, I am sure that we can contrive other ways of doing things. I have always believed that anyone standing for election must be accessible. I am not knocking improvements on the current system; I am trying to address the Bill which, in my view, is contrary to our traditions and our democracy and against the interests of the people of these islands.

8.48 pm

Mr. Ian Cawsey (Brigg and Goole): I very much enjoyed the speech of the hon. Member for Aldridge-Brownhills (Mr. Shepherd) and appreciate his enlightening the House on how Conservative Back Benchers deal with their manifestos, especially their manifesto commitments. His comments went some way towards explaining how, in the previous Government, Conservative Members managed to break so many of their commitments without a twinge of conscience. We now know that it was just plain ignorance.

It is a shame that the right hon. Member for Skipton and Ripon (Mr. Curry) has left the Chamber. He said that, in all his time as a Minister, he never signed a letter with the word "appropriate" in it. As the leader of a local authority for a couple of years, during which time he was the Minister with responsibility for local government, I do not remember ever once in his letters seeing the word "appropriate". It was always something along the lines of, "After careful consideration, the answer is no." As the current Minister with responsibility for local government is pursuing the same policy, however, I shall not pursue that argument.

I welcome this debate. The hon. Member for Aldridge-Brownhills said that a lot of twaddle was spoken in it, but I do not think that that is true. It never ceases to amaze me how, in our debates, hon. Members start with the same facts but reach different conclusions, but surely that is the nature of the democratic beast. I have not thought that any of the speeches in this debate were twaddle, and I found all of them illuminating.

I apologise to you, Mr. Deputy Speaker, for not being in the Chamber for the start of the debate. I watched my right hon. Friend the Home Secretary on the monitor in my office and welcomed what he said. For what it is worth, I believe that it is time that we began to modernise the British constitution. Traditions are all well and good, and their history is important, but tradition by itself is no reason to stick with an electoral system. If we are to modernise Britain and our role in the wider world, surely electoral reform of some of our institutions must have a part to play.

This is not the first time that a Labour Government have tried to implement electoral reform and proportional representation for the European elections. Some hon. Members may have been Members of Parliament when the previous Labour Government tried to do so. Even in those days when there were official Lib-Lab pacts, we failed in our attempt to implement reform, because a coalition of the Conservative party and dissident Labour Back Benchers managed to destroy it. In these more enlightened times, however, in which we have a much smaller Conservative party and Labour Back-Bench dissidents are virtually unheard of, and certainly unheard, it is unlikely that reform will be wrecked.

The European elections give us the ideal opportunity to try to modernise the constitution and to examine different systems and ways of improving democracy.

Mr. Tim Loughton (East Worthing and Shoreham): In this great "spirit of modernity"—that grotesque new phrase—how can the hon. Gentleman gel modernisation with the Bill's proposals, which will give the British electorate less choice? They would no longer have a choice of candidate; they would have purely a choice of party and an approved party list, devised by some anonymous party machine. How is that modernising the electoral process?

Mr. Cawsey: I am grateful for the hon. Gentleman's intervention and, as I develop my argument, I will deal with that point. I hope that he will stay in the Chamber to listen to it, as I am sure he will think that it is deeply persuasive.

The Home Secretary made the point that reform will give us a system that is similar to that used by most countries that elect Members of the European Parliament. Surely such convergence would in itself be an extension of democracy. I believe that MEPs across Europe should be elected by a common system. As that matter is neither the subject of this debate nor something that we can control, I will not develop it.

European constituencies, which are extremely large, have difficulties in links between MEPs and electors. The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), who has left the Chamber also—I seem to have an effect on people; it is like a Le Mans start to the exit when I speak—spoke about the difficulty of getting rid of unpopular MEPs. I do not know whether that was a reference to the Conservative party. The difficulty with getting rid of unpopular MEPs in European elections, however, lies in the links in the electoral system.

It would be welcome if many electors knew who their MEP was, let alone formed a conclusion on whether their MEPs are worthy of being popular or unpopular. I make no criticism of MEPs, some of whom are very good friends of mine and some of whom helped me to get elected. I do not criticise them as individuals—although we now know that they are looking forward to extremely large pay increases. As the advertisement says, "I'm not bitter."

The size of constituencies makes it difficult to maintain the constituency link that hon. Members know and love. It is that lack of a local link, combined with first past the post that makes current arrangements so unacceptable, despite the fact that currently there is no list system and there are constituencies. Current arrangements provide a major disincentive for the electorate to vote. Electors often do not know for whom they are voting, and they are stuck with a first-past-the-post system. The results are often predetermined, irrespective of how voters cast their ballot. Turnouts in European elections have reflected those disincentives.

A few years ago, my hon. Friend the Member for Selby (Mr. Grogan)—who, the House will not be surprised to hear, is not in the Chamber—was my candidate for the York Euro-seat. I remember seeing him speak at a public meeting, when he said that the public perception of an MEP was someone who was elected but was not seen again for five years, by which time he or she was five stones heavier. I hasten to say—in case any MEPs are listening—that those were his words, not mine. Nevertheless, he gave some credence to the difficulties of keeping MEPs accountable.

Whatever the election, electors often need little incentive to stay away from the polls. They need only a small disincentive and they will stay away. Recently in Beckenham, a combination of formula one and formula Hague made most people decide to stay at home rather than to cast a ballot. We have to do all that we can to encourage people to cast a vote and to make them believe that their vote will lead to something.

Local government has the closest constituency link of all. Often those constituencies, depending on the type of council, consist of only a couple of thousand people. I served on a local authority for eight years, and I am proud of the two years that I served as its leader. In the three local government elections that I faced, however, the highest—not the lowest—turnout was 36 per cent. Despite all my personal appeal and charm and constituency work, that was the turnout—*[Interruption.]*

My vibrator is going off. Obviously I am too off message at this point. I should have a quick look to see what I am supposed to be saying. It says, "Carry on"; that is okay. It is my mother watching us on cable television.

Despite all the work that others and I put into doing very hard constituency work in a very small constituency, where many electors knew who we were, it did not lead to participation or to good democracy. Why? Because too many seats were perceived to be safe for one party or the other, and that was a deterrent to voting and to participating in the political process.

In my glorious past, I was an executive member of the Scunthorpe Labour party. [HON. MEMBERS: "Ooh!"] Yes, heady days. I remember going to a selection meeting for a candidate for Scunthorpe borough council. The seat was very safe for Labour and the quorum of members required to choose a candidate was five. Two—a husband and wife—turned up and, under the rules, we added three executive members to make the meeting quorate. The three executive members immediately asked the two members whom they wanted. They said, "John's doing all right; we'll stick with him." John was selected as the candidate, but the seat was so safe that the Conservatives and the Liberals—and even the Monster Raving Loony party—did not bother putting up a candidate and it was a walkover. *[Interruption.]* I cannot believe it, but I am vibrating again—I must be seriously off message now. In safe seats, under the first-past-the-post system, there is a major disincentive for people to cast their votes, because they know that they make little difference.

Mr. Loughton: I am fascinated by the hon. Gentleman's discourse, but on that logic why was the turnout in seats such as Kensington and Chelsea and Huntingdon as high as it was in more marginal seats in the general election? What is so different in a Westminster election from a European election? Is the hon. Gentleman resigned to the fact that being a Member of the European Parliament is a complete waste of time because of the lack of connection to the electorate whom one is supposed to represent? If that is so, Members of the European Parliament can be as anonymous, detached and unmotivated as they choose.

Mr. Cawsey: I covered one of those points earlier when I mentioned the difficulties that Members of the European Parliament face and the sheer impossibility of getting feedback from the electorate. People in European elections vote on party lines, certainly more so than in local elections, because they do not know enough about the candidates or the constituency, which often has little relevance to them.

The hon. Member for East Worthing and Shoreham (Mr. Loughton) asks why the turnout is lower in local government elections than in general elections. It is because local government seats are often very safe, and because the electorate perceive that local government is overcentralised. They think that it does not matter whom they elect because all the decisions are taken in Westminster and, under capping, local politicians have to impose Government policy.

I led North Lincolnshire council for two years after it was formed recently. The budgets and capping regime imposed by the previous Government were so precise that both the Conservative and Labour parties had the same budget, not because we suddenly agreed on policy but because there was no room for manoeuvre.

People do not vote if their votes do not make a difference, which they often do not in local government elections or in European elections; but, by gum, their

[Mr. Cawsey]

votes made a difference on 1 May, because the Government changed hands. That is why turnouts were higher in May than for local government elections and for European elections.

Mr. Loughton: On that logic, the hon. Gentleman appears to have resigned himself to the fact that people will not vote in European elections because their votes will not make any difference. The European Parliament and the Commission will do what they like and impose their policies on our people. That is what he is saying. Is he in favour of that?

Mr. Cawsey: No, I am not in favour of that and it is not what I am saying. What will make people vote is the belief that their vote counts. Too many people in too many constituencies—especially European constituencies—feel that their vote counts for nothing. Our aim must be to increase participation and thus to increase democracy.

Mr. Drew: One of the strongest arguments in favour of a regional list system, to which I alluded earlier, is the need to create a regional identity. If regional identities are created, people will vote and take an interest in whom they are electing. Two issues already have a regional dimension—agriculture and fishing—and I can think of no better examples for the south-west, which is my part of the world. Another idea would be—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman must be brief.

Mr. Drew: Does my hon. Friend agree that concentration on such issues would increase turnout?

Mr. Cawsey: I entirely agree with my hon. Friend. The argument that the electoral arrangements in this country are beyond criticism is beyond belief and stunningly complacent. We should consider reforms that would encourage participation and make votes count, because increased participation improves democracy. A more open list would give the maximum incentive to participation at the next European elections. I am pleased to commend the Bill to the House.

9.4 pm

Mr. Robert Syms (Poole): We have heard some good contributions from hon. Members on both sides in this important debate. There will be many more debates on electoral reform. The next few years will be a psephologist's dream. Many of those who wrote obscure books many years ago will make a fortune selling books on various electoral systems.

I am pleased to follow my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). I had the honour of fighting Walsall, North in 1992, which is the constituency next to his. I can honestly say that he is regarded with respect and irritation by people in his area, because he is an independent-minded Member of Parliament. He is a perfect example of a party member who represents his constituency well in the Chamber. He is not the sort who would naturally be put on a party list, I mean that as a compliment. Any Parliament ought to have a broad range of opinion.

The first-past-the-post system has evolved over the past 150 years. It has suited us well because it suits the temperament of the British people. It is simple, it is quick, it delivers effective democratic rule and, most important, it has a strong constituency link. At every selection committee, the first question that a candidate is asked is whether he or she will live in the constituency. People put a high premium on having their Member of Parliament as part of the community.

In many respects, first past the post is the most accountable system. Every time we vote, we are accountable. Every time we write a letter to a constituent, we are accountable. If we are not here, we are accountable. If we cannot go to the annual general meeting of the local Women's Institute this year, we know that we must go next year because people hold us to account. We are meant to represent our constituencies and we are meant to be there. That is a tremendous strength of our system.

The Bill proposes a proportional representation closed list system. Despite what the Home Secretary said earlier about looking at other options, that is what is proposed. That will give electors no choice but to pick a political party—or an independent. They can exercise no judgment about whether the first, second, third or fourth candidate on a list has particular merits. That is bad for democracy. As has been said earlier, the first on the list could go on holiday to the Caribbean and have a lovely time while the No. 3 was working extremely hard to ensure that he or she was just above the line to be elected for that region.

The Home Secretary has said that the size of European parliamentary seats provides a stronger argument for moving away from first past the post, but we are creating such vast regions that there will be no strong link between MEPs and their electors. Current MEPs are all linked to towns, cities or counties.

Most of us have certain loyalties. We have loyalties to our country and sometimes to our county or the borough that we grew up in or represent. Those links are important. Most MEPs have strong links with their local authorities because, irrespective of their political character, those authorities will regularly contact their MEP for information, advice and support. As a Member of this Parliament, it is useful for me to know who represents Dorset and East Devon in the European Parliament. The seven or eight Members of Parliament in that area know him. That is what accountability is about.

Political parties have never played a predominant role in the way in which we have organised our affairs. Only in 1969, under the Representation of the People Act, when the voting age was reduced to 18, did we put the political labels on ballot papers for both local and national elections. The suggested system will put political parties directly into the political process as never before.

Moreover, that would lead to bad practices. We all represent our constituencies, as Members of the European Parliament do. People go to their representatives with their problems, whether they voted Labour, Liberal Democrat or Conservative, or even if they did not vote at all. In my surgery I find people of all political persuasions, so I have to see the problems that people from all walks of life have.

If a region has two or three Conservative Members, plus some Labour, some Liberal Democrat and an independent, people with problems will go to the

representative who shares their political point of view. That is not necessarily progress, and is not the best way of improving political representation.

There is also an important argument concerning the size of regions. Inevitably, however we divide the vote, the larger the region the more likely a minor party is to achieve representation. If there are 10 or 11 Members and the minor party crosses a threshold of 9 or 10 per cent., it will get representation. If there are three or four Members, minor parties will need 20 or 25 per cent. of the vote to achieve representation.

It would be fairer if we picked an electoral system in which every constituency was the same size. The differential sizes of regions will mean that more independents will stand in some than in others. If a gentleman with deep pockets wants to stand for the European Parliament, he will inevitably go to the South East region, because the threshold for being elected will be far better there than in Wales or the North East, for example.

That will lead to unfairness within the system. In the North West and the South East, we shall find more odd bods and a greater range of candidates, simply because the sizes of those regions will mean that such people's chances of election are far better. Meanwhile, life for candidates from the major parties standing in Wales or the North East will be relatively easy.

The Irish experience in the middle part of this century was that under the single transferable vote system, with large constituencies of nine to 12 Members, it was almost impossible to form a Government without a mass coalition of three or four parties. Ireland reduced the size of the constituencies so that each had only three to five Members, because the arithmetic then gave the prospect of getting much nearer to a majority in the Dail. De Valera's party, which was the largest, could command an overall majority on occasions, because the size of the areas had been reduced.

I hope that the Government will consider seriously the size of the regions that they propose. It would be beneficial if some of the larger regions were split in two, to keep at least some link with the locality, and to diminish the size of the constituencies.

The general question of by-elections has not been much raised, although the Home Secretary talked about by-elections in certain circumstances. No doubt, under the STV system in Northern Ireland there would have to be a by-election. In regions, there would be a by-election unless the place could be filled through the list, and certainly if it was an independent who had happened to die.

I know that we are going into new territory here, but I believe that that is an important issue. Under the Bill, regulations on such matters, although laid before the House, would not be debated. If we are to move towards a new system, we need to set out clear ground rules governing when a by-election would and would not be called.

At present, under the European Parliamentary Elections Act 1978, the only discretion that the Government have is to set the date of a by-election. Under the existing system, that is all that they need. However, after the proposed changes there may be some discretion about whether there is to be a by-election at all. For example, whether Scotland has to turn out for a by-election on a particular Thursday—under the first-past-the-post system, presumably, if there is only one vacancy—may depend on the good will of a particular Home Secretary. That would be wrong.

This is a bad Bill and sets a bad precedent. I do not agree with the hon. Members who have said that we should have different electoral systems for different tiers of Government. We should have some regard to the electors, who have to turn out and get to know which system they have to exercise at the ballot box. We should also have some regard for the returning officers. We are sentencing them to many days in motels being lectured on how the new system will work, so that individuals can operate the various different systems that we propose. It would be far simpler to keep the first-past-the-post system.

The Government are proposing to spend some £4 million on training, but it has been reported in the press that perhaps £20 million might have to be spent on advertising to inform people how to operate the new system. The real strength of the first-past-the-post system is its simplicity and its link with the MEP. We are moving from that down a slippery slope towards worse representation.

9.14 pm

Mr. David Heath (Somerton and Frome): Electoral reform and changes to the voting system can sometimes be an acquired taste, and I agree with the Home Secretary that it is not the prime topic of conversation in Kingsbury Episcopi or in his constituency. Despite that, we have had a largely well-informed debate this evening. The Home Secretary was almost unnervingly flexible, accommodating, understanding and pluralistic—it quite took my breath away to hear the extent to which he was prepared to compromise his initial position to accommodate others. That is a good sign for the future. The hon. Member for Stroud (Mr. Drew) talked about the "Straw compromise". I hope that it will be called the Straw poll, which seems appropriate.

There was a feeling that the tectonic plates of the body politic were moving a little, and that we were seeing signs of the development of a truly modern system. The only problem with that analysis was the response from the Conservative spokesman, the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney). Some movement in the tectonic plates may have occurred, but the Conservative party still seems stuck in permafrost—it was a Jurassic response to the debate.

The right hon. Member for North-West Cambridgeshire started by saying that the first-past-the-post system could not be described as indefensible, but it is indefensible in the context of European elections. We heard about the constituency link of MEPs, but any genuine link between one individual and the 500,000 electors he or she represents remains to be proven.

We heard how the new system would restrict voter choice, but I am at a loss to understand that argument. If one is presented with a list of possible candidates, rather than a single candidate from a party, there is, by definition, an extension of choice. We heard the argument about whom an individual elector would go to if he had a problem. At the moment, the voter has one option—to go to the one person who represents his European constituency. Under the new system, the voter will have a choice of MEP. One might meet an MEP with greater

[Mr. David Heath]

empathy with the problems, say, of lone mothers than another. One might meet an expert on agriculture, or an expert on industry. The voter will have increased choice.

We heard a comprehensive rubbishing of the region system. I find it difficult to reconcile that with the fact that the Conservative party set up those regions. The Conservative Government set up the Government office for the south-west—indeed, the right hon. Member for Skipton and Ripon (Mr. Curry) was once the Minister responsible. We used to enjoy the occasions when he trundled along the A303 and the M5 and down our country lanes to find out what was going on in the south-west.

The most astonishing element of the Conservative argument was the patronising assumption that the voter would not be able to understand the change in the system. Never mind that every other voter in Europe can understand a different system; or that voters in Northern Ireland can do so. The right hon. Member for North-West Cambridgeshire was asked by my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) about the situation in Northern Ireland, and he signally failed to answer. I believe that what is good for every other citizen of the European Union may perhaps have something to commend it to citizens of the United Kingdom.

We heard a level-headed argument from the hon. Member for Stroud. He said a lot of the things that I wanted to say, which is not surprising as he comes from a similar constituency.

The hon. Member for Birmingham, Northfield (Mr. Burden) spoke of a distortion that had taken place in the European parliamentary groups as a result of the present system—of the fact that those groups fluctuated massively in terms of strength because of the first-past-the-post system in the United Kingdom. He could have gone on to say that the representation of the United Kingdom within those European parliamentary groups also fluctuates massively on exactly the same basis. That means that the United Kingdom is often under-represented in the Socialist group—or the Conservative group, or the European Liberals, Democrats and Reformers group—in the European Parliament.

I appreciate that to be too interested in, and to express too great a knowledge of, different electoral systems displays an acquaintance with anoraks that it may not be wise to admit to in all circumstances. We could have gone on to discuss the other systems that exist—for example, the Hagenbach-Bischoff and the Hare-Niermayer systems. I feel that, in Committee, we need to return to the argument about the relative merits of the d'Hondt and Sainte-Lague systems.

Earlier, the Home Secretary expressed the view that Sainte-Lague was probably not a Belgian but a Frenchman. He was, in fact, a French mathematician who developed, in 1910, a system that has been used successfully ever since. Opposition Members still believe that that system has something to commend it. We do not think that there is any great difference between an arithmetical progression that goes one, two, three, four, five and one that goes one, three, five, seven, nine. Similarly, one system produces a more proportional result than the other.

I believe that a much more important debate concerns the relative merits of the open and closed systems. I was gratified to hear in the Home Secretary's speech that the closed system was, at the very least, ajar. We shall want to press that. We believe that there is a great deal to commend an open system in which we give the electorate that extra dimension of choice that means that different candidates—not just the candidates selected by the party machine—are presented to the electorate, and can express their view.

I shall end my speech shortly, but I should like to leave one more thought with the Ministers. The Committee of the Regions is not part of the European Parliament, but we have criticised it many times over the years for its lack of democratic ability. At present, it is a quango appointed by the Government, not properly reflective of proportionality. Could it be that this regional system, and this regional proportional representation, might perform the additional duty of providing a template enabling a better representation for the Committee of the Regions, so that local government could be properly reflected in those who were sent to represent the country?

We welcome the thrust of the Bill. We shall debate the detail in Committee. We particularly welcome the cap on party spending on a national basis, which is long overdue. We shall strongly welcome a Bill that will provide for party registration in due course, especially if it prevents the "passing off" that we have seen in recent elections. It should not be necessary for a party to win with a majority of 21,000 in a particular constituency to avoid the distortions that a rogue candidate might introduce into the system.

If the Government can deliver all those things—if the Government can honour their pre-election promises, and the accords that have been worked out between the Labour party and the Liberal Democrats—they may be assured of our support in the Lobby tonight, and our support as the Bill proceeds through its legislative stages.

9.23 pm

Mr. James Clappison (Hertsmere): Although he described my party as Jurassic and coated in permafrost, I agree with the hon. Member for Somerton and Frome (Mr. Heath) that we have had a largely well-informed debate with some interesting contributions. Among Government Members, we have heard from the hon. Members for Birmingham, Northfield (Mr. Burden) and for Stroud (Mr. Drew), who made an honourable attempt to put the general case for proportional representation, although I do not agree with them.

We also heard from the hon. Members for Wyre Forest (Mr. Lock) and for Brigg and Goole (Mr. Cawsey) and, representing the Liberal Democrats, from the right hon. Member for Berwick-upon-Tweed (Mr. Beith) and the hon. Member for Somerton and Frome.

We have heard some excellent speeches from Conservative Members. My hon. Friend the Member for Poole (Mr. Syms) made some telling points. My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) is the voice of constitutional integrity and he made some important principled observations that should be borne in mind by hon. Members of all parties, especially as—some new Members may not know this—he always says what he thinks, regardless of whether it brings comfort to his own party or to others.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) made a powerful speech that chimed in with that of the hon. Member for St. Helens, South (Mr. Bermingham), in which there were some important points to which the House should pay attention. My right hon. and learned Friend hit the nail on the head when he talked about the rushed way in which the matter had been introduced. We have witnessed some of the consequences of that, beginning with what the Home Secretary said about reconsidering part of the Bill.

I take as a starting point the speech of my right hon. Friend the Member for Skipton and Ripon (Mr. Curry). His outstanding speech was made, as the House will recognise, with the benefit of 10 years' experience as a Member of the European Parliament. He was right to talk about his time as an MEP, working with organisations and individuals on a Euro-constituency basis, and about how he was able to identify with those organisations and how much more difficult it would have been for him to provide a service for his constituents if he had been merely a name on a list as part of a much larger region.

My right hon. Friend the Member for Skipton and Ripon asked whether the proposed system would be better for the electors. The answer is clearly no. There are at least three objections. First, it is more complicated than the present system; secondly, as it stands, and is likely to remain, it will bring about more centralised party control and rob individual MEPs of their independence; and thirdly, it will create much larger constituencies or regions, in which the MEP will inevitably be much more remote from his constituents.

Mr. Burden: The hon. Gentleman is talking about complexity for the elector. Under the proposed system, the elector would put a cross on a ballot paper, which is precisely what happens under the current system. How is that more complicated?

Mr. Clappison: For reasons that I shall go into in a moment, the elector is given a simple choice as between parties, but if he tries to understand the new system, heaven help him. I agree with the hon. Member for Moray (Mrs. Ewing), who said that she would like to take a closer look at the Home Secretary's analysis in the morning; it will bear careful study.

At the moment, I am clear about only three things arising from the Home Secretary's speech. First, Mr. d'Hondt was a Belgian; secondly, Mr. Sainte-Lague was not a Belgian, but if he had been in America he would have been called Webster; and thirdly, in Sweden the divisor would be 1.4.

Following the speech of my right hon. Friend the Member for Skipton and Ripon, we found out that the Home Secretary was wrong in at least one of those, because Mr. d'Hondt should have been Mynheer d'Hondt, because he was a Fleming. The Home Secretary made various comments about Belgians. I am cautious about following him down the road of national stereotypes. The Home Secretary asked whether we could think of any other famous Belgians. The first name that sprang to my mind was that of Hercule Poirot, although even his powers would have been suffocated if he had tried to understand this system.

My hon. Friend the Member for Poole has helpfully told me that there are at least two other systems, the Hagenbach-Bischoff system and the Hare-Niermayer system. I am grateful to the Home Secretary for not mentioning them, although we have been threatened with them in Committee. My hon. Friend also tells me that a Mr. Hare has invented a British system.

Mr. Beith *indicated assent.*

Mr. Clappison: The Liberal Democrats know about him; he gave rise to the expression "hare-brained scheme". The proposed system is far from straightforward. The Home Secretary's claim that it has the virtue of simplicity takes a lot of swallowing.

More seriously, there is the problem of closed lists. The Home Secretary made some comments on the course that he will take. He is wise to take that course because, to judge from the debate, there was no support, from any party, for the closed list system. The complete lack of enthusiasm among Labour Members was noticeable. Given that Labour's manifesto committed it to introducing proportional representation for the European elections—it was a bald commitment with no details—why did the Government plump for the closed list system, which can be only a recipe for central party control? That was widely commented on at the time of its unveiling. My right hon. Friend the shadow Home Secretary rightly quoted *The Times* saying that it would be bad for democracy and would put power in the hands of the party machine and take it away from individual MEPs.

We are entitled to an explanation of why the Home Secretary plumped for the proposed system from all the systems that could have been adopted. Can the decision be entirely unconnected with what my right hon. Friend the Member for Skipton and Ripon described as the ethnic cleansing going on among Labour Members of the European Parliament? Is it a complete coincidence that the Labour party was trying to impose a gag on its MEPs? Labour Members would do well to consider the terms of the gag that was put on their colleagues in the European Parliament by the code of practice, which stated:

> "Members will support party policy as defined in the Labour party manifesto, including the commitment to proportional representation, and no member shall give statements to the media about any aspect of the party selection procedures, which are a matter for internal party discussion and decision."

That was the gag. So much for open government.

Now the Home Secretary has backed down in the face of all the adverse comments about closed lists and said that he is prepared to put in the Library a document setting out details of the Belgian and Danish systems. We await that with interest. Having taken that step in the face of a lack of support for his proposals, the Minister owes it to the House to say whether we will be allowed a little longer to consider the matter and a fuller debate. If the Government are sincere about consultation and debate, will they allow longer debate, and put off the Committee stage until after Christmas?

I bear in mind the comment of my right hon. and learned Friend the Member for Sleaford and North Hykeham about the way that the Government rushed in. As recently as June, Lord Williams of Mostyn told the Lords that the Government had no plans to bring forward this legislation. *[Interruption.]* I hear the Whips saying no. Perhaps that is not a good omen for an open debate. In those circumstances, can we have more time for reflection and consultation? That would be in the Government's interest as much as anyone's, given the situation this evening.

[Mr. Clappison]

The next deficiency of the Bill is the breaking of the link between individual MEPs and constituencies, on which several Labour Members commented. Like the Liberal Democrats, they said that it is difficult for MEPs at present to represent constituencies of 500,000 electors. How much more difficult will it be for them to represent those vast regions, coming as one on a list of Members representing 4 million or 5 million people? The hon. Member for Northfield said that his Euro-constituency of Birmingham, East was too big. Is it more difficult for an MEP to represent Birmingham, East than to represent the West Midlands region, in which 5 million electors reside in Birmingham and the counties of Warwickshire, Worcestershire, Staffordshire, Herefordshire and Shropshire?

Mr. Burden: My point was that I found it somewhat curious that I live in the European constituency of Birmingham, East when my house is in the west of Birmingham. As for the West Midlands, it is acquiring a major identity as a region and it is an economic unit. There is a regional agenda and Europe should be part of that regional agenda.

Mr. Clappison: Does working in such a vast area make it any easier for the MEP to do justice to his constituents?

Mr. Burden: Yes.

Mr. Clappison: The hon. Gentleman says yes, but I am doubtful. What about the South East region, stretching from Milton Keynes and Oxford down to Kent and Dover? Why stop there? It would make about as much sense to go on to Calais and take in part of northern France. My Hertsmere constituents will find themselves part of the Eastern region, with a total of eight MEPs on a list representing 4 million people. Would it be easier for those MEPs to represent that vast region than for my constituents to remain in the Hertfordshire European constituency, close to Hertfordshire county council, the local health authorities and all the relevant authorities? That is true up and down the country.

As the Bill stands, electors will not even be told whom they are voting for, because there is no authority in the Bill for the names of MEP candidates to appear on the ballot paper, although I notice that they appear in the Government press pack. How can it be possible for independent candidates to attempt the feat of representing whole regions, but not for candidates representing parties? I note that the Liberal Democrat candidates appear in the press pack unzipped—by which I mean that ladies and gentlemen do not appear next to each other—and that independents are represented by David Sutch of the Monster Raving Loony party. I take that to be Screaming Lord Sutch, who will have been deprived of his peerage under the new arrangements—presumably he will be standing for the people's Monster Raving Loony party in future.

To use the words of my right hon. Friend the Member for Skipton and Ripon, it is a piece of arrogance on the part of the Government to say that electors do not need a constituency MEP. We are told in the Government's question-and-answer document that:

> "People do not enjoy, or need, the same close links with their MEP as they do with their MP, so it is possible to elect MEPs on a regional basis."

Mr. Syms: Why not?

Mr. Clappison: That is exactly my question. What have all the Labour MEPs been doing all these years of going around their European constituencies? Are they poor deluded souls who have spent years labouring under the misapprehension that they are doing something useful? All their work has been dismissed by the Government's sleight of hand. We are told:

> "MEPs' links with their constituents are not as close as those of MPs and the public, for the most part, lacks the detailed knowledge which would enable them to make an informed choice between candidates on a party's list".

What a piece of arrogance on the part of the Government: wiping away the constituency system just like that; wiping away the link between individual MEPs and their constituents; creating a system of remote party placemen miles away from their constituency; and denying electors any opportunity to bring to account MEPs of whom they do not approve.

The system is a bad one. It is complicated. It is a recipe for centralised party control. It breaks down the constituency link that is a valuable part of our country. The Bill is bad for democracy and, without hesitation, we endorse all that my hon. Friend the Member for Aldridge-Brownhills said. This is a bad Bill, which will undermine our system of democracy. It is bad for the country and we should not entertain it.

5.39 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): The hon. Member for Hertsmere (Mr. Clappison) has just accused the Government of arrogance. Some accusations I am prepared to answer in detail and in full, but I am not prepared to accept an accusation of arrogance from the Conservative party, given its record in the past 18 years and even since the general election. The accusation comes from a party that has never yet revealed where one penny piece of its party funding comes from. It says that it still cannot reveal its funding for the past two general elections.

The Conservative party cannot work out a way of electing its leader, which in some way involves the party electorate. Yet the Conservative party accuses the Labour party of arrogance, when the Labour party has devised an electoral college system to elect its leader. So we will not take any lessons from the hon. Gentleman or his party. The Conservative party has a long way to go in its internal democracy before it will be in a position to lecture anyone in the House or elsewhere on party democracy.

We have had an interesting and, for some hon. Members I suspect, educational debate. The hon. Member for Hertsmere conceded that the more he listened to my right hon. Friend the Home Secretary, the more he understood the d'Hondt system and its variants. I have to tell the hon. Gentleman that I have sat through my right hon. Friend's explanation of the matter on four occasions

now and I am becoming, next to him, the most undisputed expert in the House on all the aspects of the lists that may be used.

It has been a useful debate. In a moment, I shall try to deal with some of the specific questions that have been raised, but first I want to express satisfaction that at long last a system for electing Members of the European Parliament, which is appropriate, on its own merits and because it fulfils our obligation as members of the European Union, is about to be delivered. Some hon. Members—admittedly, one or two Labour Members—are concerned that the Bill is the thin end of the wedge and that once we concede the point for the European parliamentary elections, we shall end up with a system of proportional representation for the House of Commons. It is too early to say that.

We made a commitment to set up an independent commission—not a Labour party creature, as the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) suggested—to examine the most appropriate voting systems and proportional voting systems for the House of Commons. Once the commission has made recommendations—this is the important point—it will be up to not the House of Commons or the Government, but the electorate, to decide in a referendum on the most appropriate way of electing Members of Parliament.

Mr. Hogg: If the hon. Gentleman is prepared to set up an independent commission and put the result to a referendum, why not adopt the same procedure for the European Parliament?

Mr. Howarth: The right hon. and learned Gentleman should have listened to what was said earlier and what I said a few moments ago. Perhaps at this point I should bring in the right hon. Member for North-West Cambridgeshire. The difficulty for Conservative Members is the fact that we are in the process of delivering a manifesto commitment. I know that that concept is alien to them. They stand for election on a set of promises and pledges and abandon them immediately after the election, but the Labour Government have a clear understanding that we made promises to the electorate. We did not make long lists of promises. They were focused. They were promises that we knew we could deliver. The promise to introduce a new voting system for elections to the European Parliament was one that we knew we could deliver.

The right hon. Member for Skipton and Ripon (Mr. Curry) is well respected in the House. During the period of office of the previous Government, he contributed a great deal to our understanding of regional policy and how regional boundaries were drawn. He made an interesting point in his speech—he said that he always worried when someone used the word "appropriate", which my right hon. Friend the Secretary of State had used. He went so far as to say, perhaps injudiciously, that as a Minister he never allowed the use of the word "appropriate" in correspondence. If someone digs around, they may prove him wrong on that.

Mr. Curry: "Appropriate" is civil servant language for, "We know best."

Mr. Howarth: I take the right hon. Gentleman's point that he is uncomfortable with the use of the word "appropriate". Wondering why the right hon. Gentleman was so concerned, I looked up the word in the Collins dictionary and found out why. The dictionary says: "Suitable; proper; right; fitting." Of course, the right hon. Gentleman does not like anything that is appropriate. He does not like anything that is suitable, proper, right or fitting, as my right hon. Friend the Home Secretary said. The concept of the Bill is proper, right and fitting. We believe that, for the type of assembly that we are discussing, that is an appropriate way to proceed, and I do not apologise for using the word "appropriate".

In the debate, confusion has arisen between the nature and functions of this Parliament—although my right hon. Friend the Home Secretary explained them clearly—and the fundamentally different functions of the European Parliament. In establishing an independent commission to consider possible voting systems to the House, it is our intention to study a range of systems, but those systems should be ones that are considered most appropriate for the House of Commons.

My right hon. Friend the Home Secretary explained that the difference between the House of Commons and the European Parliament is that our system of government is drawn from the democracy of the House of Commons. Ministers either sit in the House of Lords or, in overwhelming numbers, whichever party is in power, are drawn from the House of Commons. Of course, there will be a difference and of course constituencies play an important part in that function. I shall say something about that later.

The issues raised are important, and I shall try to deal with them in order of priority. If I miss anything out because of the time available, I am sure that hon. Members will write to me or let me know, and I shall try to make up for any deficiency at a later date.

The right hon. Member for North-West Cambridgeshire fell into the trap of confusing the application of proportional voting systems for electing Parliaments from which Governments are drawn with proportional systems for electing representative assemblies, such as the European Parliament. I believe that he came into the Chamber with a speech against proportional representation in general and decided, even though my right hon. Friend the Home Secretary explained the considerable difference between the two cases, that he had to soldier on with the speech that he had brought, although it was not appropriate to the Bill. However, he raised some points that warrant a reply.

The right hon. Member for North-West Cambridgeshire said that the Bill was a dry run for one to introduce a system of proportional representation for the House of Commons. He believed that a secret deal had been struck behind closed doors by an unspecified person—the Prime Minister, my right hon. Friend the Home Secretary or someone else—and that the right hon. Member for Berwick-upon-Tweed (Mr. Beith) was involved.

There is no hidden agenda—no dry run. An investigation will be carried out by an independent commission, and at the end of that process a referendum will be held. If we had struck a secret deal with the Liberal Democrats, it would have been right for us to bring the entire electorate into the secret, because in the end they will take that decision. There is no such conspiracy. The right hon. Gentleman may search for conspiracies as much as he likes; they do not exist. We believe that the

[Mr. Howarth]

electorate are the most appropriate people to choose the system for electing the House of Commons, and we intend them to take that decision.

There has been a great deal of debate on both sides of the House about constituencies. My hon. Friend the Member for St. Helens, South (Mr. Bermingham) was one of those who spoke on the subject. The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) made a passionate and at times eloquent—

Sir Brian Mawhinney: When the independent commission comes up with an alternative PR proposal to put to the electorate in a referendum, will the Government support that proposal?

Mr. Howarth: The right hon. Gentleman will have to wait and see what the commission comes up with. Let me be clear about this: I do not think that any Minister standing at the Dispatch Box or—if they were responsible—any Opposition spokesman would sign a blank cheque without knowing the precise terms that an independent commission would come up with. I am not prepared to do that; it would not be sensible.

The right hon. Gentleman and several of his hon. Friends mentioned constituencies. The right hon. and learned Member for Sleaford and North Hykeham and my hon. Friend the Member for St. Helens, South both raised the subject. Let me make it clear that simply because we do not think that constituencies are necessarily the appropriate vehicle to represent us in Europe, we are not attacking MEPs. My hon. Friend the Member for St. Helens, South mentioned my MEP, Terry Wynn; I agree with my hon. Friend that Mr. Wynn is an excellent representative who has represented our area well. I do not think that if Terry Wynn were to succeed, find himself higher up the list and be elected on the North West list, he would cease to be as effective, or cease to be as concerned about issues in the north-west or about issues affecting Merseyside, which I represent.

Some hon. Members, particularly Opposition Members, are confused. They believe that the respect in which they hold their own Members of the European Parliament is a direct product of those Members representing a defined constituency. Some of my hon. Friends may be making the same mistake.

Mr. Harry Barnes (North-East Derbyshire): In terms of MEPs still being as effective under the new system, will my MEP still be as effective—his name is Ken Coates?

Mr. Howarth: My hon. Friend is always helpful. I can confirm that his current MEP will not be as effective after the next elections, as he has already announced his retirement. Perhaps during his retirement he can be effective in other ways.

The shadow Home Secretary, the right hon. Member for North-West Cambridgeshire, said—and this was the high point of his speech—that the current arrangements of the constituency system had stood the test of time over centuries. That is an odd reading of history, because the European Parliament has not been in existence for that long and there were no European Members of Parliament until the late 1970s. Allowing for some licence in his interpretation of history—

Mr. Bermingham: Will my hon. Friend give way?

Mr. Howarth: I shall give way to my hon. Friend, but this must be the last time, as I have to make some progress.

Mr. Bermingham: I thank my hon. Friend for giving way to a near neighbour and a fellow Member in the same Euro-constituency. If there are perhaps three or four Labour MEPs in the north-west, who will look after the little fish such as St. Helens and Knowsley and who will look after the big fish such as Manchester and Liverpool?

Mr. Howarth: As my hon. Friend rightly says, my constituency is next to his. In fact, I live a few hundred yards from the border of his constituency, through which I often travel. I can tell him who will look after the interests of his constituents in St. Helens: he will and the local councillors will. Those who are elected on a regional list will continue to represent the interests of St. Helens, Manchester, Merseyside, Lancashire and Cheshire—there is no contradiction there. My hon. Friend is confusing his affection and respect for our MEP, which I share, with some magical connection with a Merseyside-wide constituency. The Euro-constituency in which both of our constituencies fall is Merseyside, East; it includes Garston in Liverpool and stretches to Wigan. I am not sure what the people of Garston think that they have in common with the people of Wigan, but I do not think that it is a great deal. Those issues of territoriality are already difficult, and will not be any more difficult if we move to a regional system.

The right hon. Member for North-West Cambridgeshire said that the new system might in some way compromise the relationship that MEPs currently have with business interests in their constituencies. That is fair comment, and I do not believe that it was made for the purpose of point scoring. The right hon. Gentleman will know that Europe is increasingly a Europe of the regions. That sounds like a cliché, but it is true.

The dialogue that takes place in Europe at Commission level, at Parliament level and at other levels is based on regions—the common characteristics of regions, deprivation and difficulties in regions, and subsidiarity. Of course, business has already responded to that. Probably in every region of the country, there is a regional Confederation of British Industry spokesperson or some kind of organisation representing the CBI. *[Interruption.]*

Mr. Edward Leigh (Gainsborough): Is the Minister saying that the system that he is proposing is simply different, or that it is better?

Mr. Deputy Speaker (Mr. Michael Lord): Order. This is an important debate and the Minister is winding up. He ought to be heard in silence.

Mr. Howarth: I was saying that Europe is increasingly a Europe of the regions. The Liberal Democrats have just walked in and proved that this is a Parliament of the regions.

The final point—

Mr. Leigh: Will the Minister have the decency to answer my question?

Mr. Howarth: I am sorry; I did overlook the hon. Gentleman. I do not believe that the arrangements that business already has at regional level will change greatly. I do not think that there will be an improvement or that they will be any worse. It is arguable that there could be an improvement, because regions will talk to business on a regional basis.

The hon. Member for Moray (Mrs. Ewing) raised the matters of Sunday voting and of the amount of funding that parties will be able to spend on a regional basis. On Sunday voting, we are still open to arguments, but I accept the hon. Lady's point that in some parts of the country, most notably her own, that would raise difficulties. I am minded to take that into account.

As regards finance for region-based elections, we would have to examine the matter closely. There are legitimate concerns about how that will operate, and we want to listen to arguments and consider how it might work out in practice.

Several right hon. and hon. Members asked how individuals would find their way on to the list within the democratic structures of the various parties. I do not know how the Conservative party will decide who goes where on the list, if the Bill ends up on the statute book. That is a matter for the party to decide, but I suspect that it will not be by the most democratic procedure ever invented. An announcement has already been made by the Liberal Democrats. Within our democratic procedures in the Labour party, we are currently considering the most effective way of doing that. It is for individual parties to decide the most appropriate way to select their candidates and how people get on to the list.

The Bill properly represents what we said we would do. The Opposition have difficulty with it. We are in the process of delivering commitments that we made during the general election. The issue was determined by the Plant commission, passed by our conference and put in our manifesto. That is what we are delivering. It may be a novel concept for the Opposition, and possibly a first in the past few years, but this is a Government who deliver their promises, unlike the previous Government when they were in power.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 355, Noes 150.

Division No. 98] **[9.59 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Austin, John
Ballard, Mrs Jackie
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blizzard, Bob
Blunkett, Rt Hon David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Ewing, Mrs Margaret
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Flint, Caroline
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John

Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Livsey, Richard
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quin, Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Singh, Marsha
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Wallace, James
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wood, Mike
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Jamieson and Mr. John McFall.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cann, Jamie
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Goodlad, Rt Hon Sir Alastair
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maginnis, Ken
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard

Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John Whittingdale and Mr. Bernard Jenkin.

Question accordingly agreed to.

Bill accordingly read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 63 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—[*Mr. George Howarth.*]

Question agreed to.

Committee tomorrow.

EUROPEAN PARLIAMENTARY ELECTIONS BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the European Parliamentary Elections Bill, it is expedient to authorise the charging on and payment out of the Consolidated Fund of—

(1) charges to which returning officers are entitled by virtue of that Act, and

(2) sums required by the Secretary of State for expenditure on the provision of training relating to functions conferred on returning officers by virtue of that Act.—[*Ms Bridget Prentice.*]

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to European Community Documents.

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

Landfill of Waste

That this House takes note of European Community Document No. 6692/97, relating to the landfill of waste; and welcomes the intention to set high regulatory standards for landfill sites.

Transmissible Spongiform Encephalopathies: Controls on Cattle, Sheep and Goats

That this House takes note of European Community Document No. 10040/97, on the prohibition of the use of material presenting risks relating to transmissible spongiform encephalopathies; and supports the Government's position that such controls are necessary for the protection of public health and to avoid the risk of undermining the Single Market.

Draft Budget for 1998

That this House takes note of European Community Documents Nos. 10153/97, the draft general budget of the European Communities for 1998, and PE262.699, the European Parliament's proposed amendments to the draft general budget of the European Communities for 1998; and supports the Government's efforts to maintain budget discipline in the Community.—[*Ms Bridget Prentice.*]

Question agreed to.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Northern Ireland

That the draft Industrial Pollution Control (Northern Ireland) Order 1997, which was laid before this House on 28th October, be approved.

That the draft Waste and Contaminated Land (Northern Ireland) Order 1997, which was laid before this House on 28th October, be approved.

Civil Aviation

That the draft Carriage by Air Acts (Application of Provisions) (Fourth Amendment) Order 1997, which was laid before this House on 3rd November, be approved.—[*Ms Bridget Prentice.*]

Question agreed to.

MT Gaul

Motion made, and Question proposed, That this House do now adjourn.—*[Ms Bridget Prentice.]*

10.16 pm

Mr. Alan Johnson (Hull, West and Hessle): This debate will deal with an issue that is of great concern to the people of Hull. As I discovered this week, however, the issue strikes a chord across the country, particularly in seafaring communities.

In this very short debate, I shall try first to make a case for reopening the inquiry into the loss of the Hull trawler the MT Gaul, which disappeared in February 1974 without trace and without sending any sign of distress. I shall argue also that the inquiry should be extended to cover the arrangements that were made to find the wreck of the Gaul. Finally, I shall ask the Minister to meet representatives of the families of the 36 men—the entire crew of the Gaul—who were lost. I know that the Minister appreciates that those families are the other victims of the tragedy.

The Gaul was a so-called super-trawler, and it was state of the art in every respect. Its design and safety features included automatic steering, a dual radar system and high-quality radio and telegraphy equipment. It was almost the first trawler to have safety equipment that 50 people could use in automatically inflatable life rafts. It substantially exceeded recommended stability criteria, and was thought to be unsinkable. It was less than two years old, and it had an experienced skipper and crew. Like all Hull trawlers, it fished in Arctic conditions, and was built to withstand such extreme weather conditions.

The Gaul disappeared in the vicinity of the North Cape bank in the Barents sea. There were fierce storms when it disappeared, but such storms were common. There were 17 other trawlers in the area, all of which rode out the storms on that dreadful evening.

In November 1974, the formal investigation in Hull—I make no criticism of its conclusions—determined that there was no trace of the Gaul. There had been no distress calls; no oil had been found on the surface; and no wreckage had been discovered, other than a lifebuoy that appeared three months afterwards—posing another mystery, which I do not have time to explore in this debate.

The inquiry, dealing with a hypothetical situation, did the best it could. It dismissed the theory that water had accumulated on the Gaul's factory deck—perhaps because a door had been left open, as tragically happened some years later on the Herald of Free Enterprise. Such an explanation for the Gaul sinking was dismissed because, had it happened, there would have been time to send a distress signal.

In the end, the inquiry concluded that the Gaul capsized and foundered as a result of being buffeted by heavy seas, when it was broadside in the midst of a turning manoeuvre against the oncoming weather. A subsequent two-year study by the National Maritime Institute concluded that the ship was so stable that that could not be the only reason it sank. It concluded that there must have been a contributory factor, such as damage being caused to the bridge by a large wave, affecting the steerage and radio contact.

Those were the results of an inquiry and subsequent examination that had only supposition and theory to guide them. I do not criticise that work, but I wish to draw attention tonight to a significant development.

The wreck of the Gaul has now been found, 270 m down on the seabed and 60 miles off the coast of Norway, by a film crew working on a Channel 4 documentary. Using a remotely operated vehicle, the film proved three important facts. First, it established that the wreck was, beyond any doubt, that of the Gaul. Secondly, it established that there was no damage to the bridge—and, indeed, its windows were still intact.

Thirdly, there appeared to be no damage to the superstructure of the ship, which would have been expected if it had taken a buffeting from heavy seas and fallen 1,000 ft to the bed of the Barents sea. One other fact emerged from the documentary—the wreck was facing almost directly into the weather rather than broadside, as the inquiry had concluded.

We should be grateful to Channel 4 for finding the Gaul, but it is now the Government's responsibility to ensure that it is fully and properly surveyed. The new evidence that necessitates the reopening of the inquiry appeared in the Channel 4 documentary, and there is no good reason for delaying the announcement of its reopening.

I turn now to the subject of the search for the Gaul, which should be part of a reopened inquiry. I am grateful to my hon. Friend the Minister for replying so quickly to my written questions on the subject. I asked how many reports had been received about the possible location of the Gaul, and in particular I asked whether the fishing protection frigate, the Mohawk, had made a report. The Minister replied that the Mohawk reported only on her involvement with the search and rescue operation, but that 13 other reports were received about the Gaul's location and they varied widely.

It was on that basis that the Government refused to launch any search for the wreck of the Gaul. Indeed, least year, the Ministry of Defence stated:

"because of the limited information about the Gaul's position when she went down it would be necessary to search hundreds, probably thousands, of square miles of sea bed."

At the heart of the debate is the belief that the only thing that was limited in the search for the Gaul was the authorities' determination to find it. It has now been revealed that a Norwegian trawler, the Riaro, had reported a sonar reading showing an obstruction on the seabed some 60 miles off the coast of Norway, shortly after the Gaul was lost. Testimony has also been produced from crewmen on the Mohawk, who reported that they found the wreck in the original search but were ignored.

How did Channel 4 track down a wreck that the full might of this maritime nation could not discover in 23 years? What time and expense was involved for the film crew? I can tell the House that the television producer involved, who has no seafaring experience, sat at home with naval charts that it is open for anybody to look at, and, using the sightings that had been reported to the authorities and the charts, established the likely location of the wreck. He then hired a boat that used to be a ferry but which had been turned into an underwater survey vessel, and found the wreck. It cost less than £50,000, and took only two days. That is very disturbing for the families of those who were lost on the Gaul. It is not true

to argue that side scan sonar technology has only recently become available. Side scan sonars were available to the military before the tragedy. They have been in widespread use since the discovery of offshore oil in 1980. The lack of available technology cannot be used as an argument.

Mr. Gordon Prentice (Pendle): My constituent Sheila Doone is the widow of radio operator John Doone. There are fears in my constituency that there has been an official cover-up about the boat having been involved in a spying exercise. People are concerned that the veil of secrecy should be lifted after so many years.

Mr. Johnson: My hon. Friend makes a valid point. It is a feature of the documentary that needs to be mentioned. I accept that it is not the responsibility of the Minister, but it is part of the argument for reopening the inquiry.

In August 1974, the then Defence Minister Bill Rogers—now Lord Rogers—wrote to the relatives of the crew, saying:

"I can assure you that the British trawler fleet is not involved in any way in any intelligence gathering."

That denial was repeated as recently as March 1992.

It is beyond dispute that Hull trawlers were used consistently and extensively to spy on the Russian northern fleet in the strategically vital Barents sea. The trawlermen and their skippers, who, in the best traditions of the British working class, would not risk betraying their country by broadcasting their involvement, have known that all along. It has been common knowledge among the families of Hull trawlermen.

As a result of two television documentaries and press inquiries, we have the testimony of a scientist who worked in British intelligence, a Russian-speaking naval wireless operator specialising in interception, the managing director of a major Hull trawler company, and a former rear admiral. They, among others, have confirmed that Hull trawlers were used for espionage and counter-espionage in the Barents sea. Lord Rogers now accepts publicly that he was misled.

The families of those lost understand the sensitivity of the operations, and accept that the Gaul may not have been involved in such work. They accept that, during the cold war, Governments could not be as open as they would have liked. They know that other trawlers from the same company were used by the British Government, and that the Government continued to deny any involvement. They say that, logically, now that the cold war is over, there can surely be openness and honesty on the issue.

The television documentary shown on 6 November threw up a new mystery, revealing that close to the wreck of the Gaul was a cable stretched taut and running for several miles in both directions. The strong supposition is that it is a communications cable associated with the sound surveillance system—the SOSUS project—designed by the American intelligence service to monitor the passage of Russian submarines. Those points add to the case for reopening the inquiry.

Mr. Bob Blizzard (Waveney): I am grateful for the opportunity to express my support for the reopening of the inquiry. There is considerable interest in my constituency, because the Gaul was built at Brooke Marine shipyard in Lowestoft. Local people know that it was a fine boat. Being a seafaring, fishing community, the people of Lowestoft well understand the grief that disasters at sea cause. It is most unsatisfactory that the mystery has remained open for so many years.

Mr. Johnson: I thank my hon. Friend for that intervention. The people of Hull appreciate the messages of support that they have received from Lowestoft and elsewhere. I appreciate the presence at this late hour of so many hon. Members for this important debate. It will be greatly appreciated by my constituents and others.

Hull is used to losing men at sea. As I said in my maiden speech, our men fish the deepest and most dangerous Arctic waters, and 900 Hull ships have been lost in the past 150 years. Hundreds of men have been swept overboard or lost in other ways in separate accidents. The hard and unrelenting cruelty of the sea has bred those qualities of stoicism, courage and dignity which characterise fishing communities the world over, and which make those communities so special.

Not all the crew came from Hull. As my hon. Friend the Member for Pendle (Mr. Prentice) said, the radio operator came from Nelson, in his constituency. Six of the crew came from North Shields, in the Tynemouth constituency, and my hon. Friend the Member for Tynemouth (Mr. Campbell) has been extremely supportive.

The families of the crew ask only that their grief and anguish over the past 23 years be respected by our ensuring an open and honest investigation into the circumstances of the loss of their loved ones on the Gaul.

Mr. Kevin McNamara (Hull, North) *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Ms Jackson.

Mr. McNamara: I believe that I have two minutes, Mr. Deputy Speaker. I have an agreement with my hon. Friend.

Mr. Deputy Speaker: I am sorry, but the Chair is not aware of any agreement. Has the hon. Member for Hull, West and Hessle (Mr. Johnson) made an agreement?

Mr. Johnson: I have, Mr. Deputy Speaker. I apologise for not having notified you.

10.30 pm

Mr. Kevin McNamara (Hull, North): I am grateful to my hon. Friend the Member for Hull, West and Hessle (Mr. Johnson) for letting me speak, and it is not my intention to keep the House for long. However, my right hon. Friend the Member for Hull, East (Mr. Prescott) and I are the only Hull Members now remaining in the House who also represented the port when the great tragedy happened, so I want to say a few words.

In Hull, when we have lost trawlers we have generally been able to overcome our grief; there has been public mourning and recognition. Although there was some of that for the Gaul, the fact that the vessel went down without any trace, without any bodies and without any evidence caused many questions to be asked. Most of those have been asked by my hon. Friend, but there are many more.

[Mr. Kevin McNamara]

The real concern is: how was it that, for £50,000, that ship could be found in two days, when at the time, despite all the appeals by the then Members of Parliament for Hull, by the Conservative Members for the East Riding and by Anthony Crosland, who was then my right hon. Friend the Member for Grimsby, it was impossible to find it? Now we just do not know what to believe.

That is the real problem. The anguish is there, and the anger about how easily the wreck has been found is reflected in our community. We just do not know, and we are very unhappy about that.

10.31 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I congratulate my hon. Friend the Member for Hull, West and Hessle (Mr. Johnson) on having secured the debate, and thank him for his generosity in allowing an intervention by my hon. Friend the Member for Hull, North (Mr. McNamara).

The importance of the debate, as my hon. Friend the Member for Hull, West and Hessle has rightly pointed out, is underlined by the presence in the Chamber of so many of our colleagues, and also by the presence beside me on the Front Bench of my hon. Friend the Under-Secretary of State for Defence.

I am confident that the whole House would wish to join me in extending sympathy to the relatives of the crew of the Gaul who were so desperately bereaved in the tragedy—a tragedy exacerbated and made a thousand times worse by the fact that, for a quarter of a century, the families did not know where the vessel lay.

The marine accidents investigation branch is now examining the evidence provided by the television documentary team to determine whether it can clarify how the Gaul was lost. Inspectors met the maker of the Channel 4 "Dispatches" film, "Secrets of the Gaul" on 13 November to discuss their latest findings. The meeting lasted two hours and was very useful, as the programme maker was especially co-operative.

The marine accidents investigation branch was not formed until 1989, and therefore had nothing to do with the previous investigation into the tragedy. However, the files raised during the investigation are now held in the MAIB's Southampton offices.

My hon. Friend suggested that the loss of the Gaul may have been in some way related to intelligence gathering—a point also made in an intervention by my hon. Friend the Member for Pendle (Mr. Prentice). That is more properly a matter for my right hon. Friend the Secretary of State for Defence, but the Government are determined to be as open as possible on the subject, so as to ensure that no misunderstanding about the role of British trawlers in intelligence gathering is allowed to expand. There is no evidence that the Gaul was involved in intelligence gathering, or that Royal Navy personnel or Ministry of Defence equipment were on board. A very limited number of other fishing vessels assisted the Government in specific intelligence gathering. This practice, I must tell my hon. Friends, had ceased before the loss of the Gaul.

Returning to the subject of the investigation into the causes of the accident, it is worth recalling that the formal investigation into the loss of the vessel was held during September and October 1974, some seven months after the tragedy. My hon. Friend the Member for Hull, West and Hessle was correct in stating that the formal investigation concluded that the vessel capsized and foundered due to being overwhelmed by a succession of heavy seas when she was broadside to the sea. Severe weather prevailed at the time of the disappearance, with wind speeds up to force 10 and wave heights reported by other vessels in the area of over 40 ft.

Although the Gaul was, as my hon. Friend pointed out, regarded as a stable vessel, extensive model tests and flooding experiments have shown that, in certain circumstances, water could accumulate on the factory deck and lead to a loss of stability.

Mr. Norman A. Godman (Greenock and Inverclyde): My brother Keith was a member of the crew of the Gaul but, fortunately for him and his family, he signed off just before she sailed on that fateful trip. Is it not the case that fishermen who fish those waters have known about her location for many years, and that many of them do not believe for a moment that she was broadside on when she foundered?

Ms Jackson: I am grateful to my hon. Friend for his intervention. The issue of where she is lying is something I intend to touch on later. In terms of the knowledge possessed by fishermen in the area, it is my understanding that, as my hon. Friend the Member for Hull, West and Hessle pointed out, the snagging of nets upon the Gaul by the Norwegian vessel Riaro in 1975 was the basis for the investigation which the makers of "Dispatches" eventually produced.

Evidence was heard at the formal investigation from 48 witnesses, and affidavits were received from 12 others, including next of kin, expert witnesses and members of the public who had made representations to the Department of Trade, which was then responsible for marine safety. However, the investigation found no direct evidence of how the tragedy had occurred.

A major constraint on the investigation was the absence of any evidence from the wreckage. The only wreckage recovered was, as my hon. Friend the Member for Hull, West and Hessle said, a small buoy. The exact location of the wreck was not established.

Following the loss of the Gaul, the Department of Trade considered a number of proposals for searching for the wreck. Proposals from the Royal Navy and commercial sources were discussed, but were not pursued, as it was decided that the considerable cost of each proposal could not be justified. Departmental records show that the lack of a positively identified search area was an important factor in these decisions.

It is important to remember that mid-1970s technology was less able than the technology available today to positively identify underwater objects from the surface. It was also less capable than current technology of surveying and salvaging wreckage at depths estimated to be 900 ft. Existing departmental records contain one report from HMS Mohawk, as my hon. Friend the Member for Hull, West and Hessle pointed out, about her involvement with the search and rescue operation conducted following the disappearance of the Gaul. Several reports on possible locations of the wreck were received from fishing vessel skippers, and six from other sources. The positions given varied widely.

An accident investigation may be reopened at any time if new and important evidence is forthcoming. However, as a general rule, once an inquiry has completed its business, no further work is undertaken unless important evidence becomes available. Although a variety of possible positions of the wreck of the Gaul became known in the years following her loss, there was insufficient positive evidence to justify mounting an underwater search. This leads on to the question why the wreck was found relatively easily in the search undertaken last summer. As my hon. Friend the Member for Hull, West and Hessle pointed out, the essential research was conducted by the producer of the programme "Dispatches".

The search area was based partially, but not exclusively, on the position of a new wreck site identified by the Norwegian trawler Riaro—a vessel to which I have already referred—on 15 November 1975. Once it was found, the total time of video filming using a remotely operated vessel was approximately one hour and 45 minutes, of which 20 to 30 minutes constituted significant material. MAIB inspectors have viewed it all. The search was successful, and revealed that the wreck was indeed the Gaul. That positive identification rules out the possibility that she was taken into a Soviet port, as some had argued in the past.

Only a small part of the wreck was surveyed. On the initial viewing of the material, it is not possible to confirm that she sank owing to flooding because of foundering. However, the survey showed very little damage to a funnel, the bridge front, the deck immediately above it, the deckhouse forward of the bridge, the whale back and the starboard bow.

The fact that panes of glass were still intact, and the absence of damage to the other parts seen in the underwater video rule out an explosion, high-impact damage or attack by any form of weapon. The lack of any evidence to suggest implosion and explosion owing to pressure effects as she sank suggests that the ship had a good deal of water on board as she left the surface. Thus, the evidence seen so far does not contradict the finding of the formal investigation that she foundered.

The formal inquiry concluded that the most likely scenario that led to the ship's capsizing was that she was broadside to the sea. In fact, she is now lying as if facing the weather. It is difficult to determine whether her orientation at a depth of 900 ft bears any direct relationship to her orientation on the surface at the time she sank.

On the basis of what has been seen so far, I am not convinced of the need to reopen the formal investigation. The more immediate question is whether there is a need to conduct a more detailed survey of the wreck. That could be undertaken only in the summer months, when there is a reasonable chance of an extended period of fair weather.

We now know where the Gaul lies. We know that she played no part in intelligence-gathering activities, we know that she was not sunk by an explosive or other large impact, and we know that she must have shipped a considerable amount of water as she left the surface.

I will consider very carefully the points raised by my hon. Friend and others. Until new and important evidence comes to light that calls into serious question the findings of the formal investigation, my decision may well be that there is no need to reopen that investigation. I will, however, very carefully consider commissioning a more detailed survey of the wreck next summer, when, as I have said, it is to be hoped that the weather will be clement.

My hon. Friend began by asking whether I would agree to meet the families of those involved. I would, of course, be very happy to meet them: it would be a privilege. They are a testament to how to deal with a particular tragedy, without ever losing sight of the fact that what they wanted most to know was what had happened.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Eleven o'clock.

House of Commons

Wednesday 26 November 1997

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Coastguard Services

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Clelland.]*

9.34 am

Mr. Peter Viggers (Gosport): I am, indeed, fortunate—and grateful—to have a chance this morning to raise in the House the issue of the future of the coastguard service. The coastguard service is the fourth of the main emergency services, along with the fire brigade, the ambulance service and the police. The service is of a significant size, with 430 full-time officers and 3,100 volunteers grouped in 370 rescue companies, specialising in search techniques and cliff rescue.

Many constituencies have cause to be grateful to the coastguard service, not least my constituency of Gosport. I have a range of interests in the coastguard service. I have a coastguard station at Lee-on-the-Solent and a coastguard helicopter similarly located. I am a member of the management committee of the Royal National Lifeboat Institution. In my constituency, we have a rescue service called GAFIRS, which is an acronym for the Gosport and Fareham inshore rescue service, and I maintain contact, as disclosed in the Register of Members' Interests, with Bristow Helicopters, which operates the helicopter service in Lee-on-the-Solent.

The coastguard service is international. From Aberdeen, the coastguard service monitors the northern North sea oil and gasfields, with all the problems and difficulties that occasionally occur there. At Yarmouth, the service has a station that monitors the southern North sea oil and gasfields. At Dover, a station operates the channel navigation information service and at Falmouth, the service has a worldwide liaison centre with an international search and rescue station, which maintains contact around the world. It may not be generally known that when the Achille Lauro caught fire off Somalia in east Africa, the rescue of those on board was co-ordinated from Falmouth and Stavanger in Norway. The coastguard service is a major international business.

Those who are engaged in the coastguard service tend to be modest; they may be under-recognised. That is emphasised by the tragic case of the Green Lily, which was lost off the east coast of Shetland last week. A journalist who observed the scene told of the rescue from a helicopter, when a winchman was lowered to rescue the crew. He said that the winchman was, indeed, a hero who had rescued the crew in terrifying conditions. He wrote:

"The wind was so strong it was hard to stand up. Sheets of blinding salt spray constantly burst over the cliffs . . . the helicopter wobbled noticeably just as the ship did a violent roll from side to side. I thought the rotors were going to hit the masts . . . The winchman was a hero. The conditions were terrifying, particularly after the ship hit the rocks. But he stayed on board until he'd made sure everyone else were safe. He really did give his life for those crewmen."

The winchman was William Deacon. His son, Alan Deacon, later commented:

"People need to understand what job my Dad and others like him do. It is not fully appreciated or rewarded. They go to rescues irrespective of adverse weather conditions and their own personal safety. There may be 14 or so men risking their lives to save just one person."

He went on to complain about press intrusion. I hope that the family will not feel that it is an intrusion when I say that the House and the country stand in awe of such courage and dedication. We thank the coastguard service for providing 24-hour cover regardless of risk, discomfort and inconvenience. That 24-hour cover means that the service is ready now, it will be ready on Christmas day and it will be ready in filthy weather on February nights off the rocky coasts of Scotland, Cornwall and the Isle of Wight.

The service cannot stand still. Communications have improved. The coastguard service is moving from an analogue to a digital communications system. I recognise that change is inevitable in a dynamic service. We must also acknowledge the situation in other countries: Canada has three coastguard stations, in Halifax, Victoria and Trenton; there are only three coastguard stations on the east coast of the United States of America; Norway manages its service with two coastguard stations; Germany has one and France has six. We have 21. Change may be appropriate, but the question is what change should be made and how it should be controlled and managed.

The five-year strategy put forward by the Government on 17 November was badly mishandled from start to finish. I have tabled parliamentary questions and ascertained the facts and the chronology of what happened. On 7 October, a Coastguard information pack—a black and gold publication containing loose-leaf sheets—went to the printers minus two question and answer sheets on station closures. On 15 October, the information pack order was complete. On 20 October it was released to the press. Not surprisingly, at about that time speculation began about the future of the Coastguard and possible changes to be made by the Government.

On 3 November, I tabled priority questions about coastguard provision in the Solent spithead area. At about that time, hon. Members representing Scottish seats sought a meeting with the Under-Secretary of State, the hon. Member for Hampstead and Highgate (Ms Jackson), to ask about the future of the service. It is a matter of record in *Hansard* that the Minister said:

"It is not within my knowledge that meetings have been requested."—[*Official Report*, 17 November 1997; Vol. 301, c. 80.]

I do not know how a request from hon. Members can fail to be received by a Minister, but that is not my concern.

On 6 November, the Minister replied to my question, saying that the chief executive of the Coastguard would write to me. That detailed letter, dated 5 November, simply listed the current coastguard provision on the south coast. It gave no hint of any change. I wrote back on 8 November, asking the chief executive of the Coastguard for an assurance that there was no current intention to make changes. I did not receive a reply until 20 November, after the changes had been announced.

[Mr. Peter Viggers]

Even more dramatically, on Wednesday 12 November my hon. Friend the Member for South Dorset (Mr. Bruce) asked the Minister a question in the Standing Committee considering the Draft General Lighthouse Authorities (Beacons: Maritime Differential Correction Systems) Order 1997. He said:

"Can she tell us, therefore, why her Department is considering turning the two coastguard stations at Portland and Lee-on-the-Solent into one?"

The Minister replied:

"I am bemused by the question. . . . The question that he has just posed is, however, empty speculation. . . . There is no foundation for what he said and he must be aware that speculation in the press has raised justifiable concern. His question merely fans the flames of scaremongering."—[*Official Report, Fourth Standing Committee on Delegated Legislation*, 12 November 1997; c. 8-10.]

I have ascertained from parliamentary questions that on Friday 14 November—two days later—the two-page supplement to the five-year strategy document was printed by the Department and added to the information packs. On 12 November, we were told that there was no foundation for any allegation that the Department might be considering merging or collocating the two stations. Hon. Members always tell the truth in the House—and Ministers certainly do—so what the Minister said is obviously true. It means that she had not even considered putting the two stations together on 12 November. By 14 November, not only had Ministers decided to do that; they had printed the document saying that the stations would be collocated. What an exciting day 13 November was in Whitehall. Not only did Humphrey the cat go missing from 10 Downing street, but the Department of the Environment, Transport and the Regions, which had never considered putting the two coastguard stations together, suddenly decided to do so and printed the announcement the following day.

Mr. Ian Bruce (South Dorset): The Minister has told the world on television that the words that we all complain of do not mean what we all know they mean. When a Minister gets it so wrong, the first thing that she or he should do is say sorry to the House. Then perhaps we can move on to the substantive issues.

Mr. Viggers: I agree with my hon. Friend. I hope that that word will be included in the Minister's speech. We are dealing with an appalling saga, in which the facts speak for themselves.

However, that is not the most important point in the debate. The coastguard service is more important than Government bungling. We must consider what change is appropriate. The Select Committee on Transport considered the service in 1994–95. It came to the conclusion that coastguard facilities and services were thinly stretched. The report pointed out that between 1986 and 1993, the number of responses undertaken by the Coastguard had risen 80 per cent., from 5,300 to 9,610, and that the number of rescues in that period had gone up 91 per cent., from 8,960 to 17,110. That stretching of facilities was thought to be mainly due to the increase in pleasure boat use—yachting and motor boats. That is not diminishing, and may well be increasing, so the stretching of facilities will also increase.

Will there be more or fewer coastguards as a result of the five-year strategic review? The Minister's letter of 17 November, when the statement on the future of the service was eventually dragged out of her, says that there will be more coastguards than there were a decade ago. That is a selective use of facts. The truth is that the number of coastguard officers will be reduced by 78. That is recognised by the Chief Coastguard, Mr. Astbury. On 17 November, he said:

"We hope the staff reductions will bring savings which will contribute to—or even completely offset—the cost of this new investment in communication systems."

The Chief Coastguard states that there will be reductions in personnel expenditure, which may pay for equipment.

What will be the effects of putting the two stations of Portland and Lee-on-the-Solent on the same site? The justification is stated to be that the Portland station is in a grade 2 listed building, making it difficult to carry out the necessary changes to ensure that the station has the facilities that are now required, and that the Lee-on-the-Solent station is in a former large house on the sea, in what was formerly HMS Daedalus. It is suggested that collocating the two stations in new premises will result in greater efficiency.

The Government are riding two horses. They are saying that there will be collocation, not merger, but also that there will be some possibility of using staff from one station in the other. In other words, there will be a brick wall in the middle of the large building, with the Portland station on one side and the Lee-on-the-Solent station on the other, but there will be an opportunity for staff to go from one side to the other.

I am absolutely certain that it is not intended to continue the present staffing level in the longer term. At Lee-on-the-Solent, there is one district controller, one deputy district controller, one operations manager, four watch managers, 12 watch officers and eight coastguard watch assistants. At Portland, there is one district controller, one deputy district controller, four watch managers, 10 watch officers and eight coastguard watch assistants.

One does not have to be a partner of McKinsey management consultants to know that, if the two stations are collocated, there is no intention of having in the longer term two district controllers, two deputy district controllers, and so on. One does not need to be an expert to know that collocating is obviously intended to save money by reducing staff. That is self-evident.

As to where the collocation should be, Poole has been mentioned—although that may just be because the Royal National Lifeboat Institution is based there. Southampton has also been mentioned. The coastguards to whom I have talked say that it is most important that the coastguard stations are located where those working can see and sense the elements. They feel that, if they are in a tower block, they cannot have the same feel for rescue services.

It will be very difficult to maintain the proper age profile in the coastguard service if there are no redundancies and the reduction of 78 posts is achieved entirely by natural wastage. Maintaining a good age profile at a time of redundancy is a major problem for any firm, any of the armed forces or for the coastguard service. The Government should be looking at the salary structure and pay and conditions of coastguards. I wonder how many hon. Members would believe that a watch

assistant, who works a 42-hour week gross—a 35-hour week net with rest periods—is paid £6,984 a year. It is not surprising that one coastguard station has had a staff turnover at that grade of 50 per cent. in one year. I very much hope that the Government will comment on the pay and conditions of the coastguards and give an assurance that their service will be properly recognised by their pay and conditions.

I should like to put some questions to the Minister, who I am pleased is in her place. Why did not she make a statement in the House on the future of the coastguard service? It is a fine and important service, and I should have thought that it merited a statement at the Dispatch Box. That would have reflected the importance that the Government place on the Coastguard and given hon. Members an opportunity to ask Ministers questions—instead of having to drag one Minister here this morning or table written questions.

Is the five-year strategy a genuine five-year plan for the Coastguard, or is it merely the bit that has been pulled out of the Minister and the Government so far? It is, I am afraid, an open secret that the National Audit Office has carried out a study of the coastguard service, which has not so far been published. The study apparently says that the cost of maintaining multiple coastguard stations is rather high. Therefore, the Government may well be very shortly faced with an NAO report that recommends further changes to the coastguard service. How confident can anyone be that the five-year strategy as announced so far is in fact the true five-year strategy? Is there a hidden agenda of further changes?

What will the Minister do about pay and conditions of coastguards, to ensure better staff retention? What consultation procedures are proposed? The Chief Coastguard said in his press conference that the four stations—two in Scotland, and Tyne Tees and Liverpool—will definitely close "no matter what". What is the point of having a consultation procedure? Is there to be one at all? We are told that the consultation procedure that preceded the five-year strategy was an internal matter only. Is there to be any external discussion? Will the coastguard service, the Government or the Minister take any notice of anything that anybody says?

Will the Minister reconfirm that the helicopters at Lee-on-the-Solent and Portland will remain there despite the fact that the coastguard stations are to be collocated? If she reconfirms that, will she also reconfirm that, this being Wednesday, she will not on Friday publish a statement that says that the Government are to change their mind again?

I take considerable pride in having attracted the coastguard station to Lee-on-the-Solent in my constituency. I suggested to the Chief Coastguard some years ago that the location of HMS Daedalus, as it then was, should be examined as appropriate for coastguard services. It is perfectly located in the centre of the south coast; it is at the centre of the busiest shipping and yachting area in the United Kingdom. If a rebuild of the Lee-on-the-Solent and Portland coastguard stations is required, there is land available at Lee-on-the-Solent which would be perfect for collocated premises if the Government wished to proceed in such a manner.

I am particularly grateful for the opportunity to raise this issue. I know that a number of hon. Members want to speak, and I look forward to hearing their contributions.

Madam Speaker: The hon. Member is correct; a number of hon. Members wish to speak. I therefore remind hon. Members to restrict their speeches, so that everyone may contribute to the debate. I call Mrs. Ray Michie. She chaired a Standing Committee on behalf of the House from yesterday until almost 5 o'clock this morning, and I think that she deserves to be called now.

9.55 am

Mrs. Ray Michie (Argyll and Bute): Thank you, Madam Speaker. I am grateful for the opportunity to speak in this most important debate. I congratulate the hon. Member for Gosport (Mr. Viggers) on having secured it. He has spelt out his concerns about the Government's proposals on the future of the coastguard services. I am sure that, if he catches your eye, Madam Speaker, my hon. and learned Friend the Member for Orkney and Shetland (Mr. Wallace) will highlight the consequences of the closure of the station in his constituency and describe the dangerous waters surrounding it.

I, too, pay my tribute and that of my constituents—who greatly value their coastguards—to the emergency services that were involved in the rescue of the crew of the Green Lily. It was with a deep sense of shock that we heard of the tragic loss of life of Winchman Bill Deacon after he had helped to save the lives of the 10 crew. He displayed the most incredible bravery, and our deepest sympathy goes out to his grieving family and friends.

The Government's proposal to close the Oban coastguard station in my constituency has come as a great blow to the town of Oban and the whole of Argyll. It plays a key role in maritime safety on an extensive coast and its many islands, and is pivotal in its co-ordinating role in search and rescue, which can involve lifeboats—it covers seven lifeboat stations—the police and mountain rescue. It has built up a wealth of local knowledge, expertise and skills, overseeing an area that is well known for treacherous tides, stormy conditions and sudden changes in weather. The rescue services know each other, trust each other, work as a team and have confidence in and depend on the coastguards in many a dangerous situation at sea.

There has been a huge increase in maritime traffic in recent years, with a large number of pleasure craft encouraged to the area by the local enterprise company and the marketing group, Sail Scotland, as such traffic contributes considerably to the local economy. There has been an expansion in inshore fishing. Large numbers of divers visit the area all year round, and ferries constantly ply between islands and the mainland.

At the same time, three of the four customs offices in the Argyll-Lochaber area are being closed, with a reduction of 22 to 26 staff. Although the coastguards are not involved in anti-smuggling activities, we know that they can be called on for help by customs officers when they are chasing drug dealers on the high seas, where safety is paramount. The Minister will no doubt tell us that significant investment will be made in communications, but all the sophisticated technology

[Mrs. Ray Michie]

in the world cannot take the place of local knowledge. I will believe that when I see it. The area in which I live has many black spots and is unable to get television channels. Mobile phones do not work, and even my pager does not work when I am on the islands.

Mr. Alex Salmond (Banff and Buchan): The hon. Lady has put her finger on the real issue, which is local knowledge and the loss of it, if staff are cut. Does she remember, as I do, the last time that the banner, "Don't sink the coastguard", was unfurled outside the House of Commons some eight years ago? Exactly the same argument was made about technology versus staff and local knowledge. The person most vociferous was the then Labour spokesman, now the Deputy Prime Minister. Does the hon. Lady share my regret that his attitudes and, no doubt, those of his junior Minister, have undergone such a transformation in the past eight years?

Mrs. Michie: I am grateful to the hon. Gentleman, who makes a pertinent point. I remember that time, and I am only sorry that the Deputy Prime Minister is not here for the debate today.

At the Oban coastguard station, 23 jobs will go. The Minister probably thinks that that is not many, but it is a serious loss to a town such as Oban. We shall be told that the coastguards will be offered early retirement, redundancy packages and relocation. However, many of the coastguards in Oban do not want to relocate, especially those with children at school and husbands and wives at work.

I have received many telephone calls, petitions and letters on the subject, and I shall give the House a flavour of them. One of the great worries is the confusion about place names. Many Gaelic names up the west coast of Scotland are replicated in several areas and on the islands. I have known confusion to occur when fire brigades have been called out. On one occasion, the fire brigade thought that it had to go to the Isle of Jura when it was needed at a place called Duror on mainland.

I received a letter from the Caledonian Boat Owners Association, which stated:

"Many of our members regularly sail the waters around Oban and find the service provided as being very reassuring and extremely efficient . . . It is very comforting to know that our leisure activities are being so effectively monitored"—

by the Oban coastguard station. Another letter reads:

"I am horrified at the idea of closing Oban C. G. as I know from long personal experience how vital it is that the coastguards involved in any incident have detailed local knowledge."

If the last coastguard station in Argyll goes, local people will feel a loss of confidence, that their defences are down and that they are left vulnerable. Can the Minister confirm that the coastguards face a funding crisis and that, in order to fund new technology—in which we still have little faith—stations have to be closed and real people lost to the area? I know that Argyll and Bute council has invited her to visit and see for herself. She would be very welcome, and I hope that she will accept that offer and rethink the closure. We need our coastguard station in Oban.

10.3 am

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I grateful to the hon. Member for Gosport (Mr. Viggers) for raising the subject this morning, because it is very important. When the Transport Select Committee in the previous Parliament chose to investigate the coastguard service, it was because we regarded it as an urgent and important subject. My hon. Friend the Minister may feel that there are not many coastguards in Crewe; nevertheless, we are aware of the need for such an emergency service.

I am a little irritated that Opposition Members seem to have chosen to suggest that decisions on the coastguard service were taken only by the present Government. If I have a criticism of the present Government and the Minister, it is that the decisions were taken in 1996 and, apparently, we felt that the reorganisation was so advanced that we could do little to change it. Indeed, when we chased the matter with Ministers in the previous Government, we received astonishingly little support from hon. Members from other parties. I am delighted that they have now changed their attitude.

Mr. Ian Bruce: I do not wish to get into an argument with the hon. Lady about who supported whom, but David Harris and I did much work on the issue. I am sure that she will agree that the increase of 200 people who we are told have been added to the coastguard stations is, in fact, a decrease in the number of people doing the same job. People are being taken from the coast watch stations to the control stations, and we are now told that that justifies another cut of nearly 100 people.

Mrs. Dunwoody: I long ago learned to be suspicious of agencies that gave me assurances that the changes that they were introducing would not necessarily damage the personnel. Things have a nasty habit of turning out very differently.

I believe the Chief Coastguard, Mr. Astbury, the head of the coastguard service, when he writes in his five-year strategy:

"I should also like to emphasise . . . that the strategy announced is my vision . . . for the Service into the 21st century based upon sound operational principles".

The difficulty is that someone has to create a balance between good back-up services, high-quality equipment and the use of individual people. Coastguards are people. The fundamental issue this morning is that the coastguard service can have the best information in the world, provided by the best equipment, but it will not do its job unless it has people to interpret the information and to go out and change the situation at sea.

The four stations listed for closure are a case in point. Every one is near an exceptionally dangerous stretch of water or one that has other added problems. For example, the fishing fleet in Peterhead will be affected by the closure. Liverpool has to deal with Morecambe bay, the gasfield, and some of the most dangerous mudflats in the world. All those factors impinge on the safety of ordinary people. For example, the enormous growth in leisure sailing in my lifetime has created something new. Many more people now put their lives at risk, some with astonishing irresponsibility, for which the coastguards cannot be held responsible. However, unless we intend to stand by and let people drown themselves, we must be capable of saving them.

If I have a criticism of my hon. Friend the Minister this morning, it is minute but real. Faced with the difficulties caused by underfunding—the coastguard service is underfunded—the Government should have been a little more brutal and made it clear that what happened arose because the previous Government created a free-standing agency but did not give it the money and back-up to do an efficient job. That should have been said more loudly at the same time as the Government said that they intended to change the situation. The reality is that, whatever the words used, the five-year strategy will mean that many people at the sharp end will go. We shall lose coastguards, and although the auxiliaries do a sterling job, many of them are carrying responsibilities that some of us would like transferred back to people at a different level.

There is a worry about whether the reliance on high-quality equipment may occasionally overcome the commonsense need for straightforward, ordinary traditional equipment. I have a letter from a gentleman at Lochinver Transport, who himself served as an auxiliary coastguard for many years, setting out in considerable detail what happened when he reported to Stornoway

"a boat with a single occupant setting off a distress Orange Smoke Flare near Scourie village in North West Sutherland . . . very close to rocks, and with only minutes to go before darkness".

The letter sets out a series of circumstances that, happily, turned out reasonably. Obviously, the boat got away. The point that that letter raises is that reliance on the helicopter was such that apparently there were considerable gaps between the original report, the arrival of the helicopter and the calling out of the local lifeboat.

Those are all worrying circumstances. I do not expect the Minister to answer all the questions today, but that example shows an increasing reliance on high-tech equipment to do a job that is sometimes better done by individual coastguards using much more traditional equipment.

I have considerable reservations about the combination of some of the stations and the reliance on high-tech equipment in that process. One operator listening to several channels may have a problem if a boat has high-powered equipment capable of drowning out lower-level signals. That is not a comfortable position, and could put enormous pressure on the operator, who might feel that he or she was missing individual calls. All those problems inevitably arise when fewer people do the job at a much greater stretch.

I do not want to take too much time, because I know many hon. Members want to speak, so I shall finish by stressing my belief that the provision of emergency services is, in the final analysis, a responsibility not only of the House of Commons and of Parliament in general but of every one of us.

Emergency service personnel put their lives on the line daily, many for miserable rates of pay. Some are prepared to go on doing that, provided that they see a clear statement of a future in which their service is properly funded, they are properly appreciated and there is not so much reliance on re-equipment and changing the numbers.

Auxiliaries do not replace full-time coastguards. Full timers work very long shifts in a particular way, three at a time, and if any pressure is put on the arrangements by sickness, holidays or any movement, the station will be tightly stretched. When we talk about the number of people involved in the service, we must be aware of that.

We must know that those people work under constant pressure hour after hour. They may have long periods of boredom, but when they are required to take decisions they are required to take them immediately, and people's lives depend on those decisions. They must not make mistakes. That means that we must give them the back-up to do the job, in the form not only of high-quality equipment—although certainly that is essential—but of people. Coastguards must know that they have enough colleagues, enough equipment and enough money to run the service properly.

The previous Government were not prepared to provide that. They set up the independent agency because they thought that they could then cut the coastguard service without anybody noticing, and say, "We are just modernising the whole thing." We were not taken in by that then, and we shall not be taken in by it now.

I know that we do not need to drag my hon. Friend the Minister to the House of Commons. She comes skipping in here like a 21-year-old, which might be unlovable if she were not such a fantastically good Minister. None the less, I must tell her one thing: we inherited a mess and we must sort it out. That may not be possible today, or even tomorrow, but we need the hope that we shall not go along with all the batty ideas that were left to us—all the incompetence, the corner-cutting and the idiocies which were left behind. I know what she has to deal with, and I rely on her to deal with it.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before I call the next speaker, I remind the House again that we have little time and that several hon. Members want to speak. Unless contributions are very brief, many will be disappointed.

10.14 am

Mr. James Wallace (Orkney and Shetland): I congratulate the hon. Member for Gosport (Mr. Viggers) on obtaining this important debate, and I join him and other hon. Members who have spoken in paying tribute to the crew of the helicopter that rescued men from the Green Lily last week off my constituency—in particular to the winchman, William Deacon, who sacrificed his own life in saving the lives of others.

I do not want to concentrate too much on the general strategy underlying the proposals that have been made; I shall concentrate instead on the issue as it affects my constituency. As has already been explained, Pentland coastguard station is to close by the end of 1999 if the strategy goes through.

The hon. Member for Gosport talked about the way in which the issue has been handled. I happened to know, because of a report in *The Herald* on 29 October, that there were suspicions that the Pentland and Oban stations were to close, so I telephoned the chief executive of the agency, who said that he could not comment because a report was already with Ministers awaiting a decision. If the decision was made on 13 October, the report must have been lying on desks for some time.

I accept what the Minister says about not having been aware of the letter sent to her by my hon. Friend the Member for Argyll and Bute (Mrs. Michie)—although I wish that, when my secretary telephoned to arrange

[Mr. James Wallace]

a meeting, her officials had said that they could not find the letter. Only at the fourth time of asking for a meeting was it requested that a copy be faxed through. However, that is water under the bridge and we are now dealing with the real situation.

Far more important is the letter that the chief executive of the Coastguard agency sent me on 8 April. I had written to him because of press speculation that Pentland coastguard station was under threat, and he replied:

"The Focus for Change review made a number of recommendations for the restructuring of the service, but closure of stations was not one of the options considered . . .

Therefore, I am able to confirm therefore that there are no proposals to close Pentland coastguard station, neither is the station being downgraded, but will continue to function in its present form.

I hope I have been able to reassure regarding the future of the Pentland station".

That letter begged a series of questions, and I hope that the Minister can answer them today. What has happened since 8 April? There has been no major breakthrough in telecommunications. We are told that the strategy is underpinned by investment in telecommunications, but there have been no new developments capable of changing things.

The Minister sent a letter to Members affected, saying:

"The strategy . . . builds upon the concepts introduced over the past 18 months following the *Focus for Change* review".

Yet we know, because the chief executive of the Coastguard agency told me, that that review did not involve station closures. So why does the strategy involve station closures?

When was the decision made that at least some stations would close? When did that idea first enter the agenda? When, specifically, was it decided that Pentland should be one of the stations to close? That is important, because the staff at Pentland, after suffering years of speculation and uncertainty about their future, saw a copy the letter sent to me on 8 April and were reassured. They took the reassurance that Mr. Harris offered, but it has now been proved that that reassurance was worthless.

When a public servant offers such reassurance in April and overturns it in October, the public—not least those employed in the coastguard service—require a full and detailed explanation, and I hope the Minister can give us part of one today.

When there was some restructuring in senior management, watch managers were appointed at all but the four stations now due for closure—Pentland, Oban, Tyne Tees and Liverpool. There was a suspicion even then that there was an agenda for closure, and that has now been proved right.

Another problem is the lack of any consultation with those employed in the service—at the cliff-top, as it were. It seems to have been a desk job. Certainly, the police in my constituency were dismayed that there was no consultation with them, because they have formed valued links with the coastguard. They value the fact that they can go into the coastguard station. This is an erosion of the protective services around our coasts, which cannot give us any confidence.

At Pentland, there are 11 mobile grade officers and six coastguard watch assistants. The hon. Member for Gosport gave the annual earnings. I am told that a coastguard watch assistant is paid £3.11 an hour. I shall be interested to know what happens to the budget of the agency when the national minimum wage is introduced. That is a ridiculously low amount for a responsible job. The six assistants at the Pentland station were recruited locally earlier this year. I think that most, or even all six, are local people, who will not be disposed to uprooting their families and moving. On Monday—one week after the Minister made her announcement—some of them were sitting the final part of their exams to become qualified coastguard watch assistants. They were sitting the exams, knowing that their jobs were about to be axed.

The important point is that we will lose a lot of local knowledge. The Coastguard agency says that local knowledge is important and that it will not be lost. The deputy regional controller of the Coastguard for the north-east of Scotland, talking to my local newspaper *The Orcadian* said:

"Local knowledge is a very important part of coastguard work, but to say it is lost would not be true. That local knowledge is being maintained by Shetland and Aberdeen. Aberdeen has regional responsibility for the whole area anyway and their level of knowledge is pretty good anyway. It would be a case of enhancing local knowledge. That is not a concern".

Local knowledge comes about only by being there.

Dr. Liam Fox (Woodspring): By being local.

Mr. Wallace: Yes, by being local. We are talking about an area with lots of islands, headlands and exceptional tidal conditions. If people move from Pentland to Aberdeen or Shetland, they will carry that local knowledge with them, but it will be a diminishing asset because there will be no one there to renew it in years to come.

Mr. Ian Bruce: Will the hon. and learned Gentleman give way?

Mr. Wallace: If I do not give way, I can finish my speech more quickly and the hon. Gentleman may have a chance to speak.

Local knowledge will be lost, which is serious. On 18 October 1994, the Select Committee on Transport, to which the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) referred, took evidence from the previous Chief Coastguard, Commander Ancona. In response to a question from the hon. Member for Thurrock (Mr. Mackinlay), he said:

"local knowledge should not be under-estimated; hence my comment that I feel the number of rescue centres we have at the moment meets the requirement, and any reduction might well have an effect on the service we provide."

The former Chief Coastguard, with all his experience, thought that a reduction in the then number of coastguard stations, which included Pentland, Oban, Tyne Tees, Liverpool, Portland and Solent,

"might well have an effect on the service we provide."

That is the concern that other hon. Members and I are expressing.

Inshore fishermen regularly telephone the coastguard to tell them where they are going and to ask for weather forecasts. I do not believe that they will telephone a stranger in Lerwick or Aberdeen when, for many years, they have had that close connection with the local coastguard station.

I have never yet been given any explanation of why Pentland has been singled out. What are the criteria? I tabled a question to the Minister last week and received a fairly lengthy answer, but it did not say why Pentland had been chosen. Is it the number of incidents? I accept that we do not have the same number of incidents involving people lying on lilos and floating out to sea. The coastguard does an important job in rescuing them. However, last week alone a Faroese fishing vessel, the Saeborg, got into distress off Orkney and required the attention of the Pentland coastguard, as did the Minoan Bay, with 24 crew, for about 40 hours when it was in distress in the waters off Orkney. Those will go down as two incidents, but they were very demanding incidents. Had Pentland been closed and the Lerwick station been dealing with those incidents, it would have been doing so when the Green Lily got into difficulty.

For all the telecommunications in the world, one still needs people to operate telecommunications systems. We are saying that the people must have local knowledge and must not be overstretched. It is clear from the Minister's letter that the Government are looking for job savings and I do not believe that we can adequately substitute telecommunications for people. Of course, telecommunications are important and we want the best, but they are only as good as the people operating them and that is our concern about the proposals. I hope that they are not non-negotiable, as the Chief Coastguard said, because a serious mistake will be made if those stations close.

10.24 am

Mr. Syd Rapson (Portsmouth, North): I want to be constructive and I shall raise three points. I thank the hon. Member for Gosport (Mr. Viggers) for enabling this debate to take place. Portsmouth is the major conurbation next to Gosport and it is a centre of maritime activity.

The first of my three points concerns what is already happening and raising the profile of the coastguard service. All hon. Members who have spoken have done that constructively, so the profile of the job is being raised. Secondly, I must flag up the danger of any loss of coastguard service, particularly helicopter search and rescue, in the Gosport-Portsmouth area. Thirdly, I want to ensure that the trade unions who represent the staff—a large number of staff in the service are in unions—are fully consulted about the procedures necessary for redundancy, as the strategy for the five-year development plan evolves. It is no good merely consulting them afterwards. I hope that my hon. Friend the Minister will say that that will be done.

As everyone who has spoken has already raised the profile of the service and I want to cut my speech short, I shall go straight to my second point, which concerns raising the Portsmouth profile. There are 25 deaths from drowning in the Solent each year, which is 10 per cent. of all deaths through drowning around our coasts. Although the Solent appears to be placid—it is in the south and people use lilos—it is a dangerous place. Our helicopter services are scrambled 1,000 times a year and are extremely busy. The helicopters can get to people in distress in the Solent in about two minutes from Lee-on-the-Solent. If the service is moved anywhere else, the distance and time will be critical for life saving.

Portsmouth, as most hon. Members know—my hon. Friend the Minister was there recently—is a very busy place and it will get busier. As far as we are concerned, it is the centre of the Navy—I apologise to people in other areas, but it is the heart of the Navy. We also have a major international ferry port and an enormous number of yachting activities, with Cowes and all the rest. Our millennium scheme will increase the number, because it concentrates on maritime activity. Whenever anything happens on the sea, whether it is Britannia coming back or ships leaving to go to war, an enormous number of people go on the water to see the activities and to participate, increasing the potential for and the danger of accidents.

The debate in 1996 was rather stunted. Portsmouth city council raised the ogre of losing the services. We had a battle on our hands, but we eventually won, only to realise that that ogre might be raised once more because of this strategy. We have to raise the flag against it. I hope that my hon. Friend the Minister will say that those points will be taken into consideration when decisions on the strategy are eventually taken.

I am still trying to live down my past of being an eternal opposition person, a great shop steward in Parliament, and of attacking the Front Benchers—my usual tactic of attacking management. I have grown up since then and I am trying to be constructive. I hope that the urgency of getting the agency and the people who are drawing up the strategy to amend and change it will be realised. We must modify it in the way suggested by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody). Now we are in government, we must have a different attitude. We must get our Ministers to modify what the agency would have done under the previous Administration, which was much harder and tougher. Moving to agency status was one way of sorting things out—in a way we did not want them sorted out. I hope that, with an intelligent and sympathetic Minister, we will now get a better response.

Thirdly, I was impressed when I met trade union representatives today. I have been outside before with people waving banners and expressing anger, perhaps even wanting to kill people in here, but this morning people showed serious concern rather than anger. They are responsible and want to participate constructively.

The unions do not appear to have been drawn into the strategy so far; they should be, because they are the people on the ground with the knowledge, and they represent the people to whom Scottish Members referred today. Redundancies can be achieved, with proper consultation, without too much pain, by going through the proper channels. I hope that my hon. Friend the Minister will regard those as constructive points.

10.30 am

Mr. Ian Bruce (South Dorset): The hon. Member for Portsmouth, North (Mr. Rapson) mistakes his role: he is a constituency Member and must fight whomever is in government. The previous Government wanted to take away my helicopter at Portland; I fought them every step of the way and we now have a five-year commitment to that helicopter. We can fight for our beliefs, regardless of party.

Untruths have been told in press releases, suggesting that the change is not a cut in manpower. The previous Government decided to close coast watch stations, and in my constituency volunteers have replaced the guards whom they removed. People are being paid £3 an hour to

[Mr. Ian Bruce]

do the work in control centres. That was the previous strategy, and we are now told that 200 people are to replace the 90-odd in the four stations that are to close. We are not being told the truth about what is happening with the two stations that are to be collocated.

The Minister said in Committee that she was baffled by my question about merging the two coastguard stations at Portland and Lee-on-the-Solent. Her press statement two days later said:

"The two stations to be combined are Solent and Portland".

She should apologise for misleading me, because I spent the weekend telling the press that they were wrong, because she had assured me that the merger was not going ahead.

We tend to hear about the glamorous side of the Coastguard—rescues and so on—but I have been amazed by the volume of paper that I have received from trade unionists and people working in the system. In response to a survey, someone wrote:

"Anyone who works for an organisation that is on the whole poorly paid, under equipped, understaffed and undermined through a combination of short term savings measures, crisis management, withholding and massaging statistics"—

that is certainly what is going on here—

"liberal interpretation of policy and guidelines at Regional level and lack of public awareness. Is lets face it, always going to be the subject of stress and a deterioration of general health."

The response goes on to get even worse, but I will not delay the House.

Let us consider directly what is happening at the stations at Portland and Lee-on-the-Solent. It would be madness for the Government to collocate them on a single site if there were not some savings to be made in staff. Is it right to reduce the number of staff? There are about 600 coastguards and towards 100 people are to be removed. That sounds like a lot of people, but a 24-hour watch, seven days a week, comes to 168 hours. Dividing that by the 42 hours means four people for every post, and there has to be another person to cover holidays and sickness, and probably another for training. That means about 100 people on duty at any one time, and those people have to monitor all the channels.

There are more and more ways for people to communicate with the Coastguard in a much better way. In the Navy, radio watch is kept with one person to one circuit; in the Coastguard in the past, it was one person to two circuits; now we are moving towards one person monitoring seven or eight circuits. That, frankly, cannot be right.

I am astounded by Ministers saying that it is all to do with bad buildings at Portland and Lee-on-the-Solent; that is absolute nonsense. A whole naval air station is to close in the next couple of years. If the Government want the coastguards to move into a fully equipped and perfect new purpose-built building from their wonderful listed building by Weymouth harbour, that is fine; but it is nonsense for the Minister to go on television, as she did this weekend, and say that there are no job implications in merging two 25-man or 26-man stations.

People have complete disbelief in what their managers are saying and doing. We need to have meetings with Ministers and with the heads of the Coastguard. It was very nice of them to send us colour photographs of themselves—we can put them up on banners and decry what they are doing—but we need assurances that they will hold consultations and change their mind. There is no money to be saved in those moves, but there are certainly lives to be lost.

10.35 am

Mr. Joe Benton (Bootle): I speak on behalf of the many Merseyside Members and, more importantly, the staff employed at the coastguard station at Crosby, Liverpool, as well as the concerned general public on Merseyside.

I could not agree more with the remarks of my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) about the new technology, which has not yet been put into practice. I do not intend what I say to be a criticism of the Minister or of former Ministers.

As recently as last Friday, at the request of the staff at the Crosby station, I went to discuss the problem with them. On the instruction of senior management, I was not allowed on the premises, which rather upset me. The background seems to be shrouded in mystery and secrecy; it is not open enough.

I spoke to people with genuine knowledge of the maritime situation in Merseyside, in the port of Liverpool, who have been skilled for many years in rescue and safety operations, which they have carried out with great success. They cannot understand why a station at the gateway to the Atlantic and the western world is to be closed, when all the indications are that there will be increased maritime traffic over the next few years. They are completely puzzled by the decision to transfer the station to Holyhead.

Maria Eagle (Liverpool, Garston): Does my hon. Friend agree that, by closing the Liverpool station and assigning to Holyhead an additional 700 miles of coastal waters, covering increasing traffic and complex waters in Liverpool, we may be leaving users of the sea and coast in increased danger?

Mr. Benton: My hon. Friend is exactly right. That is the view that has been expressed from all maritime quarters on Merseyside.

I referred to the secrecy, or alleged secrecy, because there is no doubt that the experts on the ground have been complaining for a long time—even when the Isle of Man station was closed, putting an additional burden on the Crosby coastal station—about the complete lack of consultation.

I think that there is a genuine case for reconsidering the situation, and perhaps the entire service. I am making an appeal for a serious look at the situation that may prevail on Merseyside.

I do not want to be a voice of doom; I am certainly not a Luddite. I predict, however, that the voice of unease which is registering itself will swell in volume between now and 2000. I beg the Minister, on behalf of Merseyside Members of Parliament and of all the maritime interests on Merseyside, to think again. If she does, we shall co-operate with her.

10.39 am

Mr. Tim Yeo (South Suffolk): I warmly congratulate my hon. Friend the Member for Gosport (Mr. Viggers) on securing the debate and raising a subject of great concern to Members of all parties. It is a most important subject, on which my hon. Friend spoke knowledgeably and powerfully. It is of concern not just to his constituents but to the nation at large.

I am glad to begin by joining in the tributes that have been paid this morning to the courage and commitment of the Coastguard. Especially in our thoughts at the moment are Mr. Deacon and his family.

Several speakers have made clear the depth and breadth of the anxieties felt about the Government's proposals. The hon. Member for Argyll and Bute (Mrs. Michie) made an eloquent contribution; the very fact that she is still here is a fine example of her stamina after that all-night sitting in Committee. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) began rather dangerously by claiming that it was Conservative Members who had switched their views on the matter. She made no reference to the much more dramatic switch in roles by the Deputy Prime Minister, who used to be a campaigner for, and defender of, the Coastguard but who appears in those roles no longer.

The hon. Lady went on to ask a number of questions about policy which I hope that the Minister will answer. So, too, did the hon. and learned Member for Orkney and Shetland (Mr. Wallace), who asked some very disturbing questions. That made it all the more regrettable that, apparently owing to some mishap in the Minister's office, the hon. and learned Gentleman was unable to meet the Minister to discuss the issue. That seems dangerously close to a breach of the usual courtesies extended by Ministers to hon. Members—

Mr. Wallace *indicated dissent.*

Mr. Yeo: Well, I hope at least that the private office will take note of what appears to have been a breakdown in communications.

My hon. Friend the Member for South Dorset (Mr. Bruce) has raised understandable anxieties. He referred to the Minister's response to him in a Standing Committee on Delegated Legislation on 12 November, when the Minister accused him of scaremongering. It was only a matter of days before the anxieties expressed by my hon. Friend turned out to be rather well founded. Indeed, it looks as though my hon. Friend's comments were a good deal nearer the truth than were the Minister's. I therefore hope that the Minister will have the grace and honesty to admit that she was mistaken when accusing my hon. Friend of scaremongering; and that she will take this opportunity to withdraw her accusation.

Dr. Fox: Does my hon. Friend agree that it is extraordinary that no Scottish Office Minister is present at this debate, which is of major importance to Scotland? Under the Conservative Government, a Scottish Office Minister would at least have attended as a sign of courtesy and of Scotland's interest.

Mr. Yeo: That is an important point. I have no doubt that the previous Government would have ensured that a Scottish Office Minister was present to hear the views of the House—but this Government's lack of interest in the views of the House is a point to which I shall return.

The hon. Members for Portsmouth, North (Mr. Rapson) and for Bootle (Mr. Benton) also expressed their concerns. It is clear that the Minister has not persuaded her Back Benchers of the merits of this proposal. Not a single Member in the House this morning has spoken or even intervened in support of what the Government propose to do.

My hon. Friend the Member for Gosport rightly identified two key aspects: first, the substance of the proposed changes to the Coastguard; secondly, the manner in which those changes have been announced to Parliament. As to the changes, the Opposition's view remains the same as it was when we were in government—that safety should be the paramount consideration at all times, and that nothing must be done that could conceivably jeopardise it. I hope that the Minister will confirm that that is also the Government's view.

If changes are to be made, they must be made with the aim of strengthening the Coastguard. Nothing should be done that puts the current coastguard cover for emergencies at risk. The Minister must realise that the way that the Government's policy has been dragged out into public view has understandably raised anxieties that she must now allay. Many people fear that the proposed changes may indeed put lives at risk.

Conservative Members of course recognise that changes must take place. The Coastguard cannot and should not stand still. It is only right that the latest technology should be used. The Coastguard will inevitably be different in the 21st century from what it has been in the 20th, but that difference must be in how it operates, not in its effectiveness. Of course we welcome the prospect of new investment, but the decision must not be a smokescreen behind which operations are quietly cut, staff are sacked, experience and training are wasted and effectiveness is reduced.

The House will need to be convinced that the Government's proposals guarantee the necessary protection in the future, and that safety is not being compromised in a hasty bid to cut costs for some other purpose.

The sad truth is that we are learning week after week that this is a Government who cannot be trusted to keep their word. We heard it in the July Budget, with the introduction of the £5 billion smash-and-grab raid on pension funds. We heard it earlier in the summer with the introduction of tuition fees, and with their broken promises on waiting lists and class sizes. The list of broken promises grows week by week but—even by the standards of this untrustworthy Government, whose contempt for Parliament is their most notable characteristic—the manner in which this decision has been announced was absolutely disgraceful.

My hon. Friend the Member for Gosport set out the day-by-day sequence of events which amounts to nothing more than a sequence of evasions. Will the Minister explain this morning her role at each stage of this sorry saga, from 7 October, when the incomplete Coastguard information pack was sent to the printers, to 14 November, when the truth finally emerged? If she does not have time to set out the detail in this debate,

[Mr. Yeo]

will she write to my hon. Friend and place a copy of her letter in the Library? Above all, will she explain why she made no statement to the House of Commons at any stage in the process? Was that because she was afraid, because she did not know what was going on or because she—like so many other Ministers—simply does not care about the House of Commons?

On the day we have learned that the amount of taxpayers' money being swallowed up by the salaries of political advisers to Ministers has risen by 44 per cent. since 1 May, we might ask Ministers whether they are getting value for money from all those advisers.

Perhaps the Minister simply hoped to hide behind the Chief Coastguard in this matter. The use of the Chief Coastguard to make a politically sensitive and controversial announcement of policy is extremely dubious. Did the Minister authorise that procedure herself, or was the decision taken by the Secretary of State? Why was this method of announcement chosen? I believe that Madam Speaker herself has expressed concern about how the House has been treated over this issue.

The picture that emerges suggests that here is a Minister who is not on top of the policy for which she is responsible, who is fearful of engaging in debate, who knows that she has something to hide. This morning's debate is an opportunity for her to dispel that impression.

For a Government who boast of their willingness to make hard choices, this fumbling over a vital national service smacks of both incompetence and weakness. Will the Minister now—very belatedly—give the House a full, honest and clear account of her actions and of the Government's policy?

10.49 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): In common with the whole House, I wish to associate myself with the tributes paid to Mr. Deacon, the helicopter winchman who gave his life in saving 10 lives from the Green Lily, and to the coxswain and crew of the Lerwick lifeboat, who, without hesitation—as is general throughout that great search and rescue service—risked their own lives to save those in danger on the sea.

I say to the hon. Member for Gosport (Mr. Viggers) that, far from being dragged to the House this morning, I welcome the opportunity offered by his Adjournment debate to reiterate the facts inherent in the five-year strategy that was announced and to lay the misinformation, disinformation, rumour and speculation that have been fuelled, in my opinion, from both within the Chamber and without. To all hon. Members who have participated in this important debate, I say that, if I do not answer all their individual questions this morning, I shall most certainly respond by letter.

The contribution from the hon. Member for South Suffolk (Mr. Yeo) does not, in my view, warrant any sort of detailed response. That he, as a member of a former Government who subjected the Coastguard agency to a biannual roundabout of confusion and to constant pressure to maintain services, while reducing the levels of Government funding, should speak as he did is little short of disgraceful.

To touch briefly on the point made by my hon. Friend the Member for Bootle (Mr. Benton), who was denied access to his local coastguard station, I say to him and all hon. Members that that was a gross mistake and it will not occur again—indeed, we would encourage all hon. Members on both sides of the House to visit their local coastguard stations.

What has emerged from the debate is that there is genuine confusion among many hon. Members as to what the five-year strategy contains. As we have stated, it is a multi-million pound investment in new digital technology: it is not in any way a method of reducing the human element, which is as vital as technology to the Coastguard service.

Sir Robert Smith (West Aberdeenshire and Kincardine): Will the Minister give way?

Ms Jackson: No.

The Coastguard's communication service is currently based on analogue technology. That equipment is extremely difficult to maintain and is outliving its usefulness. It will inevitably have to be replaced and it will be replaced by new digital technology.

Another point raised by all hon. Members who have spoken is that they fear a lack of local knowledge. That point was especially highlighted by my hon. Friends in respect of the proposed closure of the co-ordination centre at Liverpool. I would point out to all hon. Members that the Coastguard is responsible for 10,000 miles of the United Kingdom's coastline and 1.25 million square miles of sea. Local knowledge is furnished to the co-ordination sub-centres by auxiliaries on our coasts—3,000 in all. There will be no reduction in the number of auxiliary coastguards, in watch commanders and helicopter services or in co-ordination and facilitation between our Coastguard and other search and rescue services such as the lifeboats.

Dr. Fox: Will the Minister give way?

Ms Jackson: No—I regret that I do not have time to give way.

Let us return to the example of the coastline that is monitored by the Liverpool sub-centre. It stretches from Queensferry in north Wales to the Mull of Galloway. It is clearly absurd to presuppose that officers within the co-ordination sub-centre could have intimate knowledge of every mile of that coastline, or of the seas that break upon it. There will be no reduction in any local knowledge: the front-line coastline services will remain the same.

On the issue of staff reduction, there has again been much misinformation. It has been estimated that, during the process of the five-year strategy, there will be staff reductions of 78 in number—I repeat, 78. After consultation with all those involved, we believe that that number will be achieved by natural wastage, early retirement and early severance. My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) made the valid point that the best technological equipment in the world is useless if the staff who use and maintain it are not highly trained and professional. Part of the five-year

strategy is to ensure that Coastguard staff maintain and improve on their already extremely high rates of professional competence.

Mr. Salmond: Why do they not believe that?

Ms Jackson: It is my interpretation that they do not believe it because there has been a campaign, from both inside and outside the House, of misinformation and disinformation.

Mr. Salmond: Will the Minister give way?

Ms Jackson: No, I shall not give way. I do not make that allegation in respect of all hon. Members.

Mr. Salmond: On a point of order, Mr. Deputy Speaker. The campaign to which the Minister refers is led by those self-same staff. The Minister is not permitted to mislead the House in such a grotesque manner.

Mr. Deputy Speaker: That is not a matter for me.

Ms Jackson: I made no allegations whatsoever about Coastguard staff and the hon. Member for Banff and Buchan (Mr. Salmond) yet again shows that, whatever the subject of the debate, he is more concerned with making empty party political points than with concentrating on the important issues being discussed.

Mr. Wallace: On a point of order, Mr. Deputy Speaker. The Minister said that there had been misinformation from inside the House and that is a serious allegation with which to take a scattergun approach. Which hon. Members does she accuse of misinforming the House?

Mr. Deputy Speaker: It is for the Minister to reply to the debate in her own way.

Ms Jackson: I shall come to the point raised by the hon. and learned Member for Orkney and Shetland (Mr. Wallace) later in my speech and I shall be precise in making my allegations.

The other important aspect of the five-year strategy is that it will allow highly trained professional staff greater job satisfaction. There will also be greater opportunities to expand on accident prevention activities—a point raised by hon. Members on both sides. The issue of consultation was raised by several hon. Members and I assure the House that a process of consultation will be undertaken. The coastguard service is dependent on teamwork. The element of trust is vital to speed and efficiency, both in receiving information from vessels and individuals in distress and in disseminating that information from co-ordination centres to the front-line services on our coastline which undertake rescue attempts.

The hon. and learned Member for Orkney and Shetland said that I had opted for a scattergun approach in my allegations that there has been misinformation. The most precise example of that misinformation is previous statements and the speech made today by the hon. Member for South Dorset (Mr. Bruce) on the issue of the co-ordination centres in Solent. There is a major difference between merging—which implies reducing—and collocation of the two centres.

Mr. Ian Bruce: That is nonsense. I did not use the word "merging".

Ms Jackson: I admit that the word "merging", was used not by the hon. Member for South Dorset but by the hon. Member for Gosport. The central issue is that the two sub-centres will need to be relocated. The buildings that they inhabit are not suitable, either for the personnel who work within them or for the new technology that is to be introduced.

The hon. Member for South Dorset averred that that relocation was a cost-cutting exercise and that costs would be cut by reducing the staff currently engaged at the two busiest sub-centres in the whole of our search and rescue service. Nothing could be further from the truth. If there is money to be saved, it will be saved on the bills of maintaining two buildings which, I repeat, do not provide an adequate environment for staff or for the equipment that will be housed in them. It makes good sense to rehouse the two sub-centres; I repeat that they will remain two sub-centres in one building.

The relocation has yet to be decided on. That issue will be part of the consultation process. There is already close co-operation—and integration—between the two sub-centres. They are responsible for co-ordinating rescues for 20 per cent. of United Kingdom search and rescue operations.

I apologise to all hon. Members for the fact that I have not had time to answer all their questions this morning. That so many hon. Members wished to participate in the debate emphasises the importance—

Mr. Deputy Speaker: Order. It is now 11 o'clock.

Mr. Ian Bruce: On a point of order, Mr. Deputy Speaker. I think the Minister has read the words that are already on the record of the House, of the debate in Committee and on the Floor of the House, and we have given the hon. Lady the opportunity to withdraw what was a very serious misleading of the House. I have just been accused, as a Member of the House, of misleading the House in drawing attention to the inconsistencies—the incorrect information that is there. The hon. Lady has accused me of—

Ms Jackson: Misinformation.

Mr. Bruce: The hon. Lady has accused me of giving misinformation to the House. I am astounded. How can one call a Minister of the Crown—

Mr. Deputy Speaker: Order. The hon. Gentleman is continuing the debate. The Chair is not responsible for ministerial replies.

Dr. Fox: On a point of order, Mr. Deputy Speaker. I wonder whether you can give us some guidance. When the Government seek to make major changes to funding for the police or the fire or ambulance services, it is customary for the Minister to make a statement in the House and yet on this occasion it has taken an

[Dr. Fox]

Adjournment debate to drag the Minister, kicking and screaming, to the House to demonstrate her incompetence. I wonder what the guidelines are for making statements on the emergency services.

Ms Jackson: Further to that point of order, Mr. Deputy Speaker. Here we have another example of wilful misinformation emanating from the Opposition. No one had to drag me into the Chamber. I neither kicked nor screamed. As my hon. Friend the Member for Crewe and Nantwich pointed out, I skipped into the Chamber—

Mr. Deputy Speaker: Order. This is a continuation of the debate. The way in which ministerial statements are made is not a matter for the Chair, and I suggest that we move on to the next debate, out of which we are taking valuable time.

Coal Industry

Mr. Deputy Speaker (Mr. Michael Lord): Before I call the first speaker on the coal industry, I remind the House that even more hon. Members want to take part in this debate than the previous one, so it will be helpful if those who do are as brief as possible, to let other hon. Members have their opportunity.

11.2 am

Mr. Paddy Tipping (Sherwood): The coal industry faces a challenging time, as the contracts inherited at privatisation expire on 31 March 1998.

I am grateful for the opportunity to hold this timely debate, and I am pleased to see Labour colleagues from throughout the United Kingdom in the Chamber to support the coal industry. There are hon. Members from Wales and Scotland, but the crucial issue that we are considering this morning is the problem in the English coalfield, so the majority of hon. Members present are from the central coalfield, from Yorkshire, from Nottinghamshire and from the rest of the midlands.

We want to argue the case for coal, which will be extremely difficult to argue in the short term. In 1996, the main English coal supplier, RJB Mining, provided 30 million tonnes of coal to the generators. I do not know what it hopes to achieve in its negotiations next year; I expect that it will struggle to provide 15 million tonnes of coal. I note that RJB has agreed a contract of 4 million tonnes with Eastern, and I understand that this morning RJB and National Power have announced a contract of 16 million tonnes, but spread over four years. A big gap must be filled if RJB is to reach the 15 million tonnes that it talks about.

There is a problem on volume and a problem on price. If RJB achieves 15 million tonnes, that will be less than half what it supplied last year, and I expect that in the short term there will be major restructuring and redundancies in the industry.

It is important to recognise that RJB was privatised by the previous Government. We need to acknowledge that the generating industry was privatised by the previous Government. In the short term, the Minister of State's scope for intervention is very limited. I am surprised that people expect a new Labour Government to offer subsidies to the private sector. I am not convinced that there is a strong argument for rolling existing contracts forward for another year or two years—some of my colleagues may wish to comment on that—but I believe that the Minister has a role to play in the short term, and I know that he has been fulfilling that role.

The Minister's role is to get people around a table, to ensure that the generators and contractors talk to one another. He has a responsibility to take stock of what the industry might look like in a year's time. I hear the stories from RJB. I hear management say, "We might close eight to 10 pits in the short term." That would have enormous consequences for the people we represent—the people we know as hard-working, committed miners, who have done everything asked of them and more, the most productive miners in Europe. Many of them are confronted with another Christmas and new year of insecurity.

I ask the Minister to do what he can to convene meetings between the parties, to ensure that contracts are found and that decisions are taken early. One of the

ticking time bombs is that people who work in the industry have redundancy terms agreed from privatisation to 31 March, and I am extremely worried that the company appears to be reluctant to talk about extending those terms. I say this very simply to RJB, "If you want trouble and difficulties in your mines, the way to do so is not to talk to the men about redundancy payments in 1998."

There are things that the Minister can do to help the industry in the medium to long term. Coal generation is growing worldwide, so we must maintain a secure and prosperous coal industry in the UK. There are business opportunities internationally, and British mining suppliers and engineering suppliers should benefit.

I know that the Minister is taking steps. I wish that he would say more clearly and loudly what he is doing. His voice is not being heard in coalfield communities. Let me talk about some of the things that he has agreed to do. He is backing coal companies fighting European subsidies in Germany and Spain. He is giving coal an extra chance against nuclear, as a result of the unwinding of the nuclear levy. Those are important things to do.

It is important to examine how the electricity pool works and to take early decisions. Astonishingly, major power stations such as Drax and Radcliffe, which have flue gas desulphurisation, do not run. I should like the Minister's review of the pool to result in cleaner plant being run in preference to dirtier plant. That does not happen now, and I hope that we shall take steps, through that review and the regulation review that the President of the Board of Trade is conducting, to ensure that coal gets a fair deal in the electricity pool.

By themselves, those steps will not be enough. I hope that the Minister will try to help coal in the medium to long term, because decisions that he takes and announcements that he makes now will influence the short-term position. People will not invest, either in coal or in generation, unless they know what the Government's policy is, and there is confusion about that at present. I hope that my hon. Friend the Minister will state his position clearly. I hope that he will give us a commitment that when he chairs the Council of Ministers energy meeting—which is not far away and will take place in the new year—he will work to ensure that there is a real market, a free market, for electricity.

I hope that one early step that my hon. Friend will take will be to look at the interconnector with France. It is ludicrous that electricity should be bought and subsidised to come into this country. We want a free market in Europe, a market where British-generated electricity can compete on the continent; the stranglehold that some companies have on the continent needs to be broken, and I hope that my hon. Friend will look closely at that.

I hope that within Europe and elsewhere my hon. Friend will consider the issues surrounding climate change. It is only a few days until the Kyoto summit, in which Britain is a prime and important player. We need to be clear about the consequences of our pledges. Our pledge to reduce further CO_2 emissions by 20 per cent. by the year 2010 will create pain—that is perceived in the United States and in Japan. We need to make the reality clear here. The reality in the United Kingdom is that carbon dioxide emissions from coal generation have been reduced by 50 per cent. since 1970, and coalfield communities have felt the pain. Collieries have closed, men have lost jobs, and all over England, Scotland and Wales there are mining communities that cannot see the way forward clearly.

We need to be careful what we say at Kyoto, and we need to use new technology. I know that my hon. Friend the Minister is an enthusiast for new technology, and I hope that in the run-up to Kyoto he will make some announcements about clean-coal technology. There has been a lot of research into the subject over a number of years and now is the time to reap the dividends, and to bring the players together to try to ensure that early in the next century we replace existing dirty plant with clean-burn coal. If we can do it here in the United Kingdom, we can export that technology across the rest of the world. There are enormous opportunities for us if we take that policy forward.

The initiative in clean-coal technology must be private sector led, but the Minister and the Government have a role to play in providing security and giving a commitment to that approach. If the Minister makes early announcements on clean-coal technology, I can assure him that he will be cheered all over the coalfield communities in the United Kingdom. What would cheer coalfield communities even more is if the policy on gas generation was spelt out clearly.

I have much sympathy with my hon. Friend's position. As I understand it, when he took up his desk at the Department of Trade and Industry, 25 consents were already agreed for gas-powered stations. If all of them were built—I hope that they will not all be built—we should see the demise of the British coal industry in the short term. Since he took office, my hon. Friend the Minister has agreed five new gas-powered stations, displacing 6 million tonnes of coal. As I understand it, those stations have been mainly plant connected, with combined heat and power, to give greater efficiency, but they are not all like that. Perhaps the Minister will tell the House today what criteria he is using to judge and approve new gas stations. We have a right to know, as does the market.

Mr. Joe Ashton (Bassetlaw): Will my hon. Friend also tell the Minister that nothing has been said so far about why the European Community wants to import gas from Russia and north Africa at rock bottom prices throughout the continent? What steps could be taken on that? Now or in the near future, is that policy to become part of a big negotiating package affecting such issues as fish quotas, beef exports, wine lakes, trade discussions and disagreements? Will my hon. Friend say a few words about that?

Mr. Tipping: I shall say one or two words about that and come to the substantive point in a minute. I hope that the coalfield communities of the United Kingdom will not be sold out at some bargaining table in Brussels. I know that the people who live in Bassetlaw and Worksop, the area that my hon. Friend represents, are conscious of that and do not want to be pawns in the game.

To return to the gas industry, I know that the Minister has faced challenges and been told that he should put a moratorium on gas. I believe that he may have taken advice suggesting that were he to do so, he would face a legal challenge. I understand the argument, but the

[Mr. Tipping]

soundings that many of my colleagues and I have taken in the industry show that if the Minister were minded to declare a short-term moratorium for perhaps three years in order to see how the rapidly changing energy market settled, there would be concern in the industry, but no serious challenge.

Ultimately, gas generation is pushing coal off the agenda and off the face of the United Kingdom. I mildly say to the Minister that now is the time to step off the gas. If a crash is inevitable, if the closure of the British mining industry is inevitable, now is the time to touch the brake and look closely at gas.

There is a bigger and longer-term issue. In the next few weeks, we shall see some slimming down of the British coal industry; if we are not careful and do not take the steps that I am advocating today, we could see the final demise of the coal industry. We shall be entirely dependent on nuclear renewables and gas. The nuclear industry is now in the private sector, and when replacement is needed, the market will not take the risk of replacement because of factors such as disposal and decommissioning costs.

We need to encourage renewables. As the Minister knows, our target is 10 per cent. by 2010, which will be difficult to achieve. In the longer term, beyond the North sea supplies, we shall be totally dependent on gas from places such as Algeria, Iran and Russia. Perhaps the Minister will look at the discussions that have taken place between the Iran oil ministry and Gasprom in Russia about technical co-operation. What they are talking about is rigging the market and increasing the cost of gas. Some 20 to 30 years from now, we could be dependent on sources of supply that are outside our control and that are now rapidly diminishing. The Minister needs only to look at his own statistics to see that gas exploration is not expanding. For the first time, the amount of gas available is on a plateau and there are signs that availability is declining; moreover, the demand for gas is increasing all the time. We shall see a rapid decline of that gas supply, and we shall be left isolated and totally dependent on gas from elsewhere.

If my hon. Friend and his ministerial colleagues can look forward 50 years and take action on climate change, they should do so. They need to establish the baseline now for a balanced energy policy that still has coal as its cornerstone. I know that my hon. Friend takes a close interest in the matter and that, despite criticism, he has been enthusiastic and has worked hard. I know that he has met miners and will meet others this week; I know that he hears their voice. Put simply, he should hear their cries of despair.

This Christmas and this new year will be yet another time of insecurity and worry. The people who work in the coal industry have done everything that has been asked of them, and more. They are the most productive miners in Europe. They are young, well educated and skilled for the future. We must stick with them. We need to invest in coal, the coal industry, coalfield communities and the future.

Unlike the Opposition, I do not want us to turn our back on coal and to leave the industry to the whims of the market. I want the Government to act now and to do what they can, not in the short term, but in the medium to long term, to ensure that the coal that has for years been in the blood of many of us remains there, and that the coal industry survives and prospers, in the UK and internationally, into the next millennium.

11.20 am

Mr. Tony Baldry (Banbury): The hon. Member for Sherwood (Mr. Tipping) must be thanked for initiating the debate, which provides the whole House with an opportunity of hearing what the Government intend to do or not to do in relation to the coal industry.

I had considerable sympathy for the hon. Gentleman as he spoke, as it cannot be easy as a parliamentary private secretary to initiate a debate on a matter as contentious and difficult as the coal industry, and to stay within the bounds of collective responsibility. The House will have understood the constraints within which he was working, and I make no criticism of that. One understands the shorthand.

Those who voted Labour on 1 May in Nottingham and elsewhere would have done so in part because, I suspect, they accepted what the Labour party had promised in relation to coal and other matters. Although it is easy for Labour Members to make comments about the Conservative party, that is not the issue today. The issue is what the Government intend to do, and what the Labour party intends to do in respect of the pledges that it made to the country—the basis on which it was elected on 1 May.

In December 1992, at the time of the previous coal debacle, the then shadow Secretary of State for Trade and Industry, who is the present Secretary of State for Foreign and Commonwealth Affairs, the right hon. Member for Livingston (Mr. Cook), and the then shadow Minister for Energy, the hon. Member for Ochil (Mr. O'Neill), issued a joint press release presenting a six-point plan, which stated:

"Labour's six steps would put Britain's coal industry on the road to a secure future by giving it the chance to compete on level terms instead of being squeezed out of a rigged market."

The press release continued:

"Britain's coal reserves are a rich national asset. Our gas reserves will only last into the start of the next century, but our coal reserves could supply Britain's energy needs beyond the end of the next century. Letting the pits close now in a dispute over a one-year contract with the electricity companies would be short-termism on a criminal scale."

The six steps in Labour's plan would

"end the rigged market for gas—no more licences should be issued for gas-fired power stations; open up nuclear power to competition; halt imports of French electricity"—

the hon. Member for Sherwood referred to the interconnector—

"stop unfair dumping of coal imports; provide stability for the future—the reduction in the franchise sector of the distribution companies should be postponed; and invest in clean coal technology."

Mr. Ashton: Then the Conservative Government sold the industry.

Mr. Baldry: All those points are as relevant now as they were then. The House and the mining communities are entitled to hear from the Labour Front Bench the Labour party's policy for coal. One sees headlines in *The Independent on Sunday* stating, "Labour prepares to spin away 5,000 miners' jobs".

It is interesting that the Minister without Portfolio has spun into the Chamber at this moment—an unusual visitor to Wednesday morning debates, or ever.

The Independent on Sunday reports that the mining communities—not surprisingly and quite rightly—say:

"Down the generations, we have given far more to the Labour party than Bernie Ecclestone. . . Why won't they listen to us now?"

The Minister for Science, Energy and Industry knows that I like him and have a great deal of respect for him, but I cannot understand why he has not yet been prepared to see the Union of Democratic Mineworkers and other unions. That is one of the disconcerting features of recent weeks, although he may now have met the unions.

There is a general constitutional convention in the House—and if there is not, there should be—that Ministers will always see groups with an interest in the policy area that they represent. That was the case among most Conservative Ministers when I was a Minister.

The Minister for Science, Energy and Industry (Mr. John Battle): I saw representatives of the Union of Democratic Mineworkers yesterday.

Mr. Baldry: The Minister says that he met the UDM yesterday. That is rather belated. The UDM's concern was that on several occasions the Minister had arranged meetings, which were subsequently cancelled. As of a few days ago, I understood that the Minister had failed to see the UDM. If that is unfair, I am sure that the Minister will tell the House when he last saw the UDM.

Mr. Battle: I have met members of the different trade unions on many occasions, not least in the middle of the summer, when the debate started. I met a group of representatives from Asfordby to start with, and we went on meeting. There is one member of the UDM who said that I had not met him personally; that is true.

Let me make it plain that I have met with Members of Parliament, and I have written to all hon. Members with a mining interest, inviting them to come and meet me with representatives of the industry at any time. That invitation stands. The only meeting that was postponed was one at which we wanted to discuss the environmental issues with my right hon. Friend the Minister for the Environment, but unfortunately he had to attend talks in America at the time for which the meeting was arranged, so we postponed it; we did not cancel it.

Mr. Baldry: The Minister does himself a disservice. The explanation that he gives the House conceals the fact that the one member of the UDM whom he has failed to see is the president of the UDM. The Minister can hardly be surprised if the UDM, as a major union in the east midlands, expresses concern.

Mr. Battle: Arthur Scargill says the same.

Mr. Baldry: Indeed, if the president or members of the National Union of Mineworkers wish to see him, the Minister would be wise to see them as well. Then it would not be necessary to have Wednesday morning debates such as this. The Minister does himself a disservice if he is unwilling to see leading members of the coal mining communities.

Mr. William Cash (Stone): My hon. Friend may know that I have taken a slight interest in coal. I had many meetings with Ministers when the Conservative party was in government, to try to get them to listen to some of the arguments that we must now present in opposition. Does he agree that it is the Prime Minister who is in the frame on this? Of course I would not expect the hon. Member for Sherwood (Mr. Tipping) to point that out, given the sensitivity of his position as a parliamentary private secretary.

I entirely endorse what my hon. Friend said about that, but the Prime Minister has committed the country, much to the fury of the Trades Unions Congress, to achieve a 20 per cent. reduction in carbon dioxide. The Kyoto conference is coming up, but that commitment is being driven by a policy for which the Prime Minister is personally responsible. The other day he was arguing for—

Mr. Deputy Speaker: Order. Interventions must be much briefer than that.

Mr. Baldry: My hon. Friend makes a valid point. It is also significant that in his maiden speech to the House, the Prime Minister made a plea against pit closures in his Sedgefield constituency. At that time, those pits were producing high-cost coal. If the Prime Minister thought at that stage that it was wrong to close the pits, we are entitled to know what the Government think today.

Mining communities are worried when they read that the Government's intended strategy over the debacle is to blame RJB Mining for failing to negotiate contracts with the generators, when

"other 'major producers' have been able to do so",

according to *The Independent on Sunday*. In fact, there are no other major producers. There are no other major UK mining companies, because RJB Mining has 90 per cent. of domestic coal production.

The House is entitled to hear today from the Government what they intend to do in relation to the coal industry. The hon. Member for Sherwood was constrained from saying this in terms, but it is clear that if secure coal contracts are not negotiated over the next few months, a considerable number of jobs will be lost in the coal industry.

I put to the Minister a point that was difficult for the hon. Member for Sherwood to make. Those in the coal mining communities—many of whom are represented by Labour Members—would like the Government to consider extending the current contracts for a further two years until Professor Littlechild's review of the electricity market is concluded. Those communities are understandably concerned that, although productivity in coal has improved enormously and the cost of coal has decreased considerably, the benefit has not been passed on to the consumer. Coal miners believe that their jobs are at risk and that Professor Littlechild's review might provide some useful information and conclusions. It would be sensible to

[Mr. Baldry]

allow existing contracts to run while the review continues and to impose a moratorium on mine closures in the interim.

Such action may involve a cost. The hon. Member for Sherwood said that no one expects a Labour Government to subsidise a privatised industry. I suspect that many miners in his constituency and elsewhere are not interested in ideological niceties of that kind. *[Interruption.]* They are concerned about their jobs. They want to hear what the Government intend to do to help them—and we look forward to hearing the Minister's response today. The Labour Government will not provide much consolation if they simply say, "We are terribly sorry, but we are going to wash our hands of the matter. We don't think that we can intervene, so we shall simply blame the Conservative party, Budge or anyone else we can think of. We shall not take any action."

Mr. David Taylor (North-West Leicestershire): The hon. Gentleman says that miners are not concerned about "ideological niceties", but they are concerned about fair treatment from the new owners of Britain's mining industry, RJB Mining. For example, the closure of Asfordby colliery was announced to the stock exchange before it was announced to the work force. Does the hon. Gentleman believe that RJB has treated its employees fairly? Many people believe that handing over the British mining industry to RJB is akin to asking Imelda Marcos to mind one's shoe shop: one should not be surprised if it is totally stripped before it is returned.

Mr. Baldry: I hold no brief for RJB. I do not know the facts of the case—apart from the details that the hon. Gentleman has provided. It is beholden on any good employer to notify and brief his employees: that is good personnel-management relations. That is what we expect of any employer, including RJB. The pit to which the hon. Gentleman refers is in the constituency of my hon. Friend the Member for Rutland and Melton (Mr. Duncan), who I suspect hopes to speak later in the debate.

My point is that the House and the mining communities want to know today whether there is a possibility of the Government's intervening to extend the current coal contracts and impose a moratorium on further pit closures. After all, that is what the then Labour Opposition said when there was a similar situation in 1992.

As to where the money might come from, the coal unions have pointed out that the mineworkers' pension scheme has generated an actuarial surplus of £1.5 billion and that the Government, as guarantor of the scheme, are entitled to £750 million of that surplus. With accrued interest, the Government could take £110 million of the surplus every year for the next 10 years. Therefore, enough money would be available without the Government's having to raise additional funds. What do the Government think of that suggestion by the mining unions? Do they believe that it has any merit and, if so, are they prepared to act on it?

On a previous occasion, Labour Members made a lot of noise and many pledges. The miners and the communities of the east midlands and of the entire country want to know which pledges and manifesto commitments the Labour Government will honour—or perhaps, as *The Independent on Sunday* suggests, they will simply prepare for 5,000 job losses by spin-doctoring between now and Christmas.

11.35 am

Mr. Kevin Barron (Rother Valley): The charge levelled against the Minister by the hon. Member for Banbury (Mr. Baldry) is wrong. I have been involved in the coal mining debate for many years—indeed, since I came to this place—and the Minister met coal miners in my constituency before 1 May to talk about the problems that we knew would result from events over the past decade.

The hon. Gentleman claims that people in coal mining communities want to know what is going on. I suspect that they want to know why the hon. Gentleman and most of his right hon. and hon. Friends set the scene for the present problems in the coal industry. They voted against us in the Division, with one or two honourable exceptions—the hon. Member for Stone (Mr. Cash) is in the Chamber today. I have had some unhealthy bedfellows in television studios in the past few days. Someone commented that the shadow Secretary of State for Trade and Industry, the right hon. Member for Wokingham (Mr. Redwood), was a strange bedfellow for me, and I nearly replied that I would be sleeping with one eye open. The hon. Member for Banbury is fundamentally wrong—especially in his attack on my hon. Friend the Minister.

I came to the House in 1983, fresh from Maltby colliery. Two weeks ago, that colliery announced 600 job losses from a work force of 850. Maltby colliery is not a Victorian coal mine: its technology is as good as that of, dare I say, formula one racing. Hundreds of millions of pounds have been invested in that mine, and I was there when the major round of investments began under a Labour Government in the 1970s. More than £200 million was invested at that time when the last Labour Government got caught not because they managed the economy badly, but because they had to import energy into this country—which was also the policy of the previous Administration. The price suddenly increased from $2 or $3 a barrel to $20 a barrel, which created enormous economic problems for the nation. It was not the fault of people in the Treasury: there was an attack on the British economy from outside, and the nation invested in the industry to ensure that that would never happen again.

Mr. Ashton: With no North sea oil.

Mr. Barron: My hon. Friend is correct. Hundreds of millions of pounds were invested in those collieries that are still open today. Many people cannot understand why we now face job losses in light of that massive investment. As far as the nation is concerned, the issue of ownership of the coal industry—now and then—is immaterial. Funding for the industry was an investment for the nation so that we would not return to the dark days of the 1970s. The economic attack on this country at that time hurt not just the miners but everyone—indeed, miners received decent wages and there was decent investment in the industry in the 1970s for the first time.

The Government have inherited the current problem, and my sympathies lie with them. For more than a decade, there was a strategy to get rid of coal mining in this

country. That may have been a consequence of the 1974 general election result—I was a working coal miner at that time. No matter where the seeds were sown, that policy was enacted for more than a decade in this country. It was the strategy of the previous Administration.

The decline in the coal markets over the past decade inevitably meant that we would end up with the mess that is on our hands at the moment. It is very difficult to see how we can get over it in the short term, but we must find a way. It would be crazy to throw away the investment that we as a nation put into coal mining. Fifty per cent. of European coal reserves are in this country. Are we going to cut off access to those reserves and thus deny Europe, in years to come, the ability to use them and our ability to sell to Europe? I hope not.

The Government are in a very difficult situation, as are my 600 miners and their families, who have a bad Christmas to look forward to. This comes on the back of the thousands of coal miners' jobs that have been lost in my constituency. We need to act in the medium and long term. I accept that we are looking at the electricity markets, where the seeds of the mining industry's downfall are, and where people have not been operating a market system at all, preferring one fuel against another as a base fuel into our power stations. We must look there, certainly in the short term, if we are to get over the likely loss of the coal market from March next year.

I agree that we said in opposition that we should not license new gas-fired power stations. It is right to say that the ones that have been licensed since 1 May will not come on stream for two or three years, but that sends negative attitudes to the marketplace about where we as a Government believe that coal will be in a few years' time. That must be recognised every time a speech or a decision is made. At the moment, coal is on the defensive—it has been for 10 years—and it has been put more on the defensive.

I should admit that I am vice-president of the Combined Heat and Power Association. I agree that we should have CHP gas, but the heat loads of the power stations with CHP are very low. Their intention is to get electricity that is generated by gas into the marketplace, because that is what suits the market. I do not think that we can sustain that. We should look more critically at new gas stations. I know that it causes legal problems and so on, but we should do what we said we would five years ago.

I do not say that just because of the coal lobby. My hon. Friend the Minister received a letter from the Utility Buyers Forum, dated 13 November, which criticises the use of gas for electricity generation. It says that it creates problems not only for our indigenous coal industry but for the people who have been buying gas for many years, who are finding it difficult to keep a supply of gas coming in. The letter says:

"They are also very concerned that the significant increase in the interruptions to the supply of gas, because of transmission constraints, is a direct outcome of gas being diverted to electricity generation to the detriment of existing gas users."

There is a body of opinion—it is not just the pro-coal lobby—that says that we are throwing away a very important fuel in terms of gas. I do not want to throw it away, as it is very important, but it is likely to last a maximum of 15 to 20 years on current use. On that basis, we should look more critically at the situation.

In the short term there are problems for everybody, including coal miners, but if we have plans in the medium to long term that could sustain the deep mines that we have, it would be crazy not to make that plain while the negotiations are taking place. As was said yesterday, the negotiations may be over—who knows? However, it is very important that we pass positive messages that there is a long-term future for deep-mined coal in this country. That is what many of my hon. Friends and many thousands of coal miners and I want to hear from the Government.

11.43 am

Mr. Andrew Stunell (Hazel Grove): I listened to what the hon. Member for Banbury (Mr. Baldry) had to say with some surprise, because the coal industry in this country has been destroyed largely by the Conservative Government during the past 18 years. What he had to say about a moratorium was rather facing both ways, which is a polite way of putting it in view of the Conservative Government's failure to protect the coal industry when they had the opportunity.

That said, I have much sympathy with what the Minister is trying to do. On the one hand he is trying to square a circle and ensure that the Government can comply with the carbon dioxide reduction targets that they have set themselves; on the other, he is trying to protect jobs and a very important British industry. That is a difficult job to do.

We on the Liberal Democrat Benches are quite clear that the most important factor is to achieve the reduction targets and protect the atmosphere and the world climate, and hence the environment of all of us, including those who currently work in the mining industry. However, that does not mean that we have to throw away the mining industry completely.

The hon. Member for Sherwood (Mr. Tipping) mentioned clean coal. It is very clear that, whatever the future energy prospects in this country and western Europe—it seems likely that they will be based on gas and renewables, as economic and generally carbon-free fuels of the future—in other parts of the world, particularly India and China, there will be a continued and expanding market for coal well into the next century. Indeed, it is extremely likely that, in the next 40 to 50 years, the growth in coal consumption in China will substantially exceed any reduction in coal output in the United Kingdom in the past 40 or 50 years.

Perhaps understandably, the associated industries—the mining engineering and the technology and machinery sectors—have not featured highly in the debate so far. There are very clear opportunities for British expertise to be used in the developing markets for coal overseas. I hope that the Minister will pick up that issue and give some consolation, support and help to that part of the mining industry, which is involved not in extraction but in the supply and support of the industry. A significant export market is available to Britain provided that the right investment and support are given to its continuation in this country. For years, Britain led the world in mining engineering and technology. It would be a great shame if the current difficulties in extraction resulted in the destruction of our technological lead and led to a failure to exploit it on the world export markets.

Although there is no doubt that if we pursue the targets for carbon reduction in this country, it will have an adverse effect on the mining industry, we should also remember that, taken as a whole, it can very positive for

[Mr. Andrew Stunell]

jobs and employment in this country. That may not be much consolation to some hon. Members who rightly speak very spiritedly on behalf of their constituents and the mining industry, but it would be a mistake for the House to conclude the debate without understanding that the changes that are coming can be positive for this country, not just in environmental terms but in employment and export terms.

11.49 am

Mr. Eric Clarke (Midlothian): I congratulate my hon. Friend the Member for Sherwood (Mr. Tipping) on initiating this debate and I declare an interest as an adviser to Scottish Coal. I want to put the record straight about the Minister. I want to thank him and the Minister for Education and Industry, Scottish Office, my hon. Friend the Member for Cunninghame, North (Mr. Wilson), publicly for their efforts to try to keep Monktonhall open. They were not successful, but access to Ministers was second to none for the trade unions, the local authority and myself.

I should like to appeal to the Minister. The current threat of redundancy means that we are in a critical period. I heard the statement made in another place yesterday, but I hope that the Minister and his Department will adjudicate during discussions with those involved in getting contracts for the generating units and with the company concerned. I believe that they could do that behind the scenes and that his Department could bring common sense to bear so that the people involved can have a happy Christmas, a happy new year and a future. The problem facing the coal industry now is the immediate future. It is difficult for the Minister to get involved with private companies and so on, but I hope that he will do so.

As an ex-miner, an ex-miners' leader and now as a Member of Parliament for an ex-mining area I have spoken on many occasions and in many places about a genuine integrated fuel policy for the United Kingdom. We have been arguing about that for a long time. We have the finest deep mines in the world. They are the best technically, productively and in terms of safety. We are second to none. We have people who are the envy of other countries. Japan would give its right arm for an indigenous coal industry such as ours. I believe that we may be suffering from an abundance of indigenous fuel. I agree with my hon. Friend the Member for Sherwood that we shall be at the mercy of foreign imports in the future. Our children and our children's children will not thank us if we do not deal with the problems now.

It is not possible to switch a colliery on and off. It cannot be mothballed and returned to later—a colliery is not like a tap—because it deteriorates. Public money was spent at Asfordby, but its potential closure is criminal for this country's assets.

It was said that there would be a crawl for gas, but we have a dash for gas and something should be done about that. A moratorium must be set up. We must think about the strategic future and potential of gas. A gas-fired station eats up millions of therms of gas whereas, domestically, the same amount would last for months or even years.

There is an application for a gas-fired station in Scotland, but Scotland already has an overcapacity of generating units. We want to export electricity, not set up another competitor which is not really needed. The knock-on effect would be the closure of coal-fired stations. We have made our representations to the Secretary of State for Scotland through the trade unions and so on, but common sense must prevail. We should stop this before it starts.

We cannot help repeating ourselves in debates such as this and I make no apology for doing so. Renewables such as wave power, thermal energy and wind power are important. It is a new and important idea. However, we would like the same amount of grant to be given to clean-coal technology. We should not apologise for giving grants because private industry receives many grants, particularly farmers and others. Fossil fuel subsidy savings could be part and parcel of the money used for grants to upgrade the coal-fired generating units. If we do not deal with the levels of CO_2 and SO_2, there will be premature closure of coal-fired stations. We do not want that to happen because it will have a knock-on effect on the coal industry.

I make no apology for saying that the coal industry pays into the Exchequer millions of pounds each year in taxes, PAYE, VAT and a host of other ways. More than that, there is a massive saving on the balance of payments. Every time we buy fuel from abroad, no matter what type of fuel, it is paid for in yankee dollars which have to be bought in the marketplace or earned through exports. The coal industry is the most efficient and competent industry that ever was. If British industry had been as efficient as the coal miners, we would be leading the world in productivity and economics.

I am emotional about this because I am talking about my colleagues, including those in other coalfields. There is no barrier between miners, geographical or otherwise. We must think about what is good for UK incorporated. I am appealing to my hon. Friend the Minister to do that.

We must protect our indigenous supplies. Competition between inert mixtures is nil. Competition is a man-made philosophy. According to the diktats of some Opposition Members, it is the be-all and end-all, but it is not always what is best for the United Kingdom. It is not always good for the future. It may be short-termism and may lead to us doing something that we regret later.

I should like my hon. Friend the Minister to sit down with everyone involved in the energy industry to talk about an integrated fuel policy. I would then be happy to see the future of those in the coal industry alongside the future of those in other industries. We do not want closures in other industries—there must be life for all. Our decisions must be based on common sense and what is best for the people of this country.

11.57 am

Mr. Alan Duncan (Rutland and Melton): A few moments ago an ill-informed Government Whip shouted across the Chamber asking me what I know about energy. He should do some reading. I have spent 15 years trading oil and, given that energy is interdependent, one begins to learn about coal as well.

My interest began 10 years ago when I stood, unsuccessfully as a parliamentary candidate in Barnsley, West and Penistone just after the miners' strike, where I gloriously increased the Labour majority from 10,000 to 14,000. Little did I expect that, when I was selected for a rather more satisfactory part of the country, I would

have in my part of rural Britain one of the largest deep mines in Britain. That mine is—or sadly was—Asfordby. Over £400 million had been invested in that mine and there were high hopes for the production of high-quality deep-mined coal. The investment was made entirely under a Conservative Government. Sadly, severe geological faults have been encountered and the mine has had to close.

That is causing local economic problems and 400 men have been laid off during the past year. Melton borough council and those who help in the area are doing all that they can to ensure that the community does not suffer as much as it might. Contrary to the jibes of Government Whips, I am interested in coal and have taken as deep an interest as I can.

Mr. David Taylor: I am pleased to hear that the hon. Gentleman is interested in coal. Can he tell us why, when the campaign to save Asfordby wrote to him, he said that he was unable to help in any way and told those involved to direct their concerns to the Minister?

Mr. Duncan: In replying to my constituents, I pointed out what I believed to be the truth—which is that the Minister is prepared to do nothing. That intervention and the entire debate has illustrated that the Government will do nothing and have always intended to do nothing. They are trying to live a double life. They say that they are not in favour of subsidies but are now in favour of the real world of free markets. At the same time, they pretend to interest groups that they are defending and helping those groups in ways that the Conservative Government could not. I want to dwell on the Government's hypocrisy.

I may be less generous than my hon. Friend the Member for Banbury (Mr. Baldry). I recognise that the hon. Member for Sherwood (Mr. Tipping) has consistently defended coal mining interests cogently, fairly, reasonably and without hypocrisy or double standards, but I fear that the same cannot be said of the Minister. The hon. Member for Sherwood is a parliamentary private secretary and I am sure that even he would admit, as he smiles at me across the Chamber, that the debate has an element of window dressing. He knows that he cannot push this issue too far or it would be inconsistent with his remaining a PPS. He also knows that the Minister will do nothing about the matter. Securing this debate is good for headlines and for his reputation as an hon. Member who defends mining interests, but nothing will be done as a consequence.

Mr. Tipping: I am grateful for the hon. Gentleman's generous remarks, although I am sorry that he gave them with one hand and took them away with the other. I have high expectations. It is not window dressing: I have a shopping list of things that I expect my hon. Friend the Minister to do for the coal mining industry.

Mr. Duncan: I am sure that the hon. Gentleman has a shopping list, but I am not sure whether, even as Christmas comes, he will get any of the things on it. Calls have been made for something to be done about conserving coal reserves, but no specific suggestions have been made about how that can be achieved. I think that something most definitely has to be done about overseas subsidies, but no progress whatever is being made.

The Labour party in government is unable to reconcile its campaigning and its claims to be able to help people, with its espousal of the free market and its intention to work within it. The debate should primarily dwell on the Minister's conduct. Before 1 May, when he usually sat at the back of the Opposition Benches, he would lambast the Conservative Government in his charming way and call on them to do something about the coal industry. Now that he sits on the Government Front Bench with his Red Box and his ministerial car, he is prepared to do absolutely nothing. What he said when in opposition in no way marries with what he is pretending or, in my view, failing to do as a Minister of the Crown.

Mr. Battle: Quote me.

Mr. Duncan: We can look in *Hansard*, which will show that the hon. Gentleman called for much to be done. Will he write into the record what specific action he proposes to take, what money he intends to spend, whom he has seen, what he has promised them, and what the Minister without Portfolio has told him to do to prevent what would otherwise happen to Britain's coal mining industry, given the forces of the free market? The Minister did nothing for the miners in Asfordby. He says that he wrote me a letter, but I did not see it. His private office has just been phoned, but it seems that it does not know when the letter was sent.

Spokesmen from the Maltby colliery do not think that the Minister for nothing is doing anything. They say in today's *Yorkshire Post*:

"The feeling was that the Government are trying to get rid of the lot of us."

The Minister should have the courtesy to look at me when I address him across the Chamber to point out how little he is doing to help coal miners. He is still chatting to the Minister without Portfolio, who masterminded so many of the campaigns before the election, which perhaps explains why he is a little more barefaced than the Minister.

The representative from Maltby said:

"We have had discussions with the Labour Party, and they have been promising us for months: You'll be all right, we'll sort it."

He added:

"They have lied to us—what they promised to do was set the market straight."

They have not.

"That's all we ask for, we're not asking for money or subsidies. We are just getting stuffed out of the window and we don't know why."

Is the hon. Member for Rother Valley (Mr. Barron), who used to work in the Maltby colliery, proud of the Government?

Mr. Barron: I cannot understand the hon. Gentleman's position. Before 1 May, he said the opposite of what he is now saying. You are one of the people who voted in 1992 to put the industry under pressure.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman should address the Chair.

Mr. Duncan: I am happy to respond to the hon. Gentleman's taunt. The Conservative Government did what they said they would do. The Labour Government

[Mr. Duncan]

said one thing when they were in opposition, and are now doing the opposite. I despise their hypocrisy: it labels the Minister as the Minister for nothing rather than the Minister for energy. What does he intend to do? Absolutely nothing. At last, he is meeting the Union of Democratic Mineworkers, but he is merely going through the motions and is still doing nothing.

Mr. Battle: Perhaps the hon. Gentleman was away when we debated the Fossil Fuel Levy Bill, which stopped the subsidy for imported French nuclear energy, and levelled the playing field on nuclear subsidies in Britain to give coal a fairer crack of the whip. If that is doing nothing, where was the hon. Gentleman when it was done?

Mr. Duncan: That is the area on which I now want to dwell. I agree that, if there is to be a proper free market, there should not be unfair subsidies for one country, which enable it to export its coal to Britain and undermine our freely working market. I shall ask the Minister one more time to explain in great detail how German and Spanish subsidies are to be removed. What are he and the Prime Minister doing with their chums in Brussels to ensure that those subsidies are removed?

Mr. Battle: Unlike the Conservative Government, who did absolutely nothing, we protested and raised the matter with the European Commission within weeks of coming into government to try to stop German and Spanish subsidies. That is why the German Minister will be in my office tomorrow asking me why we took that action. The Conservative Government did nothing.

Mr. Richard Page (South-West Hertfordshire): On a point of order, Mr. Deputy Speaker. When a Minister of the Crown comes to the Chamber and says something that is untrue, what action can a former Minister take to rebut such damaging allegations?

Mr. Deputy Speaker: The hon. Member knows that what is said in the House is not a matter for the Chair.

Mr. Duncan: My hon. Friend the Member for South–West Hertfordshire (Mr. Page) was the Minister responsible for energy before 1 May. It is clear that something was done. Will the Minister tell us when German and Spanish subsidies will end? Yippee, hallelujah, the Minister has made a protest, but how will he ensure that there is fair play between the coal that is produced and exported by Germany and Spain, and coal that is produced in and exported by Britain? We want to know the specific detail. Until we do, the hon. Gentleman will be labelled the Minister for nothing—or worse, as the Minister for the betrayal of the coal mines that he pretended to defend.

12.7 pm

Mr. Michael Fallon (Sevenoaks): I congratulate the hon. Member for Sherwood (Mr. Tipping) and other hon. Members who have spoken out in this debate. Those of us who were in the House before and during the miners' strike recall the passion and eloquence with which the miners' cause was championed. It is the Labour Government, not Labour Members, who are on trial today. These Ministers have been in charge for the past six months. The plain fact is that the Government do not have a coal policy; they do not even have an energy policy. They have an environment policy and are undertaking a series of energy reviews. They have asked the regulator to review the electricity pool, the Department is reviewing the utilities, the Minister is supposed to be reviewing renewables and clean-coal technology, the Deputy Prime Minister is reviewing combined heat and power and the Chancellor has been reviewing the impact of the reduction of VAT on energy-saving materials. The Minister has reviews; he does not have a policy.

Far from helping the coal industry since he took up his post six months ago, the Minister has made the situation very much worse. Just when the coal contracts have come up for review, he has licensed more and more gas. He has licensed a huge gas-fired station for his friends in British Petroleum.

Yvette Cooper (Pontefract and Castleford): Will the hon. Gentleman give way?

Mr. Fallon: I will not because time is short.

The Government have adopted a series of emission targets and will do so again at Kyoto, all of which will make the position of the coal industry more difficult. The Minister's actions could be described as

"driving the nails in the coal industry's coffin".

Those are not my words or the words of the press. They are the words of the Minister's own press office in the spin doctors' memorandum that his officials have prepared. The memorandum uses the phrase:

"Since the Government could be portrayed as driving the nails in the coal industry's coffin".

The only thing that the Minister seems concerned about is public relations. All he is bothered about is the spin doctoring that will cover the closure of the collieries. Indeed, he is happy to see 5,000 jobs disappear before the end of the financial year provided that it is done in an orderly way. His own document says that it is

"important now that RJB makes the necessary adjustments to their capacity in an orderly way."

The Minister is presiding over the rundown of the collieries. I must tell the Minister that it is not a question of 5,000 jobs being at stake. The miners' leaders have made it clear to us that more than 50,000 jobs are at stake in the industry. It is high time that the Minister stopped blaming everyone else and stopped saying that there is nothing that he can do. I shall tell the Minister what to do.

First, the Minister can talk to the miners' leaders; he has not yet met them. In the debate on the Fossil Fuel Levy Bill, we were challenged to talk to the miners' leaders in Nottinghamshire. We have done that; the miners' leaders came to see us because they could not get to see the Minister. They told us that they had not agreed with the policy of my right hon. Friend the Member for Henley (Mr. Heseltine), but that they had respected him because he had the guts to meet them and to explain his policy face to face. Why has the Minister not met the miners' leaders? Why has he not talked to Mr. Budge?

Mr. Budge is the single most important figure in the industry. I would have thought that, with 50,000 jobs at stake, the Minister would have given some time to

Mr. Budge. Of course, Mr. Budge has not given £1 million to the Labour party. If he had, he would not be bothered with this feather of a junior Minister. He would see the Prime Minister and the matter would be sorted out at No. 10. The Minister should meet the miners' leaders and Mr. Budge.

Secondly, the Minister should get to grips with what is happening in the coal industry. It is no use him saying, as he has said so often, that the industry is in private hands. The electricity companies were in private hands in 1992, but that did not prevent the Conservative Government from intervening. That did not prevent us from imposing a moratorium on pit closures or from leaning on the electricity companies to burn more coal. If the Minister does not believe that, he should talk to Yorkshire Electricity, which will tell him exactly what pressure was put on the company in 1992 by Ministers in the Department of Trade and Industry.

Yvette Cooper: Will the hon. Gentleman give way?

Mr. Fallon: I will not.

It is nonsense to say that, because the industry is private, nothing can be done. Conservative Ministers intervened; this Minister can intervene.

Thirdly, given the state of the negotiations, the Minister was extremely unwise to accentuate the dash for gas. He said twice in my hearing yesterday that he had implemented all of the six-point plan for coal which Labour produced in 1992. That is not true. The six-point plan for coal was issued by the right hon. Member for Livingston (Mr. Cook) in December 1992. The first point was:

"No more licences should be issued for gas-fired power stations."

That was Labour's promise in 1992 and the Government have broken it. They have licensed gas-fired power stations and they have made the situation more difficult for the coal industry.

Fourthly, and perhaps most important of all given that the Minister has asked the regulator to review the pool arrangements and to review the true costs of baseload electricity—that review, which has not even started yet, will take most of next year—there is certainly a good case for extending the rest of the current contracts. I remind the Minister, as my hon. Friend the Member for Banbury (Mr. Baldry) reminded him, of what the right hon. Member for Livingston said:

"Letting the pits close now in a dispute over a one-year contract with the electricity companies would be short-termism on a criminal scale."

If that was true in 1992, it is true today.

If the Minister really cared about the coal industry, those are the four simple steps he would be taking now. If he does not take those steps, he and the President of the Board of Trade will stand condemned as the coal industry's silent butchers. They say nothing, they do nothing and they care nothing.

I looked back to see what the Minister had done for coal over the past few weeks; I may have done him an injustice. I found a press notice issued by him on 13 November which says:

"Lifeline for national mining museum".

The Minister announced that there would be talks and that £100,000 would be given to keep the national mining museum going. He is happy to get involved with the national mining museum. He will be dealing with a genuinely national mining museum if he does not get cracking and start caring for coal. Perhaps he is happy to turn our entire coal industry into a branch of the heritage industry.

It is now late in the day. There are four months left before the remaining coal contracts expire. There is still time for the Government to wake up to what is happening in the coalfields. There is still time for the Government to keep their promises to the coalfield communities and to the miners' unions. If, however, we do not get some action soon, today's debate will be the first in a series on closure after closure.

The Minister may want to spread out the closures "in an orderly way"; Conservative Members do not. We want to see a competitive coal industry—a coal industry with a future. We want to see an energy policy that relies on diversity. We are not prepared to see our coal industry closed down "in an orderly way" in the first half of this Parliament so that it is off the Minister's desk and so that another problem has been sorted before the next election.

If the Minister has any credibility left, it is time for him to announce to the House that he does have a coal policy. It is time for him to send out a signal to the coalfield communities and to the collieries that he does care about their future.

12.18 pm

The Minister for Science, Energy and Industry (Mr. John Battle): I welcome the debate initiated by my hon. Friend the Member for Sherwood (Mr. Tipping). My biggest regret is the shortness of time. I know that many other hon. Members want to take part in the debate and I would have welcomed an airing of all the issues. It is vital to have a proper discussion on the matter in the House. I am accused of not saying anything; I would not mind a bit of time in which to say something in response because I believe that the Government are doing something. In the short time left to me in the debate, I shall try to get across again what the Government have been doing in the past few weeks.

I have listened closely to what has been said this morning. No one can now be unaware of the intensity of feeling about the future of the United Kingdom coal industry and about jobs in the deep mining industry. I share the concern about pending unemployment and job losses that has been spelt out by—

Mr. Bill O'Brien (Normanton): May I add to what my hon. Friend the Minister has said on the concern about the loss of jobs in the mining industry? I live in the shadow of the Ferrybridge power station, with the Eggborough power station down the road. If the mines close, those power stations will also close. Jobs will be lost not just in the mining industry but in the electricity generating industry.

Mr. Battle: My hon. Friend has made a good point. There will be an impact throughout the energy sector.

Today's sense of crisis is informed by the current negotiations between RJB Mining and the electricity generators on their coal contracts for after April 1998. We have all agreed in the debate that the negotiations are a matter for the companies. I am not party to them. I understand that an agreement has been reached with

[Mr. Battle]

Eastern Electricity and that an announcement was made this morning of an agreement with National Power. I do not know what stage conversations with PowerGen have reached because the company does not know and neither does PowerGen. It is up to the parties to those contracts to negotiate. No doubt, we shall be informed of the deal when they reach one.

We opposed the ravaging of the coal industry under the Conservatives. That happened when the pits, the power generators and the grid system were in the public sector, and the energy buying system now known as the pool—now also in the private sector—did not exist. That is the difference between now and 1992. We resisted that Tory privatisation when they were out to kill the coal industry. No one claimed that the situation was easy. We picked up that horrendous legacy, which, I accept, is not easy to deal with.

There is no quick fix that will solve the problems simply. Hon. Members have repeated the comments of those throughout the industry, including trade union leaders, whom I have met regularly, that they want fairness, not favours. Our objective is to deliver that fairness. One or two siren voices—not least RJB—have called for subsidy, but I noticed my hon. Friend the Member for Sherwood ruling it out and expressing surprise that anyone should ask for it. RJB has written to me demanding a subsidy. I find it hard to give a direct cash subsidy to a company that made profits before interest and tax of £207 million in 1996.

Caroline Flint (Don Valley): I visited Rossington colliery in my constituency recently. The managers and miners of that colliery, which is owned by RJB Mining, said that they did not want subsidy. They wanted a level playing field. They have worked hard to make the pit competitive. Whatever is being said at a senior level, they want a decent chance to continue to work.

Mr. Battle: I entirely accept what my hon. Friend says on behalf of her constituents, but I have a letter from RJB, signed by the man himself, with the word, "Subsidy" at the head. The message of what the company is asking for may not have been communicated to all the coalfields. I accept that difference.

I do not believe that a subsidy is the way forward. It would be incompatible with arguing for a level playing field for the industry and making fair space in the market for the deep coal industry. We should not give a cash subsidy to a profitable private company, as my hon. Friend the Member for Bolsover (Mr. Skinner) said in the Chamber a few weeks ago.

At the end of last month, I explained to the House in detail the actions that we had taken against subsidies paid by the Spanish and German Governments to their coal industries. We have lodged a formal complaint against that state aid. I do not remember the Conservatives laying a formal complaint about state aid to overseas coal industries in all their years in office. We made that complaint within six months of coming into office. We are working hard to ensure a fair market, so that British coal can win markets in Europe, where subsidies have been keeping it out.

I am glad that hon. Members have recognised that we have set up a review of the pool. That was one of our six points. We said that we would examine the ways in which the mechanism for buying and selling electricity worked to ensure that it was not stacked against the coal industry.

Two or three of my hon. Friends have focused particularly on gas contracts and ending the rigged market for gas. I accept that we must take immediate action on that important point. My hon. Friend the Member for Rother Valley (Mr. Barron) referred to the utility buyers' letter and the body of opinion that is forming to challenge what are called the contracts for differences. Those contracts for differences will be considered in the review of the electricity pool system, but we have already asked the regulator to examine long-term take-or-pay gas contracts for the supply of gas to the early gas-fired power stations to prevent those high costs being passed on in full to domestic consumers.

That will not prevent gas-fired power stations being forced to run under the terms of their contracts. A key part of the coal industry's complaint to the European Commission was that at least some contracts may have prohibited gas-fired power stations from re-selling gas to the gas market even when it was uneconomic to run it through power stations. That may have forced the generators to use gas in power stations when they might have preferred to sell it to other gas customers and have bought coal-fired electricity in from the pool instead. We want to ensure that there is coal-fired, not all gas-fired, electricity in the pool.

There is an argument that our competition authorities should immediately consider, without prejudice to any investigation that the Commission may mount, whether the prohibition on the re-sale of gas is anti-competitive and, if so, what remedies and amendments are appropriate. If there is a distortion of competition to price out coal, I want it put right now. The Director General of Gas Supply will consider the matter urgently. A press notice about that new action will be available from the Vote Office after the debate. We shall take action on that now.

We have approved some gas-fired power stations and I understand that there are 27 more applications waiting. However, those that have already been approved could take three to four years to get into commission. A moratorium on new gas-fired stations now would not benefit the coal industry until well after 2000. It would slow down the move towards combined heat and power. The damage of the dash to gas has already been done, creating the short-term problems that the industry faces.

Mr. Fallon: Will the Minister give way?

Mr. Battle: No, I cannot. I have only two minutes left.

We have no intention of waving through new applications for gas-fired power stations. We shall consider them on a case-by-case basis, looking in particular at combined heat and power proposals.

We are backing clean-coal technology. We are investing money in investigating the possibilities of it. I accept the point made by the hon. Member for Hazel Grove (Mr. Stunell) that we need to consider its potential internationally, so that the ancillary industries in mining also have a future.

We are told that we are doing nothing, but we have taken action to challenge subsidies in Europe, we have set up a review of the pool to ensure that coal is not priced out, we have challenged the gas contracts to ensure that the markets are not weighted against coal and we have put the Fossil Fuel Levy Bill through the House to challenge the energy coming through the interconnector from France, so that French nuclear power does not have an advantage. We have also challenged the advantage given to the nuclear industry in Britain to ensure that the playing field is level, not tilted against the coal industry. We are backing clean-coal technology as well because, without that, the coal industry will remain under pressure from environmental concerns in the next century.

Yes, our primary aim is to ensure that the mining industry and coal can play an important part in our energy supplies as we move into the next century. It can contribute to UK and European fuel and energy security. Our job is to create a level playing field for coal. We are working hard to ensure that the market is not stacked against coal either in Europe or here at home.

I do not believe that it is time to write off the coal industry. There is a still a long-term future for the deep mining industry in Britain. Our positive actions to that effect will go some way to assisting it. Rather than mongering a crisis, it is up to others to get on with negotiating contracts and access to markets for the coal that is mined, ensuring that pits that do not need to be shut are not shut.

NHS (Cornwall)

12.30 pm

Mr. Matthew Taylor (Truro and St. Austell): As the Minister and his colleagues are aware, health provision in Cornwall is facing huge cuts. Local hospitals in particular face the axe—although we must not forget that Treliske hospital and other central patient care services are being forced to make savings too. That has led to a tidal wave of local concern and protest. For every local closure there is a local protest group. My hon. Friend the Member for St. Ives (Mr. George) is on his way now to support one in advance of tonight's consultation meeting. One group is not pitted against another; they support each other, one and all, as people in Cornwall have always done. They want a fairer deal for the county's NHS. I shall explain why they believe that it is not getting one.

To take a local example, the Penrice maternity unit in St. Austell faces the axe. It is the only place where women in Cornwall can have their child outside the high-tech and expensive facilities of Treliske. By comparison, Devon has nine delivery units. The Exeter area alone has four—mostly used less than Penrice, although we are told that the use of Penrice is too low to support its continuation. Government policy favours such units, and just months ago plans were agreed for new buildings for Penrice maternity unit. Now it faces the axe.

I shall read some comments that have been written in the visitors' book since the closure was announced. One says:

"I am expecting my third child and after having my second child here, I was impressed with the care and time given to me."

Such comments are made repeatedly about Penrice. Another reads:

"The care and attention given to my wife when Alexander was born 3 years ago was first class and the principal reason for her choosing Penrice again. Residents in North Cornwall have enormous distances to travel for hospital care—keep Penrice open."

The most recent comment in the book says:

"Having just had my first baby daughter here at Penrice, I feel very strongly about keeping this maternity unit open. From the first minute I arrived and was taken into the delivery room I was made to feel relaxed and at home. With the help and advice of all the staff, I stayed calm and was able to deliver our baby naturally. It would have been very stressful to travel to Truro to deliver her. After the birth I was given all the care, attention and advice I could have wished for, from everybody. After my five day stay, I felt ready to go home and start my new life as a mother, because of all the care I received here. Truro is a much needed unit, but it would be a terrible mistake to close it. Please keep Penrice open. We need it."

Those comments speak for themselves. I could have read any number from the visitors' book to illustrate the level of local support.

Perhaps it would be helpful if I placed in context NHS services in Cornwall. Cornwall is Britain's lowest-wage economy, and is for the most part badly served by public transport. Our communities are dispersed across a relatively large area. In recognition of that, most public services, including local government, the police, and, more recently, the fire service, have long benefited from substantial allowances for the extra costs arising from the need to serve a scattered population. That is only right. The local provision of services for people living in such rural areas necessarily entails a higher cost. Yet traditionally, the Government have made no such allowance for the NHS.

[Mr. Matthew Taylor]

The costs are exacerbated by the fact that Cornwall is surrounded on all sides by water. Most of the county simply cannot rely in an emergency on other hospitals just across the border to the north, west, or south. Yet NHS funding in Cornwall has traditionally been very low in comparison with the rest of the country.

In Scotland, each person benefits to the tune of £514 each year, and in Wales the figure is £546 per person. Both Scotland and Wales exhibit similar features to Cornwall, with areas that are remote, surrounded by water and served by poor transport infrastructure. Yet inhabitants in Cornwall enjoy just £441 per person for our NHS—around a fifth less.

To make a comparison closer to home, Somerset, with the same population, has two district general hospitals, but Cornwall has one. With only twice our population, Devon has four. I hope that the Minister agrees that there is a discrepancy in the figures. No wonder our local NHS is overstretched. The prospect of another £5 million-worth of budget savings is making Cornish people angry. That is the context in which the health authority must act.

Neither the trusts nor the health authority have a deficit. There has been a shortfall of funds of up to £5 million a year in recent years—but it has been plugged by using non-recurring funds and money held in reserve. The £5 million shortfall was reported publicly a year ago, and a shortfall of between £3 million and £4 million before that was reported publicly as long ago as the end of the 1995–96 financial year. The problem is not new, although it has grown as demands on our hospitals have increased. It is one of which the Government have been very much aware, although I accept that it is a legacy of the previous Conservative Government, which Labour Ministers have had only six months to address. Now, however, our local NHS has been told to close the gap—a £5 million saving every year.

Against that financial backdrop, admissions of all types have risen by a quarter in Cornwall in just five years, from 85,000 to more than 115,000. That puts tremendous pressure on overstretched doctors and nurses, and, as I am sure we can all imagine, the effects are even more marked given the extra costs of maintaining local hospitals in rural areas such as those in Cornwall. A further stark indication of the pressures on the services in Cornwall is that emergency admissions have increased at an even faster rate—by 16 per cent. in just three years, which is substantially faster than in surrounding health authority areas.

As may be expected, waiting lists have increased as a result of that pressure. In Cornwall, the increase has been by more than 3,000, leaving us with more than 13,000 people on waiting lists in October this year. The number of those waiting more than 12 months has increased by more than 6,000 per cent.—a rise from just seven people in October last year to 447 people this year. That is a huge increase by anybody's standards. For example, I have been trying to help people blinded by cataracts who, with a simple operation, could see again but who face a sightless wait of 12 to 18 months for treatment, which may come too late. That is happening even without the proposed financial cuts.

Demand has risen and waiting lists have grown longer—and grow longer daily. I hope that most people would recognise a clear need to expand capacity to meet the demand on services and reduce waiting lists. The Government's announcement that they are transferring funds from other Departments this winter to help across the NHS—including Cornwall—is welcome. We argued for that and it will help to make a difference this winter, but it will not resolve the long-term plans that are affected by the proposed cuts.

As waiting lists have gone up, bed availability has gone down. In 1991, average bed availability was nearly 2,000 beds. By this year, that figure had already fallen below 1,700. Although the number of acute beds has been increased by a couple of hundred, we still have an average of fewer than 1,000 daily acute beds serving the entire population of Cornwall and the Isles of Scilly. The number of daily geriatric beds has already fallen from almost 400 to just over 300—in a county with an above-average and rapidly increasing elderly population. Some of the most distressing letters that I have received on this issue have been from those who care for patients with Alzheimer's disease, who are extremely concerned about the loss of provision, especially local provision that would allow them to visit patients and stay in contact. The average number of daily beds for mental illness has already been cut by more than 200—from more than 550 to just 341.

The problem is compounded by the lack of provision of alternatives that are desired by the health authority, but which it cannot afford to fund. Of course, all those pressures are compounded by the march of medical technology and the increased demand generated by improvements in medical treatment afforded by new drugs and treatment. The county also expects to face cuts to its social services provision that will affect its ability to provide residential and nursing care beds to take people out of hospitals. That in turn places more pressure on hospitals.

Mr. Paul Tyler (North Cornwall): My hon. Friend will know that, on behalf of my North Cornwall constituents, I warmly support all the points that he has made. He referred to the county council. Can he confirm that, at the council's meeting yesterday, it agreed to make representations to the Secretary of State for Health to reverse the shortfall in funding for the NHS? The vote was unanimous, with the exception of the Labour group. It is important to make it clear that it is not only my constituents and I who support my hon. Friend's points but—to all intents and purposes—the people of Cornwall.

Mr. Taylor: It is a shame that the Labour group did not support the motion, but one understands the constraints it felt because the party is now in government. At local level, many Labour party members have campaigned to save local services and the hon. Member for Falmouth and Camborne (Ms Atherton) has supported the services in her constituency. The vote may not have been unanimous at the county council, but the Minister of State should be under no illusions about the views of his supporters.

That is the situation faced by inhabitants of Cornwall, before we even consider the latest round of threatened cuts. The service strategy on which we are being consulted proposes the closure of four community hospitals and the maternity unit at Penrice, as well as the axing of a further 129 beds. That is not the end of the story. Other services such as rheumatology are to be restricted.

The health authority has been a dealt a dead man's hand. It must choose between the provision of acute and non-acute services; between emergency treatment and preventive treatment; and between one vital local hospital and another. Clearly, that is unacceptable, so it is a relief to discover that, for the first time in a long time—as we try to pick a way through this mire of bed cuts, budget cuts and increasing waiting lists—we in Cornwall have a sympathetic ear at the Department of Health. It is a relief because it is vital that we develop a clear strategy for dealing with the crisis that is swamping health services in Cornwall.

The Minister may say that the reaction is not just sympathy and that things have changed. Well, they have changed a bit. It is true that, for the first time, next year's NHS funding will make an allowance for our scattered geography. An element of allowance has been allowed for our extra ambulance service mileage. That is a significant step forward and more than was achieved under the previous Administration. Naturally, having argued for it, I welcome it.

However, I hope that the Minister agrees with me that the increase is in no way enough. Other formula changes have actually cut our allocation. Overall, the effect on the provision of cash for the NHS in Cornwall was to raise the formula allocation by just 0.01 per cent. In other words, for every £100 Cornwall previously received for our NHS, we have gained just 1p next year. Even taking that increase together with the extra national NHS funding announced for next year—in which we will share—we are only £400,000 better off than previously expected. That money is welcome, but against the prospect of £5 million cuts it will do no more than help save perhaps a few threatened services. It will not come close to sorting out the major part of the cuts, let alone the general underfunding of the NHS in Cornwall, which the community health council put at £10 million even before the cuts.

I suggest that we must focus on three key areas. The first priority must be to make clear, in the public's mind and our own, the lines of responsibility for the closing of the community hospitals in Cornwall. It has been widely reported that the chairman of the health authority would close the hospitals regardless. That has been an unfortunate misrepresentation of what was said and has served to muddle the debate. The health authority has made it quite clear, while making no guarantees about the security of individual services, that, if extra money was on offer, it would revisit and change the proposals in its consultation document.

Ms Candy Atherton (Falmouth and Camborne): I welcome the debate, because it addresses an important issue for the people of Cornwall. There has been a debate about exactly what the chief executive and the chairman of the health authority have said. Both the hon. Gentleman and I remember a meeting with those two gentlemen at which I explicitly asked, "If there was no financial problem for Cornwall and the Isles of Scilly, would you propose to close the four hospitals?" My office has a complete note of the meeting and both the chairman and the chief executive replied, categorically, "Yes." I hope that other hon. Members will confirm that. The chief executive and chairman subsequently appeared on Westcountry Television and made similar points. Now they appear to be changing their tune, and that is typical.

Mr. Taylor: My understanding is that the chairman and chief executive have always said that they believe changes are needed. That is not the same as saying that they would close everything that it has been proposed should close. Indeed, they would look to open other services to replace some of those that might have closed.

Mr. Patrick Nicholls (Teignbridge): Will the hon. Gentleman give way?

Mr. Taylor: I cannot give way, because I am running out of time. I do not want to cut the Minister's reply too short.

To make the position clear, I shall quote the chief executive's letter of 18 November, which states:

"I am purported to have said that if the Health Authority had limitless funds, we would still look to close all 4 hospitals which our consultation document proposes should be closed—I have never made such a statement."

However, the biggest element of confusion in the whole sorry mess is the assertion that the health authority could somehow take that decision unilaterally. As the Minister is fully aware, the final decision to close hospitals will be taken nationally, irrespective of the wishes of the chief executive. It is for the Secretary of State to decide the ultimate fate of Cornish hospitals. Indeed, the Secretary of State accepted that when Cornish Members of Parliament met him two weeks ago. There should be no confusion on the point.

Our second priority must be to make up the short-term funds that the health authority is so desperately lacking. John Banham has today proposed a 12-month moratorium. It is no good being told that the Government hope to help in the long run, if hospitals are closed this spring. Once shut, everybody knows that they will not open again. The voters of Cornwall resoundingly rejected the party of health cuts at the general election. They expect, and deserve, the NHS locally to be saved, just as the Prime Minister promised it would be before election day.

Given the Chancellor's announcement yesterday that there are funds to accommodate a cut to a 10p starting rate of income tax from April, resources are obviously available. The Chancellor also said that he has funds to cut business taxes to the lowest in Europe, so there must be even more resources available. The right hon. Gentleman has the option of using just a fraction of those funds to stop the closures. Lack of funds is not now—if it ever was—an excuse. Even if the funding were not permanent, it would give the health service the chance to find other solutions and win long-term extra funding.

Our third priority must be to establish a fairer way of distributing resources for the long term, so that such a crisis never returns. It is not just a question of Cornwall's rurality. Cornwall's services also suffer, as has already been indicated, by reason of its large coastline. Given the nature of that coastline, a journey to a place 10 minutes away as the crow flies can take four times that long once the streams, creeks and rivers that interrupt road and rail links are circumnavigated. Our people are a long way from district general hospitals—as much as 70 miles in some cases.

[Mr. Taylor]

Cornwall provides a real example of the crucial need for fundamental reform of the needs assessment of our heath authorities. It cannot be right that the net effect of the formula changes is that Cornwall should get just 1p in every £100 to address those geographical problems. By introducing any help at all, it is true that the Government have made a step in the right direction, but there is still a long way to go. I believe that Ministers recognise that and I hope that that recognition will be backed by real resources.

The local medical committee sums the situation up in its press statement of 20 November:

"The LMC on behalf of GPs throughout Cornwall and the Isles of Scilly believes that it is not possible to take £5 million funding out of local health services provision without causing severe and enduring damage.

GPs are unhappy with the Health Authority's current proposals to achieve these savings. We remain convinced that reducing the total number of hospital beds in the county can only increase the existing bed crisis in the District General Hospitals at Treliske, Derriford and Barnstaple. However, we believe any alternative scheme to make the same savings may have an equal or even more damaging effect upon patient care."

In other words, Ministers will have to choose in the spring, for the decision will be theirs: cut our NHS in Cornwall in one way or another, or find us extra resources—in the short term to keep the hospitals open, and in the long term to create a fair funding system.

I know that that is not easy, given the Chancellor's spending rules, but it is a simple hard truth that sometimes the only way to save a service that has been cut to the bone is to provide an injection of real cash. I realise that that will not be an easy choice for Ministers but, as I know that they will have to fight for it, I hope that they will agree that it is an option worth fighting for.

12.49 pm

The Minister of State, Department of Health (Mr. Alan Milburn): I congratulate the hon. Member for Truro and St. Austell (Mr. Taylor) on securing the debate. This is an important subject, and I know the strength of feeling shared not only by Members on both sides of the House but in the local community, about the situation facing the health authority in Cornwall.

I am also aware of the hon. Gentleman's concern, which he has made crystal clear today, that the Cornwall and Isles of Scilly health authority is underfunded. He will recall that I met him and some of his colleagues some months ago to discuss those issues, and I know that they have had the opportunity to meet the Secretary of State. They will be aware that my hon. Friend the Member for Falmouth and Camborne (Ms Atherton), too, has had the opportunity to discuss the issues with the Secretary of State and me, and to express her own strong feelings about the concerns in the local community.

It may be helpful if I deal with the issues raised in two parts—first the funding issues and then the health authority's proposals. I must say at the outset that the Government believe that health need should be the driving force in determining where national health service cash goes. As the hon. Gentleman knows, we are committed to the fundamental principle of fairness, and to tackling inequalities in health.

I think that the hon. Gentleman would share my view that over recent years that approach has been sadly lacking in our national health service. We are determined to deal with that problem. I hope that he will also share my belief that there are no instant cures, no magic wands and no pots of gold. None the less, the Government will make determined progress year on year to achieve a better health service in all parts of the country.

That is why we have made the changes to the formula for allocating money to health authorities for next year. From 1 April resources will be allocated on the basis of health, social and economic need. The needs weighting has been increased to cover 100 per cent. of spending. I hope that the hon. Gentleman welcomes those changes as a step in the right direction.

I also hope that the hon. Gentleman will welcome two other changes that we have made to the formula. He dealt with one of those; may I briefly talk about both? The issue that he did not raise is the market forces factor, although he has expressed concern about it in the past, and raised it with me when we met some months ago.

The hon. Gentleman is not alone in expressing doubts about the operation of that element in the current formula. We have listened carefully to what trusts, health authorities and community health councils throughout the country have said about the distortions that the MFF brings.

As an interim step we have reduced the number of pay zones for 1998-99, smoothing out the starker variations created by the MFF. As the hon. Gentleman is aware, that will make a considerable difference—£1.8 million—to the funding target for Cornwall. I can offer him some assurance about further changes, too, because we have asked the new advisory committee on resource allocation, which the Government have established, to undertake a thorough review of the operation of the market forces factor. Indeed, that will be its work priority for the next year or so.

Secondly, we have taken into account the rural concerns that the hon. Gentleman has raised, involving the extra cost of providing health care. As a result of research findings, the formula for next year will be adjusted to take into account the additional costs of providing emergency ambulance services. That will make a difference of £1 million to the funding target for Cornwall and Isles of Scilly.

That will not be the end of the story. We shall also ask the advisory committee to investigate over the next year the impact of rurality on resource allocation. I know that there is impatience, but I hope that the hon. Gentleman shares my view that we must get such things right. The formula has been fiddled with too much the past, with too many tweakings at the margins. We must bring greater stability to the health service not only in Cornwall but throughout the country, so that the people understand, and health authorities and trusts can plan on the basis of the resources that will be made available to them.

Mr. Tyler: Because so many of those important changes will take a little time to introduce, will the Minister seriously consider Sir John Banham's suggestion of a moratorium on the existing cuts and closure plans?

Mr. Milburn: As I understand it, when the hon. Gentleman and his colleagues met the Secretary of State

they agreed with him that as the consultations had begun, it was sensible for them to continue. I shall return to the subject of consultation and how it will be handled at the end of my speech, if I get time—but I understood that that was the common agreement reached, so I hope that the hon. Gentleman does not seek to undo it at this stage.

We shall examine the formula in detail. I cannot promise the hon. Member for Truro and St. Austell that the review of the formula will produce benefits for Cornwall specifically, but I can say that the outcome will be fairer than the present state of affairs.

Over the next year we shall try to ensure that the formula takes proper account of real population levels and the extra cost of providing services for ethnic minority communities. As I said, we are determined that NHS resources should be allocated fairly. I know that the hon. Gentleman will support that approach.

The hon. Gentleman knows that the target set by the formula is only part of the story. The distribution of growth money is just as important in determining what health authorities get to spend on local health services. For 1998-99 we used 60 per cent. of the available growth money to bring below-target health authorities nearer to their needs-based target, which reflects our desire for greater equity.

That all means that in the next financial year Cornwall and Isles of Scilly health authority will receive £277.5 million—marginally more than its needs-based target. I know that Opposition Members are fixated by real-terms increases, so I can tell them that that is a real-terms increase of £4.1 million—the highest such increase for five years and the highest percentage increase in the whole south-west region. It is substantially higher than the average percentage increase for Cornwall over the preceding five years. I hope that the hon. Gentleman will really welcome that. We are making a difference and we shall continue to make a difference.

That is not all. Cornwall and Isles of Scilly health authority will get £1.85 million extra to cope with pressures this year, as part of the winter boost for the NHS. Much, or at least part, of that money will be used to break down the Berlin walls that have developed over recent years between health and social care institutions. There will be more money for home care packages, and more for additional beds and for tackling delays in discharge from hospital.

Cornwall county council has been mentioned, and I hope that the hon. Gentleman and his hon. Friends will take back a firm message to members of the Liberal Democrat party who serve on that council: it takes two to tango. When relationships break down and the health service and social services do not co-operate as fully as they should—that is what has happened in Cornwall under the hon. Gentleman's party's tutelage—it is vulnerable patients, elderly patients, disabled patients and patients with mental illness who suffer and pay the price.

Will Liberal Democrat Members take that message back and make it clear to their local councillors that the onus is now on them to co-operate rather than to compete? I hope that the message will be taken seriously. We shall increase resources year on year for the health service.

As for the consultation, I have listened carefully to what the hon. Member for Truro and St. Austell, my hon. Friend the Member for Falmouth and Camborne and others have said, but they will understand that as the proposals may come to Ministers for decision, it is not appropriate for me to comment in detail now.

What I will say is that it is the health authority's duty to ensure that it has the best possible services to meet the challenges that lie ahead. That means living within the resources available.

The hon. Member for Truro and St. Austell mentioned the chief executive's comments on television. I have had the pleasure of reading the transcript. I have read it two or three times during these proceedings and what he said is clear. Three times, he said that even if he had the money those proposals would still come forward. So, let us be clear. There is a difference between the proposals and the funding situation, which is clearly difficult for the health authority. It would be wrong and politically negligent to try to conflate two issues as some have sought to do. When the results of the consultation come back to Ministers, we will bear in mind the strong feelings that have been expressed in this place and, perhaps more importantly, by the local community.

Mr. Deputy Speaker (Sir Alan Haselhurst): We must now move on to the debate on the future of county council smallholdings.

County Council Smallholdings

1 pm

Mr. David Drew (Stroud): Hon. Members will be aware of the major contribution played by the agricultural tenanted sector to farm production, rural development and our rural environment. Indeed, our landlord-tenant system is largely unique within Europe. No other member state of the European Union has a landlord-tenant system like ours. For centuries, landlords have let land, and tenants have taken land and formed useful and binding agreements through tenancy agreements for the effective and profitable farming of large parts of our agricultural landscape.

In the past, Members of this House and of another place have taken it upon themselves to regulate the way in which farm tenancies operate, most recently by the introduction of the Agricultural Tenancies Act 1995. Although the area of land covered by tenancy agreements is now only around 30 per cent. of the total agricultural area of this country, agricultural tenancies still provide a stable framework beneficial to both landlords and tenants within which farming activity can progress profitably.

Many new entrants into industry find it difficult to get a foothold in their chosen business sector. However, the capital requirement of agriculture makes it one of the most difficult industries to start up in. Tenancy agreements offer a useful and effective way of bringing in new entrants, since the capital requirement at risk is shared jointly between landlord and tenant in long-term binding partnerships. Thus, the farm tenancy environment is advantageous to new entrants, and ensures that farming remains open to those without enormous family resources at their disposal. Therefore, it is a system that should be supported by hon. Members on both sides of the House.

It may be helpful to set the context for this debate if I briefly outline the history of smallholdings. I am sure in starting this that hon. Members will be somewhat surprised to learn that their history dates back to the Small Holdings Act 1892, when local authority agricultural estates were first initiated. They received a tremendous boost after the end of world war one, when smallholdings were seen as one of the tangible parts of the policy that emphasised a land fit for heroes. It was then that county councils were first given responsibility for their provision and organisation. Their incorporation into local government remained somewhat ad hoc until the Agriculture Act 1970. That consolidated local authorities' responsibility by giving them a discretionary power, which constituted a major recognition of their value.

For instance, smallholdings authorities were formally given the power to provide land for the purposes of smallholdings for persons who are, or will shortly become, qualified by reason of their agricultural experience to farm a holding on their own account. Authorities also have the power to provide, improve, maintain and repair fixed equipment on land held for the purpose of smallholdings.

The 1970 Act requires that the general aim of smallholdings authorities—having regard to the general interests of agriculture and of good estate management—shall be to provide opportunities for persons, who would not otherwise have the opportunity, to be farmers on their own account, by letting holdings to them. Thus was established the so-called gateway principle.

The 1970 Act required authorities to prepare long-term plans for the management of smallholdings estates, to provide larger holdings by reorganisation and amalgamation. That created the so-called ladder principle, whereby tenants could move upwards and onwards, either within the county council holdings or elsewhere. Such plans for reorganisation and any subsequent revisions had to be submitted for approval to the Ministry of Agriculture, Fisheries and Food.

Regulations made under the 1970 Act lay down that applicants for smallholdings must have a specified minimum period of practical experience and/or formal training, and that holdings must be let at open market value. Following the 1970 Act, there was a considerable improvement in revenue yield for the next 10 years. Rental income yields increased primarily as a result of increased productivity in the farming industry and because of the Act's requirement for open market value rents.

The Agricultural Holdings Act 1984 withdrew the right of succession on new tenancies in the private sector—such rights have never applied to county farms—and gave power to grant licences, subject to the approval of the Minister, of between two and five years. The Act also introduced retirement of tenants on council holdings at the age of 65, which had not previously been possible, in an attempt to increase tenant turnover, subject to provision by the landlord of suitable alternative residential accommodation. It should be noted, however, that that legislation did not apply retrospectively, and, as a consequence, local authorities have no powers to force the retirement of individuals possessing pre-1984 tenancy agreements, irrespective of their age.

In response to the significant decline in land made available for agricultural tenancies in the past decade, central Government introduced the 1995 Act, which has led to farm business tenancies. That fixes the lease of a holding, for the first time, for a specified period. The idea is to free up existing restrictive practices in respect of landlord-tenant contracts. The reform was welcomed across the industry, but it is still too early to be able to evaluate its repercussions, although clearly it should have a major impact on county farm estates.

Against that background, I must draw the attention of the House to concerns being expressed about the future of county council smallholdings—in particular, the threatened sell-off of those estates by cash-strapped county councils. In doing so, I remind hon. Members of Section 39 of the 1970 Act, which required that county councils,

"having regard to the general interests of agriculture and of good estate management, shall make it their general aim to provide opportunities for persons to be farmers on their own account by letting holdings to them".

With around 5,500 tenants on 130,000 hectares of land, more than £23 million in rents every year and an accumulated level of capital receipts from the sale of land of £277 million, county council tenancies have formed a vital part of the backbone of the let sector of this country. In terms of size, that far outstrips the industrial farms of the Co-operative Wholesale Society, Velcourt and Sentry, even if it is divided up many times.

I have some understanding and experience of the importance of county council estates, as, when I was previously a Gloucestershire county councillor, I chaired a major review into the future of that estate.

Gloucestershire's estate is the 13th largest in area, comprising some 3,500 hectares, spread through a total of 150 holdings, 93 per cent. of which are principal holdings.

The review marked an important stage in the estate's development. Although at first its future was very much in doubt because of evidence that had accrued, the final report completely dismissed that approach, and ended up as a ringing endorsement of the value of keeping the estate within the local authority family. I shall use that experience to exemplify what I believe to be right about county council smallholdings, and to explain why it is essential that they are kept in being.

Of course, not all county councils are considering selling their estates. Indeed, some are still involved in purchasing new holdings for let. In that respect, I commend Devon county council, which has a forward-thinking policy on its statutory smallholdings estate. However, some authorities have already disposed of their estates, and others are seriously contemplating the possibility of selling all, or a significant proportion of their farms.

For example, Wiltshire county council is considering selling all its 40 or so holdings, and, most notably, North Yorkshire county council has been looking to sell its full estate of 4,400 hectares. That will mark a worrying precedent, for it is the first of the very big estates to come into the sell-off frame.

The Tenant Farmers Association—the representative organisation for tenant farmers in England and Wales—has been fighting to promote the retention of county farm estates. Indeed, the TFA's chief executive, Mr. George Dunn, tells me that he has been in correspondence with both the Minister of Agriculture and the Deputy Prime Minister, on behalf of the Department of the Environment, Transport and the Regions. The Minister of Agriculture has now replied to him, and I hope that the Government, through the Parliamentary Secretary, my hon. Friend the Member for Scunthorpe (Mr. Morley), might be able to add to his comments during this debate.

It was unfortunate that the 1995 rural White Paper, produced by the last Government, gave such little regard to county farm estates, with less than a page of coverage and then only to propose that county councils could use a greater proportion of the funds gained through the sale of county farms than they had previously been allowed to do.

Although the provision runs out in March next year, and few county councils have taken advantage of it for other than tidying-up operations, it has focused the attention of some authorities on the value that they could realise from their estate assets.

The drive towards sales under the private finance initiative has led to its own problems. I understand that North Yorkshire has severely overestimated the value of its estate, suggesting that it is worth about £65 million. The concern is that such uninformed figures can result in decisions being taken on misleading valuations, and create the wrong result, but I am pleased to inform the House that North Yorkshire county council is now conducting an independent valuation of its estate.

Although smallholdings are meant to provide opportunities for new entrants, they are often criticised because tenants, at least under the old legislation, had security for life. The introduction of the Agricultural Tenancies Act 1995 provided a real opportunity for county councils to consider restructuring their holdings to create starter units on shorter-term agreements, progressive units on medium-term agreements, and full units on longer-term agreements. Some authorities are taking that opportunity, but others are interested only in the opportunities for sale.

At the very time when farm business tenancies should be encouraging greater movement of tenants, the threat of sales will stultify that movement, as tenants are tempted to sit tight. Sales can be achieved only on the basis of vacant possession, so only when the existing tenancy is at an end can the new owner get possession of the land. There is little incentive for a tenant to go elsewhere, as the new terms could be far worse than the existing ones.

There is undoubtedly an enormous temptation for councils to cast an accountant's eye over their smallholdings, when their financial circumstances are increasingly harsh. Some may even have a potential conflict of interest, when fulfilling their role as strategic planning authorities and making provision for their area's share of the 4.4 million homes tempts them to increase the land value of their holdings.

There is a clear need to restate the benefits of local authority smallholdings and to defend the belief that there is a coherent policy that links opportunities for young farmers, the rural economy and the environment. For that I am reliant on the rationale of the counties themselves; they have produced an excellent sheet of criteria that predicate the continuing existence of their farm estates.

To support for the farmers through the gateway and progression principles, one could add the opportunity to enter into enhanced arrangements on larger farms, perhaps moving to owner-occupation. The 1995 Act will reinvigorate such activities. The estates are also a valuable source of employment in rural areas, either directly through farming or via exciting new business and community opportunities on estate land. They remain a key catalyst for the wider economic development of the countryside.

If handled carefully, farms can retain their asset value as part of a effective bank of land that can be used when and where appropriate, especially for initiatives such as social housing, which is desperately needed in our rural areas. They are still a cash cow for local authorities, providing revenue streams from operational trading accounts managed along commercially viable lines.

A primary factor for the farms' retention is the strategic control that they offer county councils in rural areas, allowing them to influence development and the maintenance of the countryside. They allow a stake in environmental, conservation and countryside management, retaining the best in terms of the maintenance of hedgerows, ditches, watercourses, and even the built environment, through the occupation of farm buildings that might otherwise be declared redundant. Of course, only tenants can be compelled, without Government involvement, through their tenancy agreements, to care for the landscape.

Smallholdings provide the best interface with the general public by the encouragement of proper access, the opportunity to provide excellent educational resources and the knowledge that wider communities can share in the enhancement of rural areas through the democratic process.

There are, besides the immediate pressing issue of the threat of sales, other problems caused by the ad hoccery in the system. For instance, with rents rising generally in

[Mr. David Drew]

the industry, while incomes have been far less buoyant, rents on county smallholdings have started to increase more quickly.

A key reason for that is the rate of return recommended by the Audit Commission, of 6 per cent. on net asset values. Experts agree that that is high for a return on property, and it is ratcheting rents upwards. There is a variation in how different authorities approach the rate of return. I am especially interested in the Minister's views on that, as tenants are worried that they face an unfair burden, given the mess left by his Conservative predecessors.

Other performance indicators are being implemented in widely different ways. That may add to the industry's competitive edge but it is sometimes neither fair nor reasonable. It also determines where the line between full-time and part-time tenancies may be drawn.

Tenant selection remains one of the most important factors behind success but, given the limited number of opportunities available, new entrants are tempted to bid up key rents, not only damaging their own prospects but suggesting to landlords that they can expect even higher rents from their existing tenants. There is also a strong feeling among tenants that farm business tenancies are being offered for too short a period.

Allied to higher rents, that is causing uncertainty and resentment. The legacy of the local government review has yet to bed down completely in the sector, and smaller estates are much more vulnerable to sale. We have yet to anticipate how the operation of compulsory competitive tendering, or best value, will translate to the sector.

The county council smallholdings are a vital national asset, but they are in the hands of county councils, albeit under a statutory duty, and there is a lack of consistency of treatment across the country. That is why I tend to support the proposal of the Tenant Farmers Association that there should be a national review of the strategic importance of the county farms sector to agriculture and the rural economy and environment.

Before that review takes place and produces its report, there should be a moratorium on all sales of county farms. I know that the Government may not be willing or able to enforce that, but if, via my hon. Friend, a clear position of support for the smallholdings' continuation is set out, I am sure that local government will respond positively to the prompting.

I am not saying that I believe that county farms should never be sold. There will be instances when, for good estate management, development, or other purposes, individual farms or groups of farms may need to be sold, but a general evaluation of their benefits to the agricultural sector must be undertaken before we allow any large-scale sale of holdings.

I urge my hon. Friend to encourage such a review and moratorium. Otherwise, we will be faced with another example of selling the silver for coppers, when keeping it would produce far greater rewards in the long run.

1.16 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): I congratulate my hon. Friend the Member for Stroud (Mr. Drew) on the way in which he has put his case. I know that the issue is of particular interest to the farming community and farming organisations. His case has great support, for the reasons that he has outlined, and especially as smallholdings are seen as the first step on the ladder for those who want to go into agriculture as a career.

I want to give a broad outline of the background, and put the issue in context. I should say, for the record, that the Government recognise the important role of county council smallholdings, and we endorse what my hon. Friend said. I certainly hope that our endorsement will influence county councils' decisions.

The Ministry of Agriculture, Fisheries and Food has main responsibility for county farms, but the Department of the Environment, Transport and the Regions has an interest through the provisions of Local Government Act 1972, which my hon. Friend mentioned. Local government finance considerations govern councils' powers to dispose of land and other capital assets.

MAFF has statutory agricultural obligations: principally, approving estate reorganisation plans, but also submitting an annual report to Parliament on smallholdings. I stress that neither MAFF nor DETR Ministers have any statutory powers to prevent the disposal of smallholdings if councils are so inclined. The Agriculture Act 1970 makes it a general aim for local councils to encourage smallholdings and provide opportunities for persons with sufficient experience to be farmers on their own account, but I stress that there is no specific obligation on local authorities.

The previous Government were concerned about the low turnover of tenancies. In the 1995 rural White Paper, however, they did announce that local authorities would be encouraged to make a balanced assessment of the future role, management and ownership of their farms. That was to be achieved through a special scheme in which the amount of set-aside on receipts from any sales of farms fell from 50 per cent. to 10 per cent., if the receipts were received between 1 April 1996 and 31 March 1998. Under the scheme, authorities are required to give sitting tenants the opportunity to purchase before farms are offered for sale to third parties. That is only right and proper.

When the announcement was made—we were in opposition at the time—we criticised it because we thought it a clear signal from the Conservative Government that they did not think smallholdings very important. It was clearly a green light to local authorities to dispose of smallholdings in an unwarranted fashion.

Subject to part III of the Agriculture Act 1970, smallholdings authorities are free to manage their estates as they see fit. They are obviously in a good position to do so in the light of local circumstances. Councils have no obligation to seek ministerial approval of any proposed estates disposals, but, as my hon. Friend said, many local authorities have pursued positive policies of retention, and are to be congratulated on encouraging the development of smallholdings.

Concern has been expressed in farming circles to the effect that in recent years county farms have not been very effective in helping new entrants to agriculture. At a conference held by the Royal Institution of

Chartered Surveyors in January 1994, county council representatives showed that there were differing views as to the retention of county farms and their future management. There was, however, a consensus on the need to continue to take decisions at local, not national level—a general principle that we would endorse.

There was also concern about the size of smallholdings with respect to the viability of certain units in modern agriculture, in view of the pressures and changes to which it is subject.

The Agricultural Tenancies Act 1995 may help to deal with some of these problems. We are conducting a policy evaluation of the Act, and I can assure my hon. Friend that that review will include a consideration of the role of county farms. It may also be possible to examine the issue of rent calculations, depending on the terms of reference. I should point out in fairness that the recommendation has come from the district auditor, so it falls within local government legislation governing best practice for councils.

We may also have to consider the wider question of new entrants to the agriculture sector in a further study—depending on the outcome of the review of the 1995 Act. When that Act was introduced, we expressed some anxieties about it, but we made it clear that we would give it time to settle in, to see whether it would achieve its objectives of releasing more land for rent. That in turn would allow greater opportunities to new entrants, and would help those already in the sector to expand. The review is a useful chance to discover whether the Act is meeting those objectives.

I am also aware of the views of the Tenant Farmers Association about county council smallholdings. I have met the association a number of times on my regional visits. Its members have put their arguments rationally and reasonably to me, locally and nationally, and we have listened carefully to those representations.

Neither the DETR nor MAFF has the powers to impose a moratorium on sales. Besides, some sales have already taken place, and negotiations have been entered into. It will therefore be difficult, legally speaking, to impose a moratorium until the situation changes on 31 March. So much was made clear to Mr. Dunn of the TFA, in a letter from the Minister of Agriculture.

We also face the practical problem that it would take legislation to bring in a moratorium. It is not realistically possible to find time for such legislation before 31 March 1998, when the scheme ends. But I can assure my hon. Friend that the Government have no plans to continue with the scheme once it has ended.

I repeat our desire for a continuation of county farms, and I should like to outline some of what the Government are doing to help. We provide funding for ATB-Landbase, the industry training organisation for agriculture and commercial horticulture, helping to ensure that young people have the right skills to work in the industry. The money supports the ATB-Landbase training helpline, as well as local training infrastructure, the development of recognised qualifications and careers advice. It is clearly important to train young people wanting to go into agriculture, horticulture or livestock.

We have also provided funding arrangements as part of the sector challenge. Over the next three years, this funding will complement MAFF funding in this area. I am pleased to say that some of it will go towards measures designed to attract young people to farming. We shall also underpin the development of a comprehensive training company audit scheme.

We are also looking into the problem of quotas which faces new entrants. Certain sectors are quota controlled—the dairy and sheep sectors, for instance. That poses a major problem; we are arguing strongly for reform of the quota system within the Agenda 2000 proposals which were recently published by Commissioner Fischler. I am pleased to say that many new sheep and suckler cow farmers already receive free quota. At the same time, the UK continues to press for the replacement of sheep and suckler cow quotas in the long term by a more flexible system such as regional reference ceilings.

The milk sector presents rather more difficulties. Here, new entrants must inherit, buy or lease quota. Providing sufficient milk quota to maintain viable farms is one reason why some county councils restructure their estates from time to time. There is a difficult balance to be struck between the needs of current tenants to make a living—or even to expand—and the demands of people looking to make a start in farming. Should any proposals emerge, we are prepared to consider suggestions for an industry-run new entrants scheme.

We have discussed the issue with farming representatives, and we have raised it in Europe. A report produced by the European Commission last year on "Young Farmers and the Problem of Succession in European Agriculture" will play an important role in stimulating debate in the Community on the measures needed to encourage more young people to take up farming. The average age of farmers in the EU is 55, and rising. We must tackle that if we are to ensure the continued efficiency and prosperity of the industry. We look forward to continuing discussions in Europe.

There is every reason why county farms should once again play an important part in helping new entrants to farming, but we do not underestimate the difficulties—not least of which are size, and the small number of such farms that become available for succession. Unlike certain occasions in the past, councils must respond to the demands of would-be farmers and local taxpayers.

Sound estate management may permit the release of capital for badly needed local initiatives and create genuine opportunities for new entrants. My hon. Friend clearly does not want to fossilise the structure of county council smallholdings; but they must be reorganised so as to provide better opportunities for new entrants. I am quite sure that that is the right approach.

We will, as a Ministry, encourage local authorities to look constructively at ways of addressing the issues. We also believe that the energies and ideas of new entrants need no longer be confined to traditional agriculture on smallholding estates. There could be far greater use of the flexibility in farm business tenancies to offer genuine benefits to new starters and to explore the potential of niche markets, such as the organic sector.

We want to ensure that local councils look at all possible alternatives before considering selling any of their estate. They should listen to the views of bodies such as the Tenant Farmers Association and the Ministry; and they should take into account the case made so ably today by my hon. Friend the Member for Stroud for the retention of this important part of agriculture.

Penninghame Open Prison

1.29 pm

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): I am grateful for this opportunity to raise matters that are of great importance, not only to my constituents, but to the wider public. I am also grateful to the Minister for Home Affairs and Devolution, Scottish Office, for attending to respond to my points.

I shall highlight two general issues relating specifically to open prisons in Scotland and arising from incidents that occurred at Her Majesty's prison at Penninghame, which is located in my constituency. Penninghame is set in attractive countryside about four miles north of the market town of Newton Stewart. Its main building is the mansion house of the formerly private estate that now provides the prison with its grounds.

Penninghame was first established as an open prison in 1954, amid some controversy that necessitated the attendance of the Minister's distant predecessor at a public meeting in Newton Stewart to explain the arrangements. Since then, Penninghame has housed prisoners—many of them long term—in open conditions. Its capacity is for about 85 prisoners, but it is currently operating well below full capacity.

The prisoners fall within the Scottish Prison Service's category D, defined as prisoners who are considered not to be a danger to the public, who can be given the opportunity to serve their sentence in open conditions. Penninghame offers a rehabilitative regime to prisoners who are working towards their release. From the original controversy surrounding its opening, the prison has been well integrated into the local community.

A proportion of prisoners take advantage of outplacements in the community—some travel as far as Stranraer, which is about 25 miles from Newton Stewart. It is fair to say that new opportunities for work are constantly sought in activities such as forestry work or work in social projects, helping the elderly or infirm. The prison contains a large amount of woodland and farm, and includes a large garden with an associated garden centre, which is open to public and staff for the sale of local produce. That garden and garden centre constitute the main source of employment for prisoners and are an important point of contact between the prisoners and prison and the local community. Such contacts are highly valued within Newton Stewart and the surrounding area.

Much of the prisoners' work goes to help voluntary organisations that might not otherwise be able to carry out their role within their own slender funds, so the arrangements with the prison enable them to achieve more than they could otherwise do. Recently, a constituent of mine who is involved in running a day centre told me that the centre would certainly have shut down some time ago had he not had the daily assistance of four or five prisoners from Penninghame open prison.

A recent incident occurred at a local gala day near Penninghame, when some prisoners involved in the preparation for the gala day gained access to alcohol and subsequently—not surprisingly—had to be taken back to the prison. The consequences for the prisoners were extremely serious: they lost their open status, and were transferred back to a closed prison establishment.

The incident gained more media publicity than it deserved, because of some other events that had occurred at the prison, but one of the most remarkable aspects of the case was how the gala day committee insisted that it was an isolated and exaggerated incident, and stated how much it valued and would continue to value the involvement of Penninghame prisoners in the gala day preparations.

I have made a point of visiting the prison since the general election. I was impressed by the work being done there and by the staff's commitment to the success of the various programmes. Over the years, the prison has clearly established a positive relationship with the local community, benefiting the community as well as substantially assisting the rehabilitation of inmates, which is the primary purpose of an open prison. I do not want anything to happen that might sour that excellent relationship, which is why I wish to address the aftermath of certain recent escape episodes, which have caused some local concern.

Despite the fact that security measures are in place, by definition it is easier for an inmate to abscond from an open prison than from a closed one. The prison authorities take great pains to ensure that category D prisoners chosen for open conditions are those who are likely to benefit from that classification; that they are unlikely to take advantage of open conditions to effect an escape; and that they are not likely to pose a danger to the public should they actually escape.

However, we have to recognise that assessment of the human personality and prediction of human behaviour is an inexact science, and occasionally the assessment of a prisoner's suitability for an open prison will prove incorrect. That does not invalidate the idea behind open prisons or necessarily imply that the SPS has been legally negligent when things go wrong; equally, however, it is not right that the public should suffer when the SPS assessment proves inaccurate, as is inevitable from time to time.

The first incident I wish to highlight took place earlier this year on 16 March, when Joseph McGarry—who was serving a 10-year sentence for various offences, including assault and robbery—absconded from the prison. Around the same time, a motor vehicle belonging to one of my constituents was stolen from Newton Stewart and was subsequently recovered from a location in Glasgow, near to where McGarry had previously resided. Its condition was such that it was a total write-off in insurance terms.

Although McGarry was subsequently charged under road traffic legislation with the offence of allowing himself to be carried in a motor vehicle without having lawful authority—a strange offence—the procurator fiscal decided not to proceed with the charge, and McGarry had two years added to his sentence for the escape attempt.

The amount my constituent received from the insurance company, while no doubt reflecting the car's market value, in no way allowed her to buy a replacement or reflected the value of the car to her. Possession of a motor car in rural Scotland—especially the south-west, which does not enjoy the best public transport services—is a necessity, and my constituent required a car to transport her mother to hospital in Edinburgh for treatment.

My constituent attempted to reclaim her uninsured losses from the SPS, but the service responded that there was no evidence that the escaped prisoner had stolen the car; and, even if there had been such evidence, there was none that the SPS had been negligent. My attempts to achieve some progress did not prove any more successful.

Subsequently, there has been what the intermediate report of the prisons inspectorate described as a

"car theft and hostage taking incident"

at the nearby hamlet of Challoch. On each occasion, a car belonging to one of my constituents has been damaged and written off by insurers. It is clear that Penninghame's relative remoteness results in motor vehicles being a prime target for potential escapees wishing to make good their escape.

After the second incident, my constituents again sought redress from the SPS, in particular compensation for uninsured financial losses, alleging that the SPS was negligent in allowing a prisoner to escape. The SPS responded:

"As in many areas of human endeavour, a judgment has to be made on the evidence available, and from time to time the judgment that an individual can now be trusted to prepare for release in open conditions will not be borne out."

It concluded:

"we consider this was an unfortunate incident which the prison authorities could not reasonably have foreseen and consequently your constituents' claim for compensation is repudiated".

I subsequently wrote to Mr. Frizzell, chief executive of SPS, saying:

"It would appear that the general public has no redress once a faulty classification decision has been made and the prisoner transferred to a low security regime".

Mr. Frizzell replied to the effect that that was not true, and said:

"any person who considers he has a legitimate claim may seek reparation from the Secretary of State—but for this claim to succeed he would first need to show negligence".

Given the cost of a legal case in the civil court and the difficulty of obtaining legal aid in civil cases, the suggestion that my constituents should sue the Secretary of State is a bit of a joke, and it does not appear to my constituents to be an especially inviting or realistic option, despite their confidence in the justice of their case.

Quite apart from the problems of financing legal proceedings, it is likely to be very difficult to prove negligence on the part of the SPS, which makes it almost impossible for those suffering the depredations of escaped prisoners to seek redress with confidence. Given that Penninghame is an open prison, and that prisoners are intended to leave the prison regularly in any event to go to work and other activities, an escape is hardly likely to have resulted from negligence.

The other main area where the prison authorities would be regarded by a layman as potentially at fault is that surely the authorities, almost by definition, have wrongly classified a prisoner as suitable for open conditions if that prisoner subsequently chooses to escape. It is clear that the system has, regrettably, failed in that instance, and that those making the prison classification obviously got it wrong if the prisoner escaped, albeit that is an after-the-fact judgment.

Trying to prove that such a failure constituted legal negligence is a different matter, so my constituents find that it is game, set and match to the SPS. The authorities' position, which allows them to say that prisoners can escape, threaten my constituents, damage property and steal and destroy cars but the injured parties are very unlikely to get any redress unless they can prove negligence, is a non-starter. It is not good enough.

The community of Newton Stewart has been very supportive to Penninghame prison throughout its existence, and I think it behoves the SPS to be supportive to individual members of the community on the rare occasions when things go wrong.

I ask the Minister to consider establishing a mechanism whereby constituents whose specific cases I have mentioned, and members of the wider public with similar cases, could get compensation for losses without the necessity for the SPS to be proved at fault—although, in cases where there really was negligence, the public interest would, I believe, demand that that be identified.

I started by emphasising the good work of the prison at Penninghame and the healthy relationship that it has enjoyed with the local community, to the advantage of both. No one wishes that relationship, built up over many years, to be placed at risk. However, the prisons inspectorate report I mentioned said:

"the incident has generated much adverse media coverage and renewed agitation from a local pressure group . . . this is now casting a very large and disproportionate shadow over the establishment and its prisoners".

That is no exaggeration. The sheriff at the sheriff court in Stranraer, sentencing the escapee McGarry, said:

"Locals are beginning to question why people like you should be in an open prison in the first place".

I would like the shadow I mentioned to be dispelled. I have had assurances from the governor of Penninghame, and from the Minister by letter, that public safety will be foremost in decisions taken by the SPS in relation to prisoner placement. However, beyond that, given the impossibility of giving absolute guarantees of prison behaviour, the position where innocent people can suffer losses—and cannot obtain recompense—simply because they happen to live close to an open prison threatens to deepen the shadow that the prisons inspectorate mentioned in its report. I hope that the Minister can suggest a way to resolve that dilemma.

My second concern is about the proportions of the various types of prisoner who are resident at Penninghame. As I understand it, until recently the policy of the SPS, although not rigid, was that prisoners who were sentenced to more than eight years were sent to Penninghame, that those who were qualified for open conditions, with sentences of from two to eight years, went to Noranside in Tayside, and that those with less than two years went to Castle Huntly, also in Tayside. That policy is under review, and a decision is expected imminently.

I appreciate that the issues concerning whether prisoners with dissimilar sentences should be mixed in the same establishment are complex, but I suggest that, from the point of view of the local community, it would be much more acceptable if prisoners at Penninghame constituted a cross-section of those in open conditions, not those with largely longer-term sentences. I hope that the Minister will say that the SPS is planning to move in that direction.

1.44 pm

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): I am very pleased that the hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) has taken such a constructive tone in relation to the contribution that Penninghame prison

[Mr. Henry McLeish]

makes to the local community. He has also been very robust in the defence of his constituents over recent circumstances.

I want to respond in equally constructive terms in relation to the points that have been raised. The hon. Gentleman spoke with passion and insisted that the matter be taken seriously. His correspondence with the chief executive of the Scottish Prison Service and myself shows the same qualities.

I understand the anxiety, distress and anger that the hon. Gentleman's constituents must feel in the light of this year's events. One need only pause for a moment to put oneself in their place. It was in acknowledgment of the concerns expressed by the local community that the Scottish Prison Service imposed a moratorium on the transfer to Penninghame of prisoners with any history of violence.

Not unnaturally, last March's incident attracted significant media interest. Against that background, considerable support was expressed by local people for the work done by Penninghame prisoners in the community. The hon. Gentleman alluded to that.

I know that prison managers are keen to build on that support and to develop the good links that exist. As part of that process, I shall now ask the Scottish Prison Service to examine again the allocation criteria for Penninghame, to ensure that those prisoners who go there are those—and only those—who can use the opportunities that it affords constructively. I hope that that addresses part of the concern that the hon. Gentleman expressed. The SPS attaches a high priority to good relations and co-operation with the local community. It is important that decisions taken about the allocation of prisoners do not put that in jeopardy.

I emphasise that people living in the constituency must have confidence in the prison; that is vital. As has been said, historically the establishment has maintained a good relationship with the local community, and I give the hon. Gentleman my assurance that we do not want to do anything in future that jeopardises that concern. I would not wish to lose sight of the important role that open prisons play in aiding the successful integration of prisoners into society at the end of their sentence.

The Scottish Prison Service makes strenuous efforts to ensure that no prisoner who is thought to be a danger to the public goes to Penninghame. Prisoners are transferred only when they have been allocated security category D, defined as

"a prisoner who is considered not to be a danger to the public and who can be given the opportunity to serve his sentence in open conditions".

Before transfer to Penninghame, assessments are made of the risk to the general public if the prisoner were to abscond and the likelihood of his absconding.

Allocation of security category D to indeterminate sentence prisoners requires the Secretary of State's approval. Very careful consideration is given to each application for transfer and the following factors, among others, are taken into account. We must consider response and conduct since imprisonment, and willingness to address offending behaviour. We must consider preparation for release. We must anticipate the likely response of victims or the general public. We must assess the stability of the social and domestic relationships. Finally, the person must be drug-free. That process is given a great deal of attention, to try to avoid any of the difficulties and problems that the hon. Gentleman outlined today.

The hon. Gentleman has suggested that it may have been a mistake to assign category D to the prisoner who absconded on 24 March. He has suggested that subsequent events proved that that was a misjudgment. However, he will accept, I am sure, that a judgment can be made only on the evidence available at the time. Category D is awarded after a rigorous assessment procedure, which tests the prisoner on escorted leaves as well as in conditions of greater freedom within the prison.

Occasionally, no matter how good that process, a prisoner will go on to abuse the trust placed in him. That is not a fact about prisoners' behaviour specifically; it is a fact of human nature. Sometimes people let one down. In the more philosophical part of his speech, the hon. Gentleman confirmed that.

The prisoner in question had created no trouble for anyone in the five years preceding the incidents of 24 March. The staff who had been responsible for his management while he was in Edinburgh prison, and who had observed his behaviour closely throughout that period, advocated his reclassification. His cause was championed by the independent Scottish prisons complaints commissioner, who thought that he was not being reclassified quickly enough.

There was no logic to the events of 24 March; they rapidly escalated out of control. It was if the prisoner had embarked on a roller-coaster ride that he could not get off. Such events are very unusual. In its 43-year history, Penninghame has had only one incident of this seriousness. Of course, that is no consolation to those who were affected that day. I sympathise with the hon. Gentleman's desire to help them—any Minister who is a constituency Member of Parliament would want to do so. I share that desire, because it is clear that a wrong was committed.

I fully understand the concerns of the hon. Gentleman and his constituents. As he knows, a full investigation was carried out after the incident. The prisoner involved has yet to come to trial. I cannot say whether the trial will shed any light on the incident. However, on the strength of the hon. Gentleman's concerns, I shall ask the chief executive of the Scottish Prison Service, after the trial, to look further into all the issues raised this afternoon.

We never live in a perfect society, but I should like to think that the confidence and trust of the constituents in the prison can always be reinforced by the common sense exercised on both sides of the House. I think that the hon. Gentleman has made an excellent, concise presentation of the concerns that exist. It is important for Ministers to listen and do as much as they can to ensure the continuation of that confidence and trust. I hope that the assurance that I have given will satisfy the hon. Gentleman.

It being before Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Integrated Schools

1. **Mr. Hope:** How many integrated schools in Northern Ireland *(a)* at present exist, *(b)* existed in 1992 and *(c)* are at the planning stage. [16231]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Tony Worthington): At present, there are 33 grant-aided and four independent integrated schools in Northern Ireland. In addition, four schools have been granted conditional approval for transformation to integrated status from September 1998, and proposals from a further six schools are under active consideration. In September 1992, there were 16 grant-aided schools.

Mr. Hope: I thank my hon. Friend for that reply. Does he agree that, although integrated schooling is not a solution to the deep divisions in Northern Ireland society, it plays a crucial role in heightening understanding and tolerance of different cultures and religions? Will he say whether the Northern Ireland Office is taking any steps to encourage existing schools to transform themselves into integrated schools?

Mr. Worthington: I agree with the sentiments expressed by my hon. Friend. We are encouraging existing schools to transform themselves into integrated schools, and an unprecedented number—five schools—have done so this year. Creating new schools causes real capital expenditure problems. Some £28 million will be spent on integrated schools in the next three years, which is a large proportion of the expenditure on major school works. We want to encourage schools to submit genuine, active proposals for transformation. That is a major step forward.

Mr. Beggs: Does the Minister agree that there is a considerable and significant level of voluntary integration in addition to existing designated integrated schools? Does he agree also that the education for mutual understanding programme is improving links between state-controlled schools and Roman Catholic maintained schools and is helping to improve respect for different traditions? Will the Minister monitor closely all applications for new integrated schools that might threaten the viability of existing secondary schools in Northern Ireland?

Mr. Worthington: On the hon. Gentleman's first point about voluntary integration, school transformation proposals must involve a significant amount of integration. The general point is that most schools in Northern Ireland have become extremely segregated, and therefore find it difficult to move quickly to integration. We accept happily that it is our duty under statute to stimulate school integration, but we must achieve a balance between that duty and being fair to the other schools and other children in the system.

Northern Ireland Forum

2. **Mr. Mackinlay:** What responses her Department has given to reports published by the Northern Ireland Forum. [16232]

The Minister of State, Northern Ireland Office (Mr. Paul Murphy): The forum has produced 17 reports since its inception, of which 13 have been submitted to the Government.

One report, on electoral abuse, has not yet been formally received. Two reports, on long-term unemployment and on integrated transport policy, are under consideration. All the other reports submitted have been carefully considered, and Ministers have responded in writing or met a delegation from the forum.

Mr. Mackinlay: I thank my hon. Friend for his reply. When he receives the report of Standing Committee A of the Northern Ireland Forum on electoral abuse, will he examine it closely, bearing in mind the fact that its findings and recommendations demonstrate the urgent need for electoral reform, both in the preparation of the register and lists and in the use of the register in relation to proxy voting and postal voting? Hon. Members of all parties are concerned about the integrity of electoral arrangements in Northern Ireland, and their concerns are buttressed by an important BBC "Spotlight" programme a few months ago, prepared by Stephen Walker. All that requires the Department to recognise the need for a root-and-branch look at the electoral arrangements.

Mr. Murphy: I entirely agree with my hon. Friend. We take allegations of electoral abuse extremely seriously. All parties in Northern Ireland have been asked to make submissions to the Government, and we have our own internal review of the matter in the Northern Ireland Office. In addition, my hon. Friend will know that the House's Northern Ireland Select Committee is examining that important problem. We take it extremely seriously, and we look forward to receiving both reports in the new year.

Mr. Forsythe: Is the Minister not concerned that, when the matter was investigated by Standing Committee A of the forum, the committee produced more than 20 recommendations or suggestions for improving the electoral system in Northern Ireland? Surely we must be concerned that, after all these years, there are so many problems with the electoral system in Northern Ireland, and nothing appears to have been done about them. The matter must be looked at closely, and something must be done as soon as possible.

Mr. Murphy: I entirely agree with the hon. Gentleman. He must bear with us, as we have been in office only since May, but all parties share his view that there are extremely serious problems. Every party in Northern Ireland, without exception, has written to me about the difficulties that they have encountered in respect of electoral abuse. I look forward to meeting the chairman of the standing committee of the forum and other members on the matter which, as I said in my previous reply, is extremely serious.

Peace Process

3. **Mr. Colman:** What plans she has to meet the Irish President to discuss the peace process. [16233]

4. **Mrs. Ellman:** What plans she has to meet the Irish President to discuss the peace process. [16234]

The Secretary of State for Northern Ireland (Marjorie Mowlam): I hope to meet President McAleese when she visits Northern Ireland in the future. President McAleese has taken "Building Bridges" as the theme for her presidency. I warmly welcome this, and I look forward to hearing the President's views on a variety of topics in the near future.

Mr. Colman: I note that my right hon. Friend joins me in congratulating President McAleese on her election. Does she agree that the excellent work in all parts of the community carried out by Mary Robinson, the former President, has provided a positive foundation on which President McAleese can build?

Marjorie Mowlam: I entirely agree with my hon. Friend. The legacy that Mary Robinson left is a positive one. Now she has left to continue the work on human rights elsewhere, but I am sure that she has left a good base which President McAleese will study carefully, because it consists of listening to and encouraging people towards an accommodation, just as, in parallel, we in the north will continue to build bridges and work for progress and accommodation in the talks.

Mrs. Ellman: Will my right hon. Friend discuss with the President the work of the Great Famine Commemoration Committee in my constituency? The work of that committee involves recognising the tragedy of the lives lost in the great famine, but the committee also thanks those who gave support to the people who arrived on the shores of Liverpool and elsewhere, and commemorates the achievements of Irish people in Britain.

Marjorie Mowlam: I thank my hon. Friend for that question. The famine and its after-effects are part of our history, as they are part of Ireland's. The famine's consequences, which my hon. Friend described for her constituency in Liverpool, continue to affect the lives of many people in Britain and Ireland. As I am sure she is aware, in a statement in May my right hon. Friend the Prime Minister expressed his regret for the famine, and paid tribute to those who have settled in this country, many in Liverpool. A memorial proposed for Liverpool will focus on the famine, commemorating the victims who passed through Merseyside and the help that many people in Liverpool gave.

Mr. Trimble: As the Secretary of State knows, the talks process in respect of the Irish Republic involves important constitutional issues, and, indeed, issues of international law. Does she realise our surprise when we were told recently by officials in the Northern Ireland Office that there exist understandings with the Irish Republic of a constitutional nature beyond those disclosed in public documents? Does she realise our shock when we were told later, in response to a question from me, that the Northern Ireland Office has never bothered formally to consult the Government's experts in international law in the Foreign Office? Will it now seek advice on these important matters of constitutional and international law and will it publish that advice?

Marjorie Mowlam: I do not know the specific reference that the hon. Gentleman is making to a Northern Ireland civil servant, and the information that the hon. Gentleman suggests, but I assure him that we will certainly take advice from international lawyers and that we take advice at the moment from our own lawyers, and those in the Home Office where relevant. I guarantee that—as we have done elsewhere in Northern Ireland—where it is relevant, viable and possible, we will put the information in the public domain.

Mr. Mallon: Does the Secretary of State agree that the greatest contribution that any of us can make to building bridges is to get a political settlement that can be supported by the vast majority of people in the north of Ireland? What deliberations has she had with the Irish Government and the parties within the talks to ensure that the review plenary sessions on Monday and Tuesday next week will be so positive that, in effect, we can focus on clearly defined objectives to reach a settlement?

Marjorie Mowlam: I thank the hon. Gentleman for that question. I agree whole-heartedly with the first part of his statement: a political settlement reached by accommodation, based on consent, is the only way in which we will have a different future from the violent history that we have had.

In terms of where we go from here, as hon. Members from the parties in Northern Ireland will know, discussions are taking place now, in bilateral and other formats, to begin to try to move the process forward, so that we have specific recommendations to make at the review plenary on 1 to 3 December. We are working very hard to progress that; I am sure that others are as well. On Monday, we will discuss what form it will take. I hope that it gives us something concrete with which to move to Christmas.

Rev. Ian Paisley: When the Secretary of State speaks with the President of the Irish Republic, will she raise the matter of the President's announcement that she would make frequent visits to Northern Ireland? Will those visits be controlled under the proper protocol arrangements, or will the President be at liberty just to come and go as she pleases?

Marjorie Mowlam: I thank the hon. Gentleman for his question. I presume that it will be normal protocol, just because of the advice that will be needed for somebody in the President's position moving around. When we hold the EU presidency in the next six months, I hope that we can, with the minimum of protocol, invite people from across Europe to see the progress that is being made in Northern Ireland in terms of the talks, the economy, investment and economic and social stability, so that people in Northern Ireland realise that, although they want peace in the months and years ahead, many people in Europe and elsewhere wish it too.

Mr. Robert McCartney: Will the Secretary of State confirm that a central requirement of the settlement that

the hon. Member for Newry and Armagh (Mr. Mallon) mentioned is a cross-border body with executive powers, and that the overwhelming majority of the pro-Union community reject that as any basis for settlement?

Marjorie Mowlam: I thank the hon. and learned Gentleman for his question. Different parties have different parts that they consider to be essential to some sort of final accommodation—these include devolution in terms of an assembly, cross-border co-operation and the nature of the powers of that body. Surely, the point of negotiation and discussion is to consider the basic tenets that each party brings with it, whether it be cross-border co-operation, a devolved assembly or a change in east-west relations. That is what discussion, debate and negotiation should be about. I hope that the hon. and learned Gentleman finds it within himself to join those talks in the future, because his contribution would be welcome.

Mr. Öpik: How would the Minister view visits by various representatives from Northern Irish parties to Dublin in the interests of reciprocating the important and urgent need to build bridges in the negotiations?

Marjorie Mowlam: I would welcome participation, debate and discussion among all the different players and parties. I should like them to be fully engaged in the process. I hope to see others who are currently outside the talks or are not fully part of them come into the talks and play a fuller role, because that would help the process considerably.

Mr. MacKay: Are we not at a decidedly premature stage of the political talks for the Prime Minister to be inviting Mr. Adams to Downing street? Does the Secretary of State not appreciate the public outrage when, only last week, a Sinn Fein council said that, if it did not get its own way, it would go back to what it knows it does best? Let me assure the right hon. Lady that, if we were still in office, we would not be inviting Mr. Adams to Downing street.

Marjorie Mowlam: I remind the hon. Gentleman that, if he were still in office, he would not be inviting Mr. Adams in the same way as my right hon. Friend the Prime Minister—openly, above board and straightforwardly. When the Conservative Government did it in the past, they did it behind closed doors and without acknowledging it. At least we are doing it in a straightforward and open way. The Prime Minister has made it patently clear that, if groups and parties sign up to the ceasefire and accept the Mitchell principles of a democratic and constitutional way forward, we will treat them as normal. The Prime Minister is in a cycle of talks with all the parties and he will treat them all the same. Let us do it openly, not in a hidden way.

European Funding

5. **Mr. Salter:** If she will make a statement on the amount of European funding that has been secured for Northern Ireland over the last five years. [16235]

Mr. Paul Murphy: European structural funds support secured during the past five years comes to 1,632 million ecu, which is about £1,200 million. All the programmes negotiated with the European Commission have been funded for the period 1994 to 1999, with the exception of the special support programme for peace and reconciliation, which, so far, has had funding approved for 1995 to 1997. That reflects Northern Ireland's objective 1 status. The structural funds allocation has made a significant contribution to addressing the region's needs and circumstances.

Mr. Salter: Will my hon. Friend join me in welcoming the work of the district partnerships set up to distribute European peace and reconciliation money? Does my hon. Friend agree that that important work has been further enhanced by the bold decision of the House's Standing Committee A in the early hours of the morning to end, once and for all, the appalling practice of internment without trial?

Mr. Murphy: I welcome my hon. Friend's remarks, in all directions. Recently, I visited two partnerships, in Ards and in Newry. I have been impressed by the work done by those bodies. All parties and those outside political parties such as trade unions, business and commerce, engage with each other in the interests of everybody in the community. They are very encouraging in terms of what they want to do to improve the situation in Northern Ireland with funding and in helping the peace process. It is a complete innovation in the way that funds are distributed and I thank my hon. Friend for raising that important issue.

Mr. John D. Taylor: The European Union's financial support is very much welcomed by the people in Northern Ireland and we thank the Government for the effort that they are making to attract more European Union funding to the Province. However, I want to get the figures into context and avoid any misunderstanding. The Minister referred to £260 million a year that comes from the European Union. What is the comparable figure coming from Her Majesty's Government to Northern Ireland?

Mr. Murphy: The right hon. Gentleman has experience of European matters as a former Member of the European Parliament. Structural funds and other money that we receive from the European Union are important for peace and reconciliation. He is absolutely right to draw the attention of the House to the £8 billion that comes from the Chancellor of the Exchequer and the Chief Secretary to the Treasury, who know how important it is for Northern Ireland to be properly funded. The right hon. Gentleman's point is important, because health, education, transport and security are funded by the British taxpayer.

Mr. Bill O'Brien: I thank my hon. Friend for his response. I share his admiration for the grants that are channelled into Northern Ireland: I fully support that. However, will he have regard to the fact that some of those grants could have a devastating effect on other parts of the United Kingdom? The recent announcement of a grant to develop glass manufacture in Northern Ireland could affect the industries in my area, particularly in Knottingley where my constituents work.

Mr. Murphy: I thank my hon. Friend for that question. I assure him that full account was taken of the points that

he made about the glass industry in his area. I also thank him for referring to the fact that Northern Ireland is a special case. Peace and reconciliation money does not have an impact on the way in which funds are allocated in the rest of the United Kingdom.

Hospital Waiting Lists

6. **Rev. Martin Smyth:** If she will make a statement on the pattern of hospital waiting in Northern Ireland, indicating the three trusts and specialties where the lists are greatest. [16236]

Mr. Worthington: The largest in-patient waiting lists at 30 September 1997 were at the Royal Group of Hospitals and Dental Hospitals health and social services trust, the Belfast City Hospital health and social services trust and the Ulster, North Down and Ards Hospitals health and social services trust. By specialty, the largest waiting lists were in general surgery, ear, nose and throat and trauma and orthopaedics.

Rev. Martin Smyth: I appreciate that answer. Does the Minister accept that the Ards and Ulster hospitals have not been properly funded over the years? Can he give an assurance that the boards will complete contracts much earlier, so that those dealing with specialties can plan their operational procedures better?

Mr. Worthington: The Minister—I beg the hon. Gentleman's pardon; I mean, the minister of religion has given an example of the collapse of the internal market. When we came to office, it seemed impossible for the trusts and boards to come to an agreement. We insisted that they did so as soon as possible. The major cause of the problem this year has been the budget cuts imposed by the previous Government, which have caused waiting lists to soar after a period of decline. We take this matter extremely seriously. We have identified an extra £12 million for this year's budget. I hope to be able to identify more money shortly. The Chancellor of the Exchequer said that an extra £31 million would go into the health service budget from April next year.

Mr. McGrady: I thank the Minister for his recent, well-received visit to the Downe hospital in Downpatrick. When he was there, he no doubt saw that an attack is being made on the waiting list by a high-quality, cost-effective team in conditions that are 200 years old. That trust has gone through the private finance initiative. Will he put completion of the third phase of a modest hospital on the public capital programme list?

Mr. Worthington: I very much appreciated my visit to Downe hospital as part of the consultations that I have had in that area recently. We were disturbed and disappointed by the collapse of the private finance initiative. I am awaiting the economic analysis and appraisal, so that I can decide on the priority to be given to the Downe hospital.

Mr. Moss: Following the Minister's recent decision to amalgamate the Royal maternity and the Jubilee maternity at the Royal site, will he confirm that sick babies will continue to be transported by ambulance to the Royal hospital for sick children? Will he confirm that the construction of the proposed Royal maternity unit will be put off for many years? Does he agree that the closure of the Jubilee unit at the City hospital, without consultation, is without precedent?

Mr. Worthington: To deal with the last point first, this morning I received a letter from the affected parties in the case, giving me their undertaking that they would work together to make a success of the new proposals. We inherited a problem from the hon. Gentleman, who is a former Northern Ireland Minister. The most important issue was the clinically best way to deal with small, vulnerable babies and their mothers. We looked at the matter and we brought in independent outside analysts. The clear decision we received was that we should go ahead with our proposals, which we have done. That has been generally welcomed in Northern Ireland.

Mr. Godman: In addition to the Minister's existing proposals, when will he introduce a comprehensive health promotion strategy?

Mr. Worthington: On 10 December, we shall make an announcement on priorities in the health service in Northern Ireland so that we can remedy defects in the illness patterns not only through the health service, but by involving every Department and agency in Northern Ireland. We shall announce our proposals then.

Health Budget

7. **Mr. Simon Hughes:** If she will make a statement on the projected growth in real terms in the health budget for Northern Ireland between 1997–98 and 1998–99. [16237]

Mr. Worthington: It is not possible to anticipate the 1998-99 final allocations announcement which will be made to the Northern Ireland Grand Committee in early December, but I can assure the hon. Gentleman that the extra £31 million, announced in the July Budget, will be added to the health spending totals for 1998–99 set by the previous Government.

Mr. Hughes: Given that, during the whole of the last Parliament, the House was told by hon. Members on both sides of the House about the money needed for the health service in Northern Ireland—for capital building and general services and to reduce waiting lists—and given that health inflation is about 2 per cent. above real inflation, will the Minister either give an undertaking today or use his best endeavours to ensure that the money going to the health service in Northern Ireland is at least 2 per cent. in real terms above inflation and that additional money is put in to cut waiting lists, rather than allowing them to go on rising?

Mr. Worthington: I hope that the hon. Gentleman knows that we are committed to a comprehensive spending review so that we can impose the Labour Government's priorities. We have already started that in terms of the reallocation of money in the current year, and we hope to make a further announcement shortly. I ask the hon. Gentleman to be patient until the Northern Ireland Grand Committee sitting, when all will be revealed to him.

Mr. William Ross: Will the Minister confirm that the sums available to him will be sufficient to complete,

equip and open the new Causeway hospital at Coleraine, and will it be equipped to provide cancer services and paediatrics?

Mr. Worthington: I regret that I could not hear all that the hon. Gentleman said. He will know that one of the first actions we took was to end the indecision about the Causeway hospital. I was delighted to meet the chair of the trust this morning and to hear that the project is going ahead well. I look forward to discussing health matters with him in the not-too-distant future.

Equal Opportunities

8. **Helen Jones:** If she will make a statement on her Department's policies for creating equality of opportunity in Northern Ireland. [16238]

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): The Government are whole-heartedly committed to equality of opportunity in all sections of the community in Northern Ireland. We are actively considering a number of measures on fair employment, sex discrimination, race relations and disability discrimination that will benefit all who live there. In addition, the Government are giving full consideration to the comprehensive report, produced by the Standing Advisory Commission on Human Rights, on employment equality and related matters. We intend to publish a response early in the new year.

Helen Jones: I thank my hon. Friend for that reply. Given the importance of ensuring equality of opportunity in Northern Ireland, particularly in employment, in which the Catholic population is at a severe disadvantage, will he tell the House what further steps he intends to take to increase employment opportunities for all in the Province?

Mr. Ingram: I am grateful to my hon. Friend for that question. Good progress is being made in considering the SACHR recommendations. Many of the new Government's proposals on tackling unemployment, particularly long-term unemployment under the new deal initiative, echo the SACHR proposals. The new deal will help members of both communities. My hon. Friend referred to the fact that Catholics are disproportionately represented among the long-term unemployed, so they should benefit in particular.

PRIME MINISTER

The Prime Minister was asked—

Social Security Fraud

Q1. [16260] **Mr. Beggs:** What additional action will be taken by Her Majesty's Government to reduce social security and housing benefit fraud.

The Prime Minister (Mr. Tony Blair): We are committed to taking tough action on social security and housing benefit fraud. We are endeavouring to make the social security system more secure, to modernise it and, of course, to punish those who abuse it.

Mr. Beggs: I thank the Prime Minister for that reply. Will he join me in congratulating those vigilant officials throughout the United Kingdom who uncovered £68 million of housing benefit fraud last year? Will he condemn the inefficiency of those officials who do not act promptly when information is provided, as outlined by Brian Sewell in the *Evening Standard* earlier this month? Will he encourage the public to blow the whistle on benefit cheats so that those most in need can have better benefits in future?

The Prime Minister: I accept what the hon. Gentleman says. I congratulate those local authority investigators who are doing their job well, but more can and should be done. That is one reason for setting up the benefit fraud inspectorate, which will raise and maintain standards in counter-fraud activity. We are implementing two further measures from next month, which will make a beneficial difference. First, we are introducing powers to ensure that only people with national insurance numbers can get benefits. That will be of some help in cutting down on fraud. Secondly, we are demonstrating our commitment to crack down, particularly on housing benefit fraud, by giving local authorities valuable new powers, which will allow them to prevent unscrupulous landlords and tenants from reaching an agreement to fiddle the system together. That is happening on too great a basis at the moment. We want to crack down on it as soon as we can.

Engagements

Q2. [16261] **Mr. Gapes:** If he will list his official engagements for Wednesday 26 November.

The Prime Minister: This morning, I attended a meeting of the national executive committee of the Labour party. I also visited Ted and Joyce Hawkes, an elderly pensioner couple who have benefited greatly from the measures announced yesterday by my right hon. Friend the Chancellor. I shall have further meetings later today.

Mr. Gapes: Does my right hon. Friend agree that nothing better demonstrates the difference between our Government and the Conservatives than the fact that, last winter, the Conservatives put VAT on fuel for millions of pensioners, whereas yesterday my right hon. Friend the Chancellor of the Exchequer announced a cut and millions of pounds extra for pensioners this winter? Will my right hon. Friend the Prime Minister assure the House that speedy action will be taken to ensure that millions of pensioners benefit from that as soon as possible?

The Prime Minister: Yes, I certainly will. I should point out that the measures announced yesterday by my right hon. Friend mean that all pensioners will get £20 help with their fuel bill, and there will be £50 help for the 1.7 million pensioners on income support. Taking into account the cut in VAT on fuel, the abolition of the gas levy and the reduction in VAT on energy efficiency materials, pensioners will have £100 a year extra help. That is the difference between a Labour Government who keep their promises and a Tory Government who broke them.

Mr. Hague: May I ask the Prime Minister a question which need not be a matter of party controversy, but which the Chancellor declined to answer yesterday?

I welcome the provision made to help disabled people into work, even though it seems foolish to pay for it through a one-off tax. Can the Prime Minister give us an assurance that his pre-election promise not to raise taxes covers disabled people on benefit?

The Prime Minister: As the Chief Secretary to the Treasury has already said, we shall conduct a comprehensive spending review properly, but we shall do so on a basis that keeps our election pledges.

Mr. Hague: This is an important point. Many disabled people who are watching our exchanges will be anxious to know the answers. It has been reported in newspapers that the Government are considering taxing disability living allowance and attendance allowance. Will the Prime Minister rule out taxing those benefits for disabled people?

The Prime Minister: I have already said to the right hon. Gentleman that we made all our pledges at the election. We shall keep to those pledges. If there are any changes to disability benefit or anything else, they will be announced here.

Mr. Hague: Those are pretty weasel words. Any changes will be announced here—but no assurances about what those changes would be.

I ask the Prime Minister for another assurance. Can he at least give an assurance that disability living allowance will continue to be paid directly to disabled people and will not be paid to town halls to distribute or spend on their behalf?

The Prime Minister: I have already said to the right hon. Gentleman that the comprehensive spending review will continue as it should. It is an absurd game to get into ruling this in, ruling this out. He should not go on the basis of newspaper reports. Any changes will be announced in the proper way.

Mr. Hague: With this Government's willingness to speak to Parliament, one has to go on the basis of newspaper reports. Can the Prime Minister be serious that such a proposal is under consideration? Does he believe that Islington council knows better how to spend the money of disabled people than they know themselves? It should not need a review to answer that one.

Since the right hon. Gentleman is so keen on reviews, will he look again—if he would listen to the question instead of to the Chancellor—at the Lord Chancellor's plans for legal aid, which could prevent people who are seriously disabled in accidents from pursuing personal injury claims? Is not removing their entitlement the wrong way to reform legal aid?

The Prime Minister: First, the right hon. Gentleman is wrong about what he says are the effects of the Lord Chancellor's plans. Secondly, it was the Conservative Government who cut benefit for millions of disabled people. I remember that when we, as an Opposition, proposed better rights for disabled people, his Government opposed them. We shall take no lessons in helping the disabled or the unemployed from him and his Conservative party.

Mr. Hague: I am asking the Prime Minister for an answer, not a lesson. Our Government increased spending on disability benefits by 300 per cent. Our Government took the Disability Discrimination Act 1995 through the House. If the Prime Minister built on that legacy, he would have the Opposition's support. Disabled people will have found his answers today disappointing as well as unconvincing. He has done nothing to allay the fears that his Ministers have stirred up. Will he at least give an assurance that he will provide clear answers to those questions and put the minds of disabled people at rest—and do so before the European Day of Disabled People next week?

The Prime Minister: I have never heard anything quite so pathetic as the right hon. Gentleman trying to raise a load of scares and nonsense. We had a pre-Budget statement yesterday, but he has not even asked a single question on it, and that is because he knows that it was good for business, it was good for the unemployed, it was good for pensioners, it was good for child care and it was good for the country. The Tories have already lost a reputation as being the party of law and order, they have lost a reputation for being the party of business and they have lost a reputation for being the party of prudent finance. In short, they are a lost cause.

Mr. Hume: Does the Prime Minister agree that it is essential, and in the public interest, to establish the full truth of what happened on the streets of Derry on Bloody Sunday in 1972, especially in the light of the evidence now supplied to him by the Irish Government? What steps is he prepared to take to establish that truth?

The Prime Minister: The Government certainly recognise the pain and distress caused by the events on 30 January 1972, and also recognise that they are still there after 25 years or more. Extensive and detailed material has been submitted by the relatives and the Irish Government. We shall consider it fully, and it is being examined by officials now. No options have been ruled out, but all the material must be fully examined. When it has been, and the conclusions reached, we shall announce them.

Q3. [16262] **Mr. Leigh:** If the Prime Minister cannot spend as much as he would like—and I understand why—on disabled people in Lincolnshire, may I suggest another way in which he might help the people of Lincolnshire? He could give them a Christmas present and support a campaign that is supported by everybody in Lincolnshire, including the hon. Member for Lincoln (Gillian Merron), and all political parties. It would do much for business and tourism in the area. It is the campaign, which is being waged across the county, to upgrade and dual the A46 between Newark and Lincoln. It would cost only a flea bite. The Prime Minister has only to say yes and I promise him rave reviews in the *Lincolnshire Echo* tomorrow.

The Prime Minister: I am afraid that I cannot give the hon. Gentleman the assurance that he wants on that road scheme. *[Interruption.]* Tory Members ask, "Why not?" but they were in power for 18 years and did not do it themselves. However, that is not to prejudge the issue one way or another, because it has to be considered by the relevant Ministers. The hon. Gentleman said that the Government did not do much for the people of Lincolnshire yesterday. Actually, we did an enormous

amount. We put extra money into schools and hospitals—more than his Government wanted to give them. We have had the windfall tax, which will give young people there the chance of jobs and skills. We have got a deal for pensioners and pensioner households of £100 a year or more and we cut value added tax on fuel. I think that we have done rather well by the people of Lincolnshire.

Q4. [16263] **Mr. Jim Cunningham:** I welcome the Chancellor's statement yesterday on child care proposals, but is my right hon. Friend aware that the obstacle for people who want to work is often the lack of provision of child care? Will he try to expedite the implementation of the proposals as soon as possible?

The Prime Minister: We shall try, in the light of the announcement made yesterday by my right hon. Friend the Chancellor, to make progress on that as quickly as possible. The effect of the £300 million programme will be to raise the number of out-of-school child care clubs from some 3,500 at the moment to 30,000. That is an ambitious target, but we believe that we can reach it. By helping parents with the way in which the child care clubs are set up, we shall give a lot of support and help to parents, especially lone parents who desperately need it. That is an excellent example of how Government can help people back to work and ensure that people carry out better their responsibilities to their own children.

Mr. Ashdown: May I return to a question that I fear the Prime Minister failed to answer last week—which comes first, cutting class sizes and waiting lists or cutting taxes to achieve the 10p tax rate?

The Prime Minister: We actually wish to do both. The decisions that are made on tax are, as the right hon. Gentleman knows, a matter for the Chancellor. We had two specific pledges on which we fought the last election. One was getting class sizes down for five, six and seven-year-olds and the other was on the waiting lists.

Mr. Moss: They are going up.

The Prime Minister: Yes, because of the situation that we inherited. We shall ensure that we put both pledges in place by the time of the next election and then the country will see the difference between a Government who keep their promises and a Government who break them.

Mr. Ashdown: I am surprised that the Prime Minister cannot tell us which comes first, an early pledge or a long-term aim. It is a simple question. Let me put it in this way to him. He has told us that there are hard choices to make, and this may not be his Government's fault. Nevertheless, it is a fact that he is now presiding over the longest waiting lists on record in the NHS, and class sizes that are predicted to be the largest for 20 years. Surely now he can tell us that an early pledge to cut waiting lists and class sizes comes before a long-term aim to cut income tax.

The Prime Minister: I am glad, first, that the right hon. Gentleman recognises that that is not the fault of the present Government. That is an important point to make. However, we are actually putting in additional resources both to schools and to hospitals, in real terms, over and above the resources that the previous Government put in. That will allow us, in time, to meet both those pledges.

We want to try to reduce tax rates at the bottom end of the income scale precisely because that will help people back into work. It is part of a package. We can do both, but I have to tell the right hon. Gentleman and his hon. Friends that that can be done—we can get a better starting rate of tax for people as well as getting class sizes and waiting lists down—only if we run the economy in an effective and efficient way. That means keeping a tight grip on public finances and not giving in to every demand that is made. I am afraid that that is the difference between government and opposition.

Maria Eagle: Has my right hon. Friend had a chance to see a recent MORI poll—showing support for the Government at 51 per cent. and support for the Opposition at 35 per cent.—which was undertaken in Richmond, Yorkshire? Does he attribute that result to the policies of the Government or to those of the Opposition?

The Prime Minister: I do not think that I can claim credit for that; all the credit belongs to the right hon. Member for Richmond, Yorks (Mr. Hague).

Q5. [16264] **Mr. Chope:** Will the Prime Minister rule out time-limiting incapacity benefit to 13 weeks? If not, is he not being cruel and cynical in refusing to lift the threat hanging over disabled people?

The Prime Minister: What is cruel and cynical is nonsense such as that from someone who was a member of a Government who cut incapacity benefit for millions of people. We have said that there will be a comprehensive spending review, and it would be foolish to answer that question until the review is completed. The hon. Gentleman should not read anything into that, and neither should disabled people.

Mr. Ivan Lewis: In view of the Prime Minister's commitment to maintaining pre-election promises, how does he justify the extra £3 billion made available to schools and the extra £1.5 billion made available to the national health service in the first six months of his Government, when that money was not even mentioned in our pre-election promises? Does he accept that the term "value added" could well be applied to his Government?

Hon. Members: Oh!

The Prime Minister: No matter what the Tories say, I think that that is a very good point. It shows that I may have understated the matter before. We are not only keeping our promises; we are doing better than our promises.

Q6. [16265] **Mr. Ieuan Wyn Jones:** Does the Prime Minister share my view that the preferred location of the Welsh Assembly should be Cardiff, and that the city hall there is a very fine building indeed? What can he do to impress upon the Labour leaders of Cardiff city council the damage that they will do to the prestige and economy

of our capital city if they are not reasonable in their terms for that building? Might the assembly have to look for a new home?

The Prime Minister: I certainly agree that Cardiff city hall is a fine building, but the hon. Gentleman will know that my right hon. Friend the Secretary of State for Wales will publish a consultation document setting out the range of options—in Cardiff and elsewhere—for the location of the assembly. That will be done before the Bill setting up the assembly receives a Second Reading.

Q7. [16266] **Mr. Blizzard:** Does my right hon. Friend agree that teachers are the most valuable resource in education? May I report from schools in my constituency that teachers greatly welcome the £2.3 billion extra money allocated to schools, and also the ideas in the education White Paper? However, as they were disparaged, undermined and blamed for most of the ills of society for so many years by the previous Government, teachers' morale is low. *[Interruption.]* Will the Prime Minister join me in praising teachers, the overwhelming majority of whom work tirelessly for their pupils, and will he place special emphasis on raising teacher morale?

The Prime Minister: I certainly agree with that, and my hon. Friend should not be put off by the shouts and calls from the Opposition. It is important that we have high teacher morale and I willingly congratulate the vast majority of teachers who do an excellent job in schools up and down the country, often giving of their own time voluntarily to help their pupils. The most important thing that can be done to improve teacher morale is to give the Government's commitment to investment in our schools. That is why over an additional £1 billion is going in next year and why we have a £1.3 billion school repairs programme, which is funded out of the windfall levy, for the lifetime of this Parliament, which will allow thousands of schools to be refurbished and to upgrade their facilities.

Q8. [16267] **Miss Widdecombe:** Does the Prime Minister feel the slightest tinge of embarrassment that the latest donation of £1 million to the Labour party comes from a company that is paying its workers £2.98 per hour? Can he at least assure us that the £1 million will not buy an exemption from the minimum wage? Finally, will he tell the House, which is dying to know since he said that it would be done quickly, when he eventually repaid Bernie Ecclestone?

The Prime Minister: The only reason why anyone knows who donates to the Labour party is that we disclose it. In June, the right hon. Lady's party leader said he would disclose the name of donors, but he has never done it. In June, he said that he would publish the Tory party accounts—he has never done it. That is the party that has now said that it will refuse to disclose the past five years' worth of donations. We shall take no lessons from a party that has never ever disclosed a single thing about the dubious money that it gets.

Q9. [16268] **Dr. George Turner:** Will the Prime Minister tell the House what response he got from the Leader of the Opposition when he called for all parties to reveal their sources of finance for the past five years? Does he agree that the Neill committee will, at worst, be crippled in its investigation of party finance unless it has full information and disclosure? In those circumstances, will my right hon. Friend carefully consider making sure that the House has the opportunity to ensure that all parties are made to disclose their sources of finance and to open their books? *[Interruption.]*

The Prime Minister: I hear a Tory Member shouting out how boring this subject is. It is remarkable how quickly the Tories have lost interest in it. In answer to my hon. Friend, they smuggled out last Friday—the day of the Winchester and Beckenham results, let me remind them—the news that they were refusing to give the details of previous negotiations. Of course it is difficult for Sir Patrick Neill to decide how the present system is working unless he knows how it worked under the previous Government. The Labour party and the Liberal Democrats are willing to make disclosures, why are not the Tories?

Mr. Peter Bottomley: The Government will note that there will be a service in Westminster abbey tomorrow to commemorate the arrival 25 years ago in this country of Ugandan Asians who were expelled by Idi Amin. Will the Prime Minister join me in saying that we shall work together for the time when the colour of someone's skin is no more important than the colour of someone's eyes or hair?

Does the right hon. Gentleman regret the fact that, when the most senior black elected official in this country—Bill Morris of the Transport and General Workers Union—came up for re-election, he gave his personal backing to the person who was challenging him?

The Prime Minister: The latter part of the hon. Gentleman's statement is factually wrong. It is unfortunate, in a question that should have tried to bring people together, that he should have made a silly and wrong point.

On the more serious point about Ugandan Asians, we and, I am sure, hon. Members of all parties, are delighted to pay tribute to the work that they do in our community. They are deeply respected people. The aim of a multicultural, multiracial society is one that all Government Members, at least, fully endorse.

Q10. [16269] **Mr. Bayley:** Does my right hon. Friend agree that a considerable part of the appalling rise in crime that this country faced under the previous Government can be put down to the anti-social behaviour of persistent young offenders? I urge him to take further action to target those offenders by making them face up to the consequences of their crimes, by putting right the damage that they do to their victims and their communities.

The Prime Minister: My hon. Friend is absolutely right. That is why the Home Secretary will publish his paper on youth justice tomorrow; it will be widely welcomed in the country, as it will ensure that we get a youth justice system that actually works. Many people, especially the elderly, have their lives made absolute hell by gangs of youngsters who are out of control and are not being dealt with properly by the system.

Our proposals will deal with that, but it is important to say that one of the critical differences between us and the previous Government is that we are trying to tackle the underlying causes of crime as well. That is why I put our measures to tackle the problems of the youth justice system side by side with the new deal for the young unemployed, which gives them the chance to lead a more responsible life and shows that we shall build a different, one-nation society, based on values of opportunity and responsibility going together.

Mr. Malins: Can the Prime Minister clear up something that is confusing me? How is it that, whenever something is going wrong, such as lengthening hospital waiting lists or increased class sizes, he thinks that it is the previous Government's fault, whereas whenever something is going well, such as the state of the economy and unemployment, he takes the credit? Where is the logic in that?

The Prime Minister: I have a feeling that the hon. Gentleman will spend most of his time confused, but I shall try to elucidate the matter for him. I heard the Leader of the Opposition and other Conservatives saying yesterday that we should give them the credit for all the good things that we have been able to do, but they are opposed to the windfall tax, which has provided the new deal for the young unemployed and has happened because there is a Labour Government.

The cut in value added tax on fuel is being implemented by the Labour Government in the teeth of Conservative opposition. The £300 million child care package is available only because we put lottery money into it—a move that the Conservatives opposed. They had 18 years to do what we did yesterday on pensions, and we did it. The new Labour Government are delivering. Perhaps the hon. Gentleman is no longer confused.

Q11. [16270] **Mr. Bill Michie:** Most hon. Members welcome the Chancellor's announcement of £300 million of extra funding for out-of-school clubs, which will be beneficial to nearly 1 million children. We know from experience and from what we have seen in the press that many children are vulnerable. Will my right hon. Friend give an assurance that part of the funding will be used to ensure that proper checks and supervision are carried out by professional people, especially in local government, to ensure that the staff working in those clubs do not cause any problems?

The Prime Minister: My hon. Friend is right. It is obviously important, in such a big and ambitious programme, to make proper provision to ensure that the staff are suitable. The Department for Education and Employment will work closely with the Home Office to do that. As part of the new deal for the young unemployed, 50,000 places will be allocated specifically to train people and give them skills in the job of caring for young children. It is precisely by combining high qualifications and rigid tests of suitability with the places available that we have the best chance of both meeting our target and avoiding any possible abuse.

Q12. [16271] **Mr. Nicholas Winterton:** The hon. Member for Liverpool, Garston (Maria Eagle) said—

The Prime Minister: Where is the hon. Gentleman?

Mr. Winterton: I am over here. The hon. Member for Garston has said that a poll carried out in the constituency of my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) has shown considerable majority support for the Prime Minister's policies. Is that not because the Prime Minister has adopted Conservative policies, and has inherited from the Conservative Government the strongest economy in Europe? From Richmond we have a leader of the Conservative party who is a man of integrity, courage and considerable intelligence. He will become the next Prime Minister of our country.

The Prime Minister: I know that the hon. Gentleman used to sit above the Gangway; he now sits over in the corner. He is saying that I support the same policies as he does—I get the message. We shall build on that for the future. Indeed, we shall have to make some more room on our side of the Chamber.

I shall not go back over what I have already said, except to say that the windfall tax, the child care package, the deal for pensioners and the extra money for schools are all very different from the policies of the previous Administration. Those policies are welcomed by the vast majority of people. The reason people—I hope—support the Government and gave the Opposition such a drubbing is that they can see a Government who are delivering on their promises, in stark contrast to what went before.

Points of Order

3.31 pm

Mr. Alex Salmond (Banff and Buchan): On a point of order, Madam Speaker. I wish to raise certain reports in *The Scotsman* of yesterday and again today suggesting that four Government members of the Treasury Committee, including the Chairman, the hon. Member for North Durham (Mr. Radice), held a prior meeting outwith the normal cycle of Committee meetings, which one member described as a caucus meeting. The Committee is discussing Scottish funding and the Barnett formula, but no Scottish Labour or Scottish National party Member is on the Committee.

At one level, if there is some sort of anti-Scottish cabal at work on the Committee, it would be as well to flush it out. On another level, it is surely not customary for Select Committees to hold caucus meetings of this kind. I have served on Select Committees under two distinguished Chairmen who have never held part-meetings with selected members of their Committees, as far as I know.

If that is taking place, will it not devalue the whole concept of Select Committees: people reaching a consensus decision based on the evidence, as opposed to political decisions based on caucus meetings? If it continues, will not the practice devalue not just the Treasury Committee's report on the Barnett formula but all Select Committee reports?

Madam Speaker: I am grateful to the hon. Gentleman for raising that point of order and for sending me at least one of the newspaper reports in question. I was surprised to read in that report that Select Committee meetings are taking place on party lines. If that is true—it is only a newspaper report, and I do not always accept what I read in the newspapers—I would deprecate such meetings. This is not a matter for me, but I offer the caution that it must be sorted out by the Committee concerned. I want to hear no more of these reports.

Miss Ann Widdecombe (Maidstone and The Weald): On a point of order, Madam Speaker. Will you confirm that it is the expectation of this House, if not the rule, that Ministers answer questions or give some semblance of answering them? I am sure that if you study *Hansard*, you will find that the Prime Minister made no attempt to answer the question that I asked him.

Madam Speaker: The right hon. Lady is quite correct. All Ministers are accountable to the House for answering questions. Indeed, there are guidelines in "Erskine May" to that effect, as well as guidelines concerning the content of questions to Ministers.

Mr. Robin Corbett (Birmingham, Erdington): On a point of order, Madam Speaker. Would you be kind enough to remind right hon. and hon. Members of the simple courtesy that we are supposed to observe: that when we visit each other's constituencies, we let the sitting Member know? The right hon. Member for Yeovil (Mr. Ashdown) came to my constituency some months ago—I have no complaint about that—but he failed to let me know that he was doing so. I sent him a letter pointing that out, but never received a response. On Wednesday last week, he returned to my constituency; again, I was pleased to see him, but, again, he failed to let me know that he was coming. I consider that to be a matter of great discourtesy and I hope that you, Madam Speaker, will encourage right hon. and hon. Members to return to observing that courtesy on every occasion.

Madam Speaker: I am pleased that the hon. Gentleman has raised that matter. Numerous times from this Chair I have made the point that there are common courtesies to be observed and that Members of Parliament should let each other know when they visit each other's constituency. That has been a long-standing convention, and I am grateful to the hon. Gentleman for raising the matter in this way. I hope that the point has been noted by hon. Members on both sides and all Benches of the House and that such incidents will not happen again.

Now, can we have a new Member?

Mr. Graham Brady (Altrincham and Sale, West): On a point of order, Madam Speaker.

Madam Speaker: Oh, what a shame to keep a lady waiting. Of course the hon. Gentleman can raise a point of order.

Mr. Brady: I do apologise, Madam Speaker.

Yesterday, I asked a simple and direct question of the Foreign Secretary about the reasons why youth unemployment in this country has fallen rapidly over the past four years, whereas it has risen rapidly in the other major European countries. He gave me an answer that was utterly misleading. In his view, the reason was simply that the number of people in that age group had fallen, but the figures I have obtained from the Library demonstrate that the percentage of that age group that is unemployed has fallen dramatically for the past four years.

Madam Speaker: That is a matter of argument, not a point of order for the Chair.

Mr. Brady *indicated dissent.*

Madam Speaker: No, there is a distinction between something that the Chair can answer and a policy matter. I cannot respond on a policy matter. The hon. Gentleman might have a strong point—I do not know—but he has to find some other means of putting it to the Ministers involved, so that they can either rectify the matter or comment on what he has to say.

Mr. Simon Hughes (Southwark, North and Bermondsey): Further to the point of order raised by the hon. Member for Birmingham, Erdington (Mr. Corbett), Madam Speaker. Following on, but separate to, your answer to the hon. Gentleman, will you also make it clear that when Ministers come to constituencies on what is clearly business connected with their ministerial responsibilities, they cannot claim to be on a private visit? Will you also make it clear that they are required to tell the constituency Member of Parliament and that, as I understand it, it is traditional that that Member is invited to accompany them?

Madam Speaker: The hon. Gentleman is correct. It is my understanding and my experience that Members are

courteous enough, at least to me, to let me know when they are coming to my constituency, and I hope that that applies to all Ministers when they visit constituencies in their ministerial capacity and not to see their relatives.

NEW MEMBER

The following Member took and subscribed the Oath:

Mrs. Jacqui Lait, for Beckenham

BILLS PRESENTED

Government of Wales

Mr. Secretary Davies, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Secretary Straw, Mr. Secretary Blunkett, Secretary Margaret Beckett, Dr. John Cunningham, Mr. Secretary Dewar, Mr. Secretary Dobson, Mr. Peter Hain and Mr. Win Griffiths, presented a Bill to establish and make provision about the National Assembly for Wales and the office of Auditor General for Wales; to reform certain Welsh public bodies and abolish certain other Welsh public bodies; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 88].

National Minimum Wage

Secretary Margaret Beckett, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Secretary Dewar, Mr. Secretary Robertson, Mr. Secretary Davies, Secretary Marjorie Mowlam, Dr. John Cunningham, Mr. Secretary Blunkett and Mr. Ian McCartney, presented a Bill to make provision for and in connection with a national minimum wage; to provide for the amendment of certain enactments relating to the remuneration of persons employed in agriculture; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 90].

NORTHERN IRELAND GRAND COMMITTEE

Motion made, and Question put forthwith, pursuant to Standing Order No. 114 (Northern Ireland Grand Committee (legislative proposals and other matters relating exclusively to Northern Ireland)),

That the matter of public expenditure in Northern Ireland in 1998–99, being a matter relating exclusively to Northern Ireland, be referred to the Northern Ireland Grand Committee for its consideration.—*[Mr. Dowd.]*

Question agreed to.

Welfare of Pigs

3.39 pm

Mr. Chris Mullin (Sunderland, South): I beg to move,

That leave be given to bring in a Bill to make provision with respect to the health and welfare of pigs.

This is the third in a series of Bills that I have introduced, intended to mitigate the worst excesses of factory farming. My first sought to ban the export of calves to continental veal crates. My second tried, in the wake of the bovine spongiform encephalopathy crisis, to establish a review board charged with examining the implications of intensive farming from the point of view of both human health and animal welfare. This Bill is designed to improve the welfare of pigs. Once again I am thankful to that splendid organisation, Compassion in World Farming, for the help that it has given me.

During the past few months, there has been welcome progress regarding animal welfare. In December 1996, the European Union agreed to ban the unspeakably cruel veal crate system. Sadly, that ban does not come into force until 2007, and we must watch carefully to ensure that the factory farmers do not come up with an equally odious alternative. None the less, history has been made. For the first time, the EU has acted to outlaw a cruel rearing system. I hope that very soon, battery cages and sow stalls will be scrapped throughout Europe.

In June at Amsterdam, animals were given a new status in EC law. For the first time, they were recognised as sentient beings capable of feeling pain, not as agricultural products subject to every conceivable cruelty that human ingenuity can devise. All credit is due to my hon. Friends at the Foreign and Commonwealth Office and the Ministry of Agriculture, Fisheries and Food, especially to the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, my hon. Friend the Member for Scunthorpe (Mr. Morley)—who I know has animal welfare close to his heart—for that achievement.

Our task now is to ensure that the new status that the EU now accords to animal welfare does not become empty words. The Welfare of Pigs Bill is one small step along that road.

My Bill focuses on the 13 million young pigs, aged four to six months, slaughtered each year in the United Kingdom for bacon, pork and ham. Their treatment is one of the cruellest aspects of factory farming in Britain.

Pigs are intelligent, lively, active creatures. Left to their own devices, they spend three quarters of their daylight hours rooting, foraging and exploring, all of which is denied most of today's pigs, which are reared with a ruthless contempt for their well-being. Factory-farmed pigs spend their entire life indoors in barren, overcrowded sheds, without once experiencing fresh air or daylight until the day they are carted off to the slaughterhouse. Mostly, they are given no straw or other bedding. Instead, they are kept on bare concrete or slatted or perforated floors, which leads to lameness and damaged feet.

Lack of straw, combined with serious overcrowding, prevents pigs from engaging in natural behaviour. They cannot root, forage, explore or play. In order to find an outlet for those frustrated instincts, the pigs—whose pens are often devoid of any object—sometimes resort to chewing and biting one another's tails. My Bill seeks to put a stop to that. It provides, first, that indoor-reared pigs must be given ample space and appropriate bedding.

[Mr. Chris Mullin]

The second evil to which I seek to put a stop is forcible early weaning. In natural conditions, pigs are not weaned until they are between 13 and 17 weeks old, but on most of today's farms they are weaned at just three and a half weeks—the very point when their consumption of their mother's milk is at its height. That is done solely for the purpose of enabling sows to be made pregnant again at the earliest opportunity—in other words, it is all about profit without regard to the suffering inflicted.

Early weaning invariably inflicts stress on pigs. Specifically, a pig that has been weaned early still wants to suckle and, no longer having its mother's teat, turns to its neighbour's tail. My Bill prohibits early weaning. It stipulates that piglets must not be weaned until they are at least six weeks old. Ideally, it should be much later, but I am attempting to meet the industry halfway.

Thirdly, my Bill deals with tail docking. As we have seen, three factors—lack of straw, overcrowding and early weaning—combine to encourage tail biting. The consequences are serious. Wounds can become infected, resulting in abscesses and adding to the misery already inflicted on young pigs by the appalling conditions in which many of them are reared.

To a layman, the obvious solution would be to improve the conditions to the point at which tail biting was no longer a problem. Agribusiness, needless to say, has come up with a different answer. Having created the conditions in which tail biting is bound to thrive, the factory farmers introduce one of their cruellest tortures: they slice off piglets' tails with pliers or a hot docking iron. It goes without saying that no anaesthetic is used. That practice is supposed to be outlawed by the Welfare of Livestock Regulations 1994, but they have been largely ignored, as have calls for the practice to cease, which have come from the Farm Animal Welfare Council. About 70 per cent. of piglets still have their tails docked in that way.

The time has come to stop pig farmers behaving as if they were above the law. In its 1996 document, "New Life for Animals", the Labour party said that it would enforce the law to end tail docking. As far I am aware, not a single offender has yet been prosecuted. I should be grateful to hear from the Minister what plans he has for enforcing the law. To assist him, my Bill strengthens the current law and tightens up poor drafting that contains some unacceptable loopholes.

It will be alleged that the pressures of the market leave agribusiness with no choice but to inflict cruelty on farm animals. It is time that that myth was exploded. I draw the attention of the House to a report entitled "Factory Farming and The Myth of Cheap Food", which was recently published by the Compassion in World Farming Trust and which explodes the lie that factory farming has given us cheap food. The report makes it clear, using data from the Meat and Livestock Commission, that free-range pork and bacon are just as cheap to produce as meat from factory-farmed pigs. It is time for the pig industry to clean up its act, and I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Chris Mullin, Mr. Alan Clark, Mr. Ken Livingstone, Angela Smith, Sir Richard Body, Mr. Ivor Caplin, Mr. Mike Hancock, Mr. Roger Gale, Mr. Harry Cohen, Mr. Nigel Jones, Dr. Nick Palmer and Sir Teddy Taylor.

WELFARE OF PIGS

Mr. Chris Mullin accordingly presented a Bill to make provision with respect to the health and welfare of pigs: And the same was read the First time; and ordered to be read a Second time on Friday 12 December, and to be printed [Bill 91].

Mr. Mullin: Friday 12 December—my 50th birthday, Madam Speaker.

Madam Speaker: Friday 12 December—I hope that I shall be there to wish the hon. Gentleman many happy returns.

Orders of the Day

Greater London Authority (Referendum) Bill

Order for Third Reading read.

Madam Speaker: I have selected the amendment standing in the name of the Leader of the Opposition.

3.47 pm

The Minister for London and Construction (Mr. Nick Raynsford): I beg to move, That the Bill be now read the Third time.

This Government were elected on a clear manifesto commitment that, following a referendum to confirm popular demand, they would establish a new deal for London: a Greater London authority made up of a directly elected mayor and an elected assembly. We made that commitment because we believe that London deserves better—better than having its democratic institutions summarily abolished, better than the shabby mish-mash of unaccountable quangos and committees that were set up by the previous Government in place of a democratic citywide authority, better than to be left with no effective, democratically accountable voice for 11 years.

We share with the people of London a desire to put things right and to give them back a democratic voice that will provide strategic leadership—something that the people of London should never have been denied. However, we see no benefit in simply looking back and trying to create what once was. What we propose will be different from the sort of institution that might have been appropriate to the London of the 1880s or the 1960s—that is inevitable.

We are proposing a new democratic settlement for London, one capable of taking our capital into the next millennium. That is why we believe that London needs a mayor, directly elected by and personally accountable to its people. We believe that such a figure would reinvigorate local democracy, and provide strong leadership across the capital.

We believe that London also needs an elected assembly, to question and scrutinise the mayor, holding him or her to account; to advise on London's needs and priorities; and to scrutinise the use of public funds across the capital.

Together, the mayor and the assembly will make up a new Greater London authority, which will be capable of commanding the support and respect of the whole of London.

What we are proposing is innovative, and I recognise that change and innovation are unsettling to some. I warned on Monday of the constitutional conservatives in all parties who may seek to oppose our proposals because they find them challenging—perhaps they are scared of change, or perhaps they want simply to preserve the status quo.

We have heard a lot of cant from the Opposition about the need for two questions, and not for the first time. We have explained our position patiently and repeatedly, on Second Reading, in Committee and yesterday in answer to a parliamentary question from the hon. Member for Sutton and Cheam (Mr. Burstow). If necessary, I shall do so again now. I am sure that, yet again, our opponents will pretend not to listen.

We made it clear in the manifesto that we would offer the people of London proposals for a mayor and an assembly, both directly elected. We promised that we would offer our proposals to the people of London in a referendum, to seek their consent to what we proposed. We did not promise pick and mix. We did not promise it in the manifesto, and we are not promising it now.

To make matters easier to understand, I shall set out the reasons why I believe that our approach is right. A referendum is all about getting a clear mandate for change. It is not an opinion poll. There are at least five permutations on the subject of mayor and assembly: first, the proposition that there might be a mayor plus an assembly, both separately elected; secondly, the suggestion that there might be a mayor alone; thirdly, the proposition that there might be an assembly alone, without a mayor; fourthly, that there might be a mayor, together with an assembly made up of borough leaders; and fifthly, that there might be a mayor elected from among the members of the assembly.

Mr. Simon Hughes (Southwark, North and Bermondsey): The Minister is proceeding carefully, and we are grateful for that. However, I challenge him on his five options. I am not aware that anyone has proposed the option that he describes as an assembly without a mayor. No one has proposed that there should not be a leader of the assembly, who would be called a mayor. An assembly without a separate mayor has been proposed, but no one is proposing that London should not have a leader.

Mr. Raynsford: The hon. Gentleman is obviously unaware of what is going on in his own party, many of whose submissions specifically called for an assembly, but not for a mayor. That is precisely my point. If he wishes to argue that point, he may do so, but he is arguing against the evidence. There is a range of options and a range of different formulations. He is compounding the problem by identifying the number of different possible permutations of different options.

No doubt there are Liberal Democrats who would have no leader at all, and others who would have leaders elected on a job-share basis. No doubt there are others who would have leaders elected for a short term, and replaced—rotating leadership. I have no doubt about the ingenuity of the Liberal Democrat party in terms of constitutional devices. Perhaps the hon. Gentleman will tell us what his colleagues favour.

Mr. Hughes: The Minister is being mischievous. He knows perfectly well that no one is suggesting that there should be an assembly without a mayor as part of the assembly, and opposing a separately elected mayor. That reduces his list of five questions to four. From all the reading that I have done, no one to my knowledge has submitted a proposal for any of the other fanciful and fantastic suggestions that he made. Perhaps they come from his own fevered mind.

Mr. Raynsford: Experience of the representatives of the hon. Gentleman's party over many years bears out the truth of what I am telling him. There have been specific

[Mr. Raynsford]

submissions saying that there should be an assembly, but no mayor. That has been the subject of several submissions made to the Government, and it would be wrong to deny that point of view, if one is trying to encompass every possible point of view, as the hon. Gentleman clearly is.

How can all those options be reflected in two questions? They cannot; there is no possible second question. There is a variety of possible additional questions—second, third, fourth and fifth. The leader of Wandsworth council has proposed seven or perhaps 11 questions. There are many different additional options, but there is no single alternative second question.

Mr. Eric Pickles (Brentwood and Ongar): How does the hon. Gentleman reconcile those comments with what he said on Monday? He stated:

"The Government are pragmatic and not dogmatic about the matter. We said that we believe that a single question is correct and proper, but we consulted and listened to people's views."—[*Official Report*, 24 November 1997; Vol. 301, c. 682.]

The Minister has now ruled out such consultation.

Mr. Raynsford: The hon. Gentleman was obviously not listening on Monday, and he is not listening now. I repeat, for his benefit, that we are not being dogmatic. We are approaching the issue in an extremely pragmatic and sensible way. No formulation can provide a single second option that encompasses the range of different possibilities for which hon. Members have argued.

The Conservative party advocated a framework that included two questions: first, should there be a mayor; and, secondly, should there be an assembly? Those questions clearly did not satisfy the Liberal Democrats, who wanted the formulation to include another question: should there be a mayor elected as a member of the assembly? That framework also does not satisfy the Conservatives' subsequent position that the mayor should work within an assembly comprising borough leaders. The hon. Member for Brentwood and Ongar (Mr. Pickles), through his question, illustrates precisely the point that I made on Monday—to which he did not listen then—and which I repeat now. I see that the right hon. Member for Sutton Coldfield (Sir N. Fowler) is becoming impatient, so I shall give way.

Sir Norman Fowler (Sutton Coldfield): The Minister made his comments in response to an intervention from me. I suggested that there was no formulation of two questions that he would accept. On Monday, the Minister said that I was wrong, but he has now confirmed that I was correct.

Mr. Raynsford: The right hon. Gentleman suggested on Monday that the Government are implacably opposed to two questions. We are not: we are being pragmatic. I told him—I advise him to think about this—that we would be interested to see any formulation that covers those eventualities. The right hon. Gentleman did not advance such a proposal on Monday, and no such formulation appears on today's Order Paper. That reveals the hypocrisy of his position. He claims to support the case for two questions, but he cannot formulate a single alternative question because he knows that there is no simple, single second question.

Sir Norman Fowler: The hon. Gentleman should not use extravagant language if he does not have the means of following it through. He knows perfectly well that two simple questions can be asked: they are the propositions that the hon. Gentleman and the Government have advanced. That is what a referendum should be about. I shall take the hon. Gentleman through that argument in my speech.

Mr. Raynsford: The right hon. Gentleman has promised to provide his formulation of a second question, and I look forward to seeing it. When I do, I shall give it my considered response. However, the House will note his inability to provide any formulation when challenged, other than to refer to the Government's proposed question, which presents the option of a mayor and an assembly. The Government believe that that integral package presents the best form of government for London. That is the proposal that we believe is right to put to the people of London.

Sir Norman Fowler: The hon. Gentleman is being misleading—or he is misleading himself. He has put forward two propositions: that London should have a directly elected mayor and a directly elected assembly. We contend that those two propositions should be voted on separately.

Mr. Raynsford: The right hon. Gentleman is clearly still not listening. The Government propose that the future government of London should take the form of a directly elected mayor working with a directly elected assembly, to provide the necessary mixture of leadership and accountability. As I have argued many times in the past few weeks, there is no case, in our view, for a mayor without an assembly. It would give too much power to an individual and would not create a proper framework of accountability. The right hon. Gentleman knows that only too well, because his party has now backed away from the position that it used to adopt—it supported a mayor but not an assembly. The Conservative party now says that it recognises that there has to be an assembly, and proposes one in the form of a group of 32 borough leaders.

I also put it to the right hon. Gentleman that it is monstrous hypocrisy to suggest that there is a case for two questions in the Bill when, in the most recent exercise in party democracy within the Conservative party, the proposition put to its membership was not: "Do you want the Leader of the Opposition?" and "Do you want his policy proposals?" It was: "Do you want the package all together?" When the Conservatives had the chance, they did not ask two questions; they asked one. It ill behoves them to challenge the Government now.

Mr. Andrew Lansley (South Cambridgeshire): The Minister is being courteous in giving way, but I fear that he simply does not understand the point. There are two questions. If the electorate of London were to say that there should not be a directly elected assembly, that would not preclude an indirectly appointed assembly to support the mayor. If the electorate of London were to take the

view of the Liberal Democrats and say that there should not be a directly elected mayor, that would not preclude the possibility of a mayor, a leader of the assembly. The options are covered in the two questions.

Mr. Raynsford: The hon. Gentleman has just made my point. There would be no clarity. He could draw certain inferences from the outcome of two such votes, but they would be his inferences. They would not be the same inferences as those drawn by others. There would be no clarity or mandate. There would be confusion. That is the classic comment on the Conservative party.

Mr. John Wilkinson (Ruislip–Northwood): Will the Minister give way?

Mr. Raynsford: I shall give way once more. Then I must make some progress.

Mr. Wilkinson: Am I right in drawing the inference that, by having only one question, the Government would prefer the possibility of no authority at all rather than that of a mayor or an elected assembly, which would be the possibility if there were two questions?

Mr. Raynsford: As I have pointed out before, the Government are putting a package to the people of London. If the people of London do not want it, that is their choice and we shall respect that. We believe that it is right that they should have a say, but we also believe it right that we should put before them only propositions that are workable. It would be irresponsible to put forward options that were not workable, simply to please one particular faction that argued a particular case. Our proposal is serious: to give the people of London the ultimate choice. I should have thought that most people who believed in democracy would consider that right.

I shall now deal with the other reasons why we favour our formulation of the question. As I said, some permutations would be unworkable, and that would be utterly wrong. We have already put 61 questions to the people of London. Hundreds of individuals and organisations representing tens of thousands of Londoners have responded positively. As the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) will be aware, their considered responses run to thousands of pages. No doubt he and his researchers have read every one. Londoners have had their say on our draft proposals. It is now the task of the Government to consider those responses and to come forward with a comprehensive proposal, which we pledged to do in a White Paper.

Londoners will choose. On 7 May, they will be able to vote yes or no to a clear proposition worked up in the light of consultation responses. If they prefer another option, they can and should vote no. That is a clear choice, not a half-hearted muddle.

I have explained our position to the House. I have identified the clear tests that we applied when considering the question that should be asked. The referendum must be clear and straightforward. Complex multiple-choice questions are not an option. The referendum must be capable of providing a clear mandate on detailed proposals. It is no good casting the question in such a way that it is unclear what London wants or what Londoners will get. It must not offer unworkable solutions to the people of London. That would be dishonest and irresponsible. We are not being dogmatic. We do not believe that there is an arguable case for more than one question. Opposition Members have had weeks to identify a clear second question, and they have failed to produce one.

Mr. Simon Hughes: The Minister has argued from the Dispatch Box that an elected mayor alone would be unacceptable and, arguably, unworkable. Will he clarify the fact that, although there can be many arguments against a directly elected assembly, Ministers would not argue that a directly elected assembly would be unworkable—we have one here and we shall have one in Scotland and Wales? That must at least be a workable proposition.

Mr. Raynsford: I readily accept that the argument against a directly elected assembly on its own is not that it would be unworkable, but that we do not think that it would give the leadership necessary to London now or in the foreseeable future. We believe that a mayor and assembly together would give the right mixture of leadership and accountability to provide the strategic guidance that London needs. That is why we oppose the directly elected assembly on its own. There are other formulations that we regard as unworkable, including a mayor on his or her own and some other options.

As I have already said, Opposition Members have had weeks to identify a clear second question and have failed to produce one. The suspicion must be that, in arguing for a second question when no single formulation has been provided, Opposition Members are simply playing games. They are not serious about offering Londoners a choice. It is all delay and bluster.

In time, no doubt, the people of London will judge the Opposition for the stance that they have taken. The people of London are deadly serious in their desire for new democratic government for their city. The people of London gave their verdict in the general election on 1 May on the Conservative party and its failure to respond to the expressed views of Londoners for a new strategic authority. I am delighted to see the hon. Member for Beckenham (Mrs. Lait) in her place, but she will be aware that, in the by-election last week, there was no ringing endorsement for her party from the people of Beckenham. There has been a swing to Labour since May, when Labour won 57 out of 74 seats in London.

We will not be put off by those who raise false fears or by those who pretend support but really want to offer only more of the same. We take heart from support offered by those who count—the people of London. The most recent and authoritative opinion poll, carried out by the *Evening Standard* and London Weekend Television, showed that 82 per cent. of Londoners supported the Government's plans. The same is true of the business community. Two weeks ago, the London Chamber of Commerce and Industry published findings suggesting that our proposals have the support of 86 per cent. of the capital's business leaders—an overwhelming endorsement of what we are proposing.

Over the past week and a half, we have had an extended debate on the detail and principle of the Bill. It all took place on the Floor of the House, and much of it was beside the point. We promised a referendum on our proposals

[Mr. Raynsford]

and that is what we shall deliver. We promised the referendum because we believe that how we are governed is not just a matter for politicians in this place, but something in which we all have a stake as citizens. The case of the Greater London authority is a matter of profound interest to the people of London.

Democratic citywide government in London was summarily abolished in 1986. There was no consultation and no referendum. There was not one question or two questions; there was no question. Democratic citywide government was simply taken away from the people of London. We believe that it is right that Londoners should now be asked to give their consent to what we propose to establish again—democratic citywide government for London.

We shall publish clear and comprehensive proposals in the White Paper in March, and the people of London will have the opportunity to grant or withhold their consent in a referendum in May. We are confident that they will answer with a resounding yes.

4.8 pm

Sir Norman Fowler (Sutton Coldfield): I beg to move, to leave out from "That" to the end of the Question and to add instead thereof:

"this House declines to give a Third Reading to the Greater London Authority (Referendum) Bill because, while it looks ahead to the establishment of both a directly-elected Assembly and a directly-elected Mayor for London, it fails to provide the citizens of London with the opportunity to express their views separately on those two proposals."

It is worth saying that this is the first time for almost 10 years that a reasoned amendment has been selected for debate and vote on the Third Reading of a Government Bill. It is right that the amendment has been selected, because it goes to the heart of the debate that took place during the hours in Committee.

The Bill sets down two separate propositions: one for a directly elected assembly, and the other for a directly elected mayor. We believe that those two different propositions should be accompanied by two different questions in the referendum. The Liberal Democrats take a similar view. The Minister omitted to mention the fact that many Labour supporters also want that. Nevertheless, the Government have insisted that London will be allowed one question, and one question alone.

That issue was a continual theme of the Committee's deliberations. One of the most significant features of the Committee stage, which lasted for more than 12 hours, was that no Labour Back Bencher took part, with one exception: the hon. Member for Brent, East (Mr. Livingstone). During 12 hours of debate, precisely one Labour Back Bencher contributed. Let us take in what the hon. Gentleman had to say about having two questions.

Our consistent position has been that we support a directly elected mayor, but do not support a directly elected assembly. The hon. Gentleman, whom the Minister bracketed as a constitutional conservative—it is probably the first time that he has been bracketed as such—approaches the issue from a different direction, as he is opposed to a directly elected mayor. The view we have in common with him and with the Liberal Democrats is that there are two distinct issues, and that the two propositions can be separated.

I advise the Minister to study the hon. Gentleman's words. On 19 November, he said:

"We are not getting a single voice for London—we are getting two competing voices, locked into an institutionalised conflict."

They are not my words, but those of the hon. Member for Brent, East. He listened to the arguments of his hon. Friends on Second Reading, and read them all again in *Hansard*. It is a pity that I have to remind the Minister of what has gone on in the debate. The hon. Gentleman characterised his hon. Friends' arguments as "pretty weedy": those were his exact words. Who am I to argue with his description of his hon. Friends?

The hon. Gentleman also revealed that many people in the Greater London Labour party are unhappy with the Government's proposals, usually because they want an assembly but not a separately elected mayor. The hon. Gentleman did the House a great service by recalling a meeting to discuss the position that he had attended. He said:

"I went to what was called a consultation meeting of the Greater London Labour party, at which we discussed the proposal that appears in the Liberal Democrats' amendment. The Greater London Labour party assembled in conference and split into working groups to discuss whether we should have a separately elected mayor. The most crowded working group was the one that discussed the relationship between the mayor and the assembly. Nine out of the 10 speeches opposed the principle of a separately elected mayor, but we were told, 'You have got to have it because it was in the manifesto.'"

In the full conference, the hon. Member for Brent, East was denied a vote, about which he protested.

The hon. Gentleman was the only Labour Back Bencher who spoke in the 12 hours of Committee debate. He said to the Minister:

"we should not deny Londoners the chance to decide what system of government they want. I am deeply ashamed of the way my party has proceeded tonight, because it is an offence to London and an insult to their intelligence."—[*Official Report*, 19 November 1997; Vol. 301, c. 400-403.]

That was the only speech from a Labour Back Bencher in Committee. The hon. Member for Brent, East speaks with all the authority of being the newest member of the Labour national executive.

Mr. Raynsford: Will the right hon. Gentleman now tell the House what majority the Government enjoyed when the issues were put to the vote?

Sir Norman Fowler: The point that the Minister is struggling to make is that the Government have a strong position in the House. I think that we know that. The Minister's intervention is revealing, and typifies everything he has said during our debates. His view is, "Don't bother us with the arguments, and don't bother us with the detail. We've got a majority, and we are going to push the Bill through." He is expressing that view not only to Conservative Members, but to Labour Members. He is saying, "We have got the majority and we are going to do what we want." He may have lobby fodder behind him; I remind him of how the hon. Member for Brent, East described his hon. Friends.

I challenge anyone who has listened to our debates to come to the conclusion that the Government have in any way won the debate. Their replies have been a mixture of the pathetic and the hysterical, with the hysterical quite often coming from the Minister.

Mr. Wilkinson: Would not an impartial, objective observer of the proceedings of the past few days come to the conclusion that the total lack of vocal support for the Bill from Labour Members shows that they dare not be associated with what will probably be a disaster for the people of London?

Mr. Graham Allen (Lord Commissioner to the Treasury): It will not be.

Sir Norman Fowler: The lack of support is very odd. I shall give way to the Whip if he wants to intervene. If he does not, I suggest that he pipes down and does not make remarks from a sedentary position, which is against the rules of the House. If he wishes me to give way, I shall gladly do so—although, from experience, I know that he does not normally have anything very sensible to say.

The hon. Member for Brent, East understates the case for a two-question referendum. The institutionalised conflict between the directly elected assembly and the directly elected mayor is not our only concern. We are also concerned about the inevitable conflict between the directly elected assembly and directly elected borough councillors. One result of the Bill is that the assembly will, step by step, claim more power from the boroughs. That is already a real concern in the boroughs, and it is not confined simply to Conservative councillors.

Mr. Raynsford: There are not many of them.

Sir Norman Fowler: There may not be as many as we should like, but the Minister should wait until next May.

Assembly members will claim that they are elected, and that they therefore have the right to power. I do not believe that it is remotely possible that an assembly that is elected to carry out strategic thinking, checking and little else will be happy and satisfied with that role. I can think of no elected assembly that would be happy with such a role.

Step by step and year by year, the assemblymen will seek further powers. It is clear from the Second Reading speeches of some Labour Members that they would like a return to something similar to the Greater London council. They think that it is a great pity that it was abolished, and would like it returned.

If more powers go to the elected assembly, as I predict they will, they will not come from the Department of the Environment, Transport and the Regions. Like any other Department, it will be reluctant to the point of refusal to give up powers. The powers will come from the boroughs.

Hon. Members should remember the exact structure for London that they are being asked to approve in Bills that, regrettably, are coming before the House at different times. There will be a directly elected mayor, a directly elected assembly, a regional development agency appointed by the Department, a Government office for London, 32 borough councils, and, under another Bill that will probably be introduced in the House of Lords—the so-called local democracy innovations Bill—there is the prospect of directly elected borough mayors. [HON. MEMBERS: "Hear, hear."]

I do not know whether that noise could be characterised as cheering. I am not sure whether the Whip was clearing his throat or asking leave to go. If he wants to go, he may by all means do so. The local democracy innovations Bill will contain a proposal—not referred to during the debate—for directly elected borough mayors in addition to the mayor for London.

The Government are proposing layer after layer of administration and bureaucracy—a mixture of local government, central Government and appointed quango. The Minister chances his arm deploring quangos. The regional development agency will be the biggest quango ever to be appointed in this country.

Mr. Raynsford: The right hon. Gentleman seems to be unaware that the regional development agency will be accountable and answerable to the strategic authority. It will not be a quango; it will be part of the democratic structure.

Sir Norman Fowler: Oh, part of the democratic structure. Will it be an elected body?

Mr. Raynsford: The right hon. Gentleman seems to be confusing roles. He is supposed to be delivering a speech. The Conservatives know only too well about appointed bodies, because they created so many quangos, joint boards and unelected bodies during their period in office—bodies that we are replacing with democratic accountability.

Sir Norman Fowler: I think that the answer was no. The Minister knows that it will not be an elected or democratic body. He also knows that he is in all kinds of trouble in different parts of the country on the issue.

The one action that Londoners could take would be to vote against one of the layers, but they are being offered no choice on that. The Minister says that it is difficult to ask two questions. I have listened to every variation of his replies to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) and me on that. I find his arguments extraordinary, even after hearing them three times. Sometimes they have changed, or they have been peppered with vague assurances that were then withdrawn.

We should ask two questions on the basis of the Government's two propositions to ascertain the support for a directly elected mayor and for a directly elected assembly. The Minister says that that is no good, because the Government might be beaten. His objection is that he might lose the referendum. Indeed, the Government may be beaten. We may end up with a mayor, but no directly elected assembly. Conceivably—although I think it doubtful—it could be vice versa. The risk of being beaten is implicit in a referendum. There is not a great deal of point in a referendum unless there is some risk of being beaten.

With this referendum, future action can clearly be guided by the vote. As we have pointed out, this is a pre-legislative referendum. No Bill will be ready when the referendum is held. No Bill will have been drafted when the referendum is held. If the people of London

[Sir Norman Fowler]

voted against a directly elected assembly, the Government would have an opportunity to think again about the legislation.

There is a formidable coalition behind a two-question referendum. The Conservative party backs it, the Liberal Democrats back it, and more than half the London boroughs have backed it in the different votes that they have had. As I have pointed out, many Labour Members back it as well.

It is true that very few house-trained Labour Members who sit obediently behind the Minister back two questions, but other more independent spirits back the prospect. The tragedy is—I am grateful to the hon. Member for Brent, East for explaining it—that Labour Members are prevented from voting against the proposal. According to the hon. Gentleman's account, doing so would be an offence against Labour party standing orders, and they would be debarred from being Labour party candidates in future.

Mr. Raynsford *indicated dissent.*

Sir Norman Fowler: Those are not my words. The Minister may become indignant about them, but they are the words of the hon. Member for Brent, East. We do not expect a great deal of Labour support in the Lobby, for the very reason he set out.

Outside the House, there is little doubt about how the public feel. The vast majority of the press support two questions.

Mr. Keith Hill (Streatham): What?

Sir Norman Fowler: You know—newspapers; the things that one reads each morning, such as *The Times*. Perhaps the hon. Gentleman does not read such things. It is probably safer for him not to do so, but merely take instructions straight from his bleeper without being confused by facts.

Although the Minister admitted that *The Times*, *The Daily Telegraph* and a range of other newspapers are not with him, he asked, "What about the *Evening Standard*?" We told him about hostile news stories, but he said: "No, no. Not the news stories—the editorials." Max Hastings, the editor of the *Evening Standard*, whom I respect a great deal—we used to report together in Northern Ireland a long time ago—must be delighted with the authority that the Minister has given him.

I wonder how far the Minister follows the editor of the *Evening Standard*, and whether, on Friday when the House votes on the Bill on fox hunting, he will be standing four square behind him and the *Evening Standard* leaders, which are consistently opposed to what the Minister and most Labour Members appear to support.

I shall cite the one newspaper that the Minister has so far prayed in aid, albeit in a deeply misleading way—*The Guardian*. We all remember the quotation that he gave and the bit that he left out. *The Guardian*—there is no accounting for taste—thinks that the Minister's policy is correct. It also says that the policy should be put to the test.

The point that *The Guardian* made in the little bit of the sentence that unfortunately and unhappily the Minister did not read out—I am sure that it was a complete oversight on his part—was that, even if he is correct, he should make his argument in a campaign.

The Guardian actually said:

"the Government's package deal allows no room for those who want a mayor but no assembly . . . or those who want an assembly but no mayor . . . We subscribe to neither view. But to deny them any expression on the ballot seems peculiar. After all, the whole point of a referendum is to allow all the people their say."

That has been our case throughout.

The Government are wrong, and their actions betray a fantastic lack of confidence in their case. The Government's Green Paper asked the public no fewer than 61 different questions about their proposals—not 10 or 20 questions, but 61. The only issue that those questions did not raise is whether the public want two separate questions in the referendum. That issue is not raised, for the good reason that the Government know that they would be defeated on it. Our amendment would give the people of London a real choice and the opportunity to decide, and I commend it to the House.

4.30 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): This debate, coming as it does so shortly after the Committee stage, is like the third reading of marriage banns in church, when that still happened. Two votes or not two votes—that is the question. Two voices for London, or not two voices for London—that is the issue.

The Liberal Democrats have made their position clear. We support a referendum on whether London should have its own government, and we will vote for that. We support the idea that the referendum should be on 7 May next year, on the same day as the local elections, and we have voted for that. We support the idea of a Greater London authority that is secure and long-standing and that delivers strategic services across the metropolitan area, and we shall vote for that. However, as the Minister for London and Construction and the Opposition spokesman know, after that, views on what is only a limited Bill begin to diverge.

The Government believe that there should be one question. The rest of us say there should be more than one. Should there be an assembly? Most people say yes, although the Tories say no with a qualification. Should the mayor be part of the assembly? Our party says yes and many Labour Members say yes, but the Conservatives—who are paradoxically in agreement with the Government—say no.

Should the mayor be separate from the assembly? The Government say yes, but most of their supporters appear to say no, the Conservatives say no, we say no and so do many others. Only a very few people argue—and even then with qualifications—that we should have a mayor but not an elected assembly. However, that is the position of those on the Conservative Front Bench.

The Minister may think that those permutations mean that we need five questions. I shall show him shortly, and from a source that he may find a little surprising, that two questions are a possible option.

The right hon. Member for Sutton Coldfield (Sir N. Fowler) tabled a reasoned amendment on Second Reading, and we voted for it because it was selected by

Madam Speaker. We voted for it not because we were against the Bill, but because we wanted the Bill to be right. The Clerks tell me—I obviously asked the same question as the right hon. Gentleman—that it is unusual, but "Erskine May" allows it, to have a reasoned amendment on Third Reading. The argument for that is stronger because we have not had a Report stage. I expect that there will be a vote on that, and my hon. Friends and I will vote for the reasoned amendment, making it clear that we still do not think that the Bill is right.

Interestingly, two things have emerged between the vote on the first reasoned amendment and that on the second, which will take place tonight. First—the Minister admitted as much on Monday and confirmed it at the Dispatch Box today—the Government are not implacably, dogmatically or theologically opposed to the idea of more than one question. It is a matter of pragmatism.

I hope that, after the other place has debated the Bill and it comes back to us, even if those who say, as I do, that there should be more than one question, do not win the day, the Government will reconsider the question put by the hon. Member for Chipping Barnet (Sir S. Chapman), which suggested a slight technical change that would bring about a significant improvement in the one question. If we are to ask about direct elections both for the mayor and for the assembly, for the sake of clarity it should be expressly that which appears on the ballot paper. I have seen and heard no reason for objecting to that.

We are encouraged that we are entering on the Bill's third stage in the House, and shall move towards its next stage in the other place, with at least the possibility of more than one question remaining open.

The second interesting revelation on Monday was the fact that the Government do not see the new body as regional government. I had always understood that they did—that they saw the new London body as potentially the first of a series of regional government bodies throughout England.

Of course there are separate issues involving the regional development authority. My hon. Friends and I strongly believe that that authority or agency, when it is set up, should be accountable to the Greater London authority.

Mr. Raynsford *indicated assent.*

Mr. Hughes: It will be. We share the Government's view about that. Clearly it would be illogical to have the new body free-standing rather than answerable.

However, I ask the Government to think again about whether the only logical region that we have around the metropolis for the foreseeable future should be that currently defined by the Greater London boundary.

Of course in politics there is no perfection. Of course in some senses parts of London continue beyond the edge. The Surrey borders around Spelthorne provide an obvious example, and the Kent borders stretching down to Gravesham and Dartford another. However, in reality the region has become fairly well established as that within the immediate Greater London boundary.

One of the things that troubled my hon. Friends and me was the fact that, on Monday, the Government did not accept even small and seemingly incontestably good amendments. I shall cite only one example which, as it happens, was moved by the Conservatives. It seems to me undeniable that, when Scotland and Wales have had referendums with voting taking place between 7 am and 10 pm—the conventional period for voting in general elections—London should have the same.

When we are doing something as important as setting up a citywide authority, or the first regional government in England, we should allow people to vote for that extended period. My hon. Friend the Member for Kingston and Surbiton (Mr. Davey) put the obvious point that many people in London go out for various reasons well before 7 o'clock in the morning, and some are not back until very late. I can testify to that. I have seen people rushing in to polling stations at 10 to 10, or even 5 to 10, at night, having just returned from work and had a quick meal at home.

There will always be technical problems, but where there is a will there is a way. Why should the option be between having local elections with two hours more for voting and a referendum with two hours less? It strikes me that it would be to the benefit of everybody for local elections to have two hours more and the referendum not to have two hours less. I was sad that the Government did not accept that idea on Monday, because they did not seem to have any strong reason not to. I hope that they will be less dogmatic in another place.

As a result of the Government's position, we have had no Report stage. As I pointed out to Madam Speaker on Monday, no provision had been made for one. The Leader of the House had simply assumed that there would be none. Thank goodness that Madam Speaker was there to defend the interests of the House and to say that there may always be a Report stage—that even the present Government cannot assume that there will not be one.

On Monday an opinion was expressed on both sides of the House—or rather, to tell the truth, it was expressed more on the Opposition side than on the Government side. That was that, in the submissions that we have now been able to read—I must admit that I have not read every word of those; I have had better things to do—many voices have been raised against the Government's proposal.

I must be honest and say that I have not read the submissions in their totality, so I do not have an answer across the balance. However, I did what I said on Monday I would do. For the record, I read the submissions from self-identifying Labour sources—local Labour parties, Labour constituency parties, Labour borough or branch parties, Labour members, and Labour regional organisations.

I stand to be challenged—noticeably, the Minister did not challenge me on Monday—but, of the 30 Labour responses, 10 appeared to be or were expressly in support of the Government's proposals, four were very cautious about the idea of a directly elected mayor but did not expressly say that they were opposed, and 16, which is a majority of 30 by any definition, were expressly, explicitly, succinctly and in some cases fiercely against. From the available evidence—the best is the written evidence submitted to the Government's response—the majority of Labour submissions were against the Government's proposals.

We have all been digging around—or not digging around—to discover the history of the now famous meeting of the Greater London Labour party chaired

[Mr. Hughes]

by the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick). For a meeting that was presumably closed to non-members, we are all doing pretty well. I have the most explicit version yet of what happened, and will put it on the record, as it answers the Minister's difficult question.

This month, the Labournet—I always thought that technology was dangerous—which is the Labour news disseminated via the internet, contains two reports of that famous meeting. One is by Dorothy Macedo and the other by Leonora Lloyd, who are both members of the Greater London Labour party executive. Those reports are entirely available, and I intend to quote them, but I promise that I will not do so selectively in any way that distorts them.

Dorothy Macedo writes:

"The original discussion document, A Voice for London, was part of the Road to the Manifesto exercise in 1996. The Greater London Labour party . . . executive debated the matter in detail in June 1996 and voted that the mayor of the new Authority should be the leader of the majority party, not a separately elected person with executive powers.

In July 1997 the Government issued the green paper, New Leadership for London. The GLLP convened a consultation conference on 12th October to discuss the options. It was a delegate conference but on arriving we learnt that it was not planned to take any votes"—

that in itself might merit the observation, new Labour, no votes—

"At the opening session, GLLP chair Jim Fitzpatrick MP bowed to pressure from delegates and agreed that workshops could submit resolutions to the closing plenary if they had strong views.

There were four workshops: the mayor and assembly, electoral issues, functions of the authority, and financial arrangements.

I attended the workshop on the mayor and assembly"—

clearly the popular one—

"which was chaired by GLLP vice-chair Val Stansfield. The prepared list of issues for the workshop did not include the question of whether we actually wanted an executive mayor."

Well, there is a surprise.

"Speaker after speaker explained the democratic and practical objections to an executive mayor. Ken Livingstone pressed for the referendum which will ask voters if they want a new Greater London authority to also include the questions whether voters want such a mayor and whether the assembly should have tax-varying powers."

In an amusing byway, the report continues:

"Not everyone felt cross about being denied a vote: a member of the GMB delegation protested that they could not vote as they had not been mandated. But the closing date for submissions is 24th October, so if the GMB has not decided its attitude yet, it makes you wonder when they intend to do it.

And when the workshop chair allowed an indicative vote on the question of a separately elected mayor, the GMB representatives were among the eight (out of the 80 plus present) to vote in favour!

Some delegates passed resolutions to the chair but she declined to put them to the vote and when we got to the final plenary, Jim Fitzpatrick refused to put the views of the workshops to the vote on the grounds that they were not in the form of resolutions."

Leonora Lloyd does not simply provide a critique: she comes up with the answer. She says:

"The recent GLLP 'conference' to discuss the proposed Greater London Authority . . . and mayor was not allowed to take any votes, only 'soundings'. This was the first conference held by the GLLP for two years."

There is a strong comment coming up, which I do not endorse; I am merely reading it:

"The chair Jim Fitzpatrick MP manipulated the meeting shamelessly to avoid even indicative votes. But it was clear that the London labour movement is still opposed to a directly elected Mayor and wants a bigger and more powerful authority than the one proposed.

For the London executive, the discussion has been going on for a couple of years, for others less. But we keep coming up with the wrong answer: No to a directly elected mayor. It appears that Londoners are a little dim. Ask them two questions . . . and they come over all faint. According to our leaders if we ask two questions we are likely to end up with a mayor but no assembly."

I left out the parenthesis, which sets out two questions. They are not our questions or the Conservative questions, but they seem a good starting point. The first is:

"Do you want an elected assembly?";

the second is:

"Do you want a directly elected Mayor?"

If the right hon. Member for Sutton Coldfield, I and others do not rise to the challenge put to us, and we do not produce a better set of two questions, then those, from a member of the Minister's own party, are perfectly respectable.

The questions are not far from being simply a breaking into two halves of the question in the schedule. The Minister seemed to find that difficult, but it seems extremely easy to me.

Sir Norman Fowler: I do not want to interrupt the hon. Gentleman's narrative, but he might recall that that is exactly what we have been advocating over the past two or three days. He says that it is not what we advocated, but I have our words before me, and it seems to me that it is precisely so.

Mr. Hughes: It is not word for word, but I do not want to quibble. My point is that there is a simple proposal from Labour party members in London, and if we cannot supply, or Ministers cannot accept, an answer from here, Londoners will understand that there are two issues at stake: do they want an elected assembly, and do they want a mayor? Those are easy concepts. We can add the word "separately" in the ballot paper, as Ministers have done. There need be only two questions.

Mr. Raynsford: Does not the hon. Gentleman recognise that that makes impossible the permutation suggested in Committee by his party, asking people whether they want the mayor to be elected as a member of the assembly?

Mr. Hughes: I accept that we suggested that, because I wanted to be absolutely explicit, but the Minister himself said that one need not put everything—how many members, what voting system and so on—in the question. The two propositions I cited do not do that. It is pretty obvious that someone will lead an assembly once it is elected.

The Minister for Transport in London (Ms Glenda Jackson): Really?

Mr. Hughes: The Minister may have been to an assembly in her party, but I have never been to one in mine, at which someone has not been in charge.

This place has someone in charge, as does the other place. The reality is that someone will be in charge. If there is only one person in charge—whether called the leader or the mayor—that person is the boss. That is the system in Paris, in Barcelona and in every other major European city apart from Rome.

I shall abridge the last part of my narrative. The workshop that considered the proposals for mayor voted indicatively 10 to one against direct elections—not because of a lack of belief in democracy.

Mr. Jim Fitzpatrick (Poplar and Canning Town): The Opposition parties are portraying the Greater London Labour party's consultative conference on our proposals for an elected mayor and assembly somewhat inconsistently. It is claimed that an overwhelming majority at the conference were against the proposals, but the hon. Gentleman can take my word for it that only 16 respondents out of more than 300 people there were against the proposals. The reason why there were so few supportive Labour party comments was that we had explained the legislation, and most people who turned up at the consultative conference felt at ease with the Government's proposals.

Mr. Hughes: The hon. Gentleman is entitled to that interpretation, but I am aware of just two sets of statistics. The people who "voted" at this non-voting conference appeared to be against the Government proposals by a majority of nine or 10 to one; and a majority of those who sent representative submissions to the Government's review also appeared to be against. It is of course true that many Members of all parties have not spoken on the issue.

I am not arguing that the Government are necessarily wrong. I am not trying to win the argument. I am simply saying that we need two questions, so that the people can decide. The hon. Member for Poplar and Canning Town must at least accept that the electorate have some interest in this matter and a right to vote on it.

My party has said that there should be an electoral convention—an idea that was defeated the other evening. It need not be done by statute; we can go away and try to sort out an electoral system by agreement. What is good enough for Scotland may be good enough for London, too. It is above all vital that the proposals in their final form should allow for a properly elected democratic body for London.

The Minister for Transport in London has been honourable enough to accept that there must be a system of fairness for all voters. There must also be natural constituencies and genuine voter choice. I am encouraged to learn that the Home Secretary, in last night's debate on the European elections, accepted the argument for some voter choice in the European context. That makes it impossible to argue against the idea for London.

Finally, I want to pray in aid some remarks by the Electoral Reform Society, a body which admittedly holds its own view. Its arguments are nevertheless good and succinct. It wants the alternative vote system for the mayoral election. Some people call that the single transferable vote, but let us not bother with semantics at this stage.

"The alternative vote avoids the problems of both first-past-the-post and the second ballot system by allowing voters to number candidates in order of preference. There is no need for tactical voting. The vast majority of Londoners would have no problems in casting a preferential vote."

We agree with the society's recommendation for the election of the mayor.

If the assembly is to be elected separately, the Electoral Reform Society—it happens to be based in my constituency but its remit obviously goes wider than that—suggests:

"The single transferable vote is the ideal system for use in multi-member districts. It enables the electorate to cast preferential votes and the result is typically highly proportional, in terms of party votes as well increasing representation for women and ethnic minorities. Of all the systems usually considered for use in the United Kingdom STV provides the greatest degree of voter choice. For these reasons, the Society recommends that the single transferable vote in multi-member districts be used to elect the London Assembly."

The society ends by saying:

"It is important that a system is used for electing the assembly which allows for all opinions to be fairly represented. Any system which tends to lead to domination by a single party would be wholly unacceptable for electing the assembly. Using a system which produces proportional representation of the people helps to meet the democratic, inclusive, consensual and representative criteria."

I put it to the House that there are other ways of arriving at natural constituencies that reflect the natural communities we all represent—different communities, in all senses. The hon. Member for Poplar and Canning Town clearly represents the east end and does so proudly, and others of us represent other parts of the city. It is possible to take the Kent parts, the Surrey parts, the Essex parts, the Middlesex parts and the old inner-London parts, and so find five or six natural communities.

Outside the Chamber, I shall seek to persuade colleagues on both sides of the House that we might be able to do that to good effect. If we do, we might be able to persuade people to feel included. I believe that my hon. Friend the Member for Carshalton and Wallington (Mr. Brake) plans to speak later on that subject.

I hope that the result of our deliberations is that—even if it takes some time to feed through—we shall have improved the process of deciding what the assembly should be and, as a result, improved the assembly. If London is to be a really great city, it will be great because it is a democratic city—one in which everyone feels included in the democratic process. Then we shall be a model not only of commercial, financial and cultural success, but of democratic success. That is a prize worth striving for, and I do not believe our striving thus far has been in vain.

4.56 pm

Ms Karen Buck (Regent's Park and Kensington, North): I am delighted to speak in the debate. Having listened to and read through the debate in Committee, I remain convinced that the Bill will give Londoners what they want and that the argument for an integrated and balanced package of mayor and assembly is absolutely right.

We have heard many speeches about the issue of the questions. I am baffled because despite Opposition Members' claims to be united on the subject of the two questions that they want asked, at least four questions have been put forward by Opposition Members this afternoon. In addition, I understand that the opposition debate in London has now moved on to consider incorporating the question of whether a directly elected

[Ms Karen Buck]

mayor should be scrutinised by a board comprising the 32 boroughs. That means a minimum of three questions on that issue alone.

The right hon. Member for Sutton Coldfield (Sir N. Fowler) seemed to imply that the media were focusing on the issue of whether there should be two questions. Frankly, as one who has been following closely the debate in the London media, I cannot remember seeing more than—

Mr. Pickles: It would have been easier for the hon. Lady to follow and contribute to the debate if she had attended the Committee stage.

Ms Buck: I attended the Committee for at least part of the debate and I read it all in *Hansard*, so that is not entirely fair.

I was speaking about the alleged media fixation on the number of questions. I do not recollect having noticed a great deal of media concern on that issue—in fact, what comes through most clearly in media discussion of London government is the absolute importance of coherence and effectiveness. That is right and proper and coincides with the Government's position—a balanced package consisting of mayor and assembly.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) spoke about the debate within the Labour party. I absolutely concur with my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) that the overwhelming view within the Labour party is one of support for the policies on which we campaigned during the general election and which we sold to voters on the doorstep. It is specious to try to build an opposition from 16 representations. Yes, there was a debate in the Labour party—which is right and proper, especially in the case of a new, important constitutional development. In the circumstances, I would have been horrified if a debate had not taken place. Of course some people are uncommitted, and I am happy with that, but the overwhelming view in the party is support for the proposal.

The clear message that has emerged is that Londoners want a London authority. There is no great buzzing debate out there about how its different components should interact, but people want it to work and want it to be effective.

In Committee, the right hon. Member for Cities of London and Westminster (Mr. Brooke), who shares with me representation of the borough of Westminster, mocked me—I hope kindly—for claiming an over-enthusiasm among Londoners for this debate. He said that the issue was never raised by any of his constituents south of the Westway and that I was claiming that it was the number one issue on the doorstep. Although it would be unfair to claim that on the No. 31 bus they talk of little else, it is nonsense to say that the need for a London authority is not an issue of concern and interest to Londoners.

Earlier in the year I carried out a survey, in which we sent a questionnaire to 10,000 members of the electorate with whom we had not had previous contact, asking them about their local priorities. To my mixed delight and horror, 1,000 of them replied. The horror was because I then had to write 1,000 personal replies.

The single overwhelming priority, apart from very specific and local matters—*[Interruption.]* The hon. Member for Brentwood and Ongar (Mr. Pickles) gesticulates.

Mr. Pickles: Do you find it a little peculiar that you got the same number of responses in your constituency as the Minister got—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman should know better. He should not talk about my constituency. He means the hon. Lady's constituency.

Mr. Pickles: I am so sorry—the hon. Lady's constituency. Is the hon. Lady surprised that she received nearly the same number of responses from her constituency as the Minister for London and Construction received from the whole of London? Does she think there is something wrong with the consultation exercise that the Government did?

Ms Buck: I am not in the slightest bit surprised. The response rate was extremely good, although I have not prepared statistical notes on the subject. I am not sure what aspersions the hon. Gentleman is casting on the consultation process, but I think that we have been getting a good solid response on the subject, both in the Government's consultation process and in my local consultation process.

The single most important issue raised by constituents was that of the London environment, including transport and all the issues relating to the quality of the environment. Unbidden—given that they were sent a fairly straightforward tick-box questionnaire—people wrote screeds and screeds on the subject. A consistent theme emerged—that London's environment and transport are undermined by the lack of a coherent London government that is able to speak up for London. People feel that London has been the loser on every front, from its economy to its arts, its transport, its environment and its economic regeneration, because not one organisation has a democratic mandate to speak for Londoners. London's voice is lost in the bewildering plethora of quangos and Government agencies that claim to speak for it.

Conservative Members are as wrong to claim that there is public indifference on the subject as they are wrong to claim that the one subject that excites people is the number of questions. Give people a specific opportunity to comment on the subject, as I did and as the Government have done, and people will respond very positively and welcome the proposal.

As several of my colleagues have said, we have to thank the Greater London council for some of that positive response. I do not want the Greater London council recreated. Ten years on, life has changed. *[Interruption.]* I mean that. We cannot go back. Some of the functions that have been devolved to boroughs have been satisfactorily taken on and absorbed by the boroughs.

However, the GLC was absolutely right to reach out to communities that had been abandoned by central Government, then run by the Conservative party. It excited people; it engaged in a new sort of politics. It talked to the black and minority ethnic communities of

London, to young Londoners and to people with disabilities. It addressed issues involving women and domestic violence. Those issues were not touched by the institutions of Government and, rightly, were not a primary concern of individual boroughs.

I hope and believe that some of those characteristics—not functions—of the GLC, such as its sassiness, its unconventional nature, its inclusiveness and its outward-looking approach, will characterise both the new authority and the mayor. A Government office for London with an electoral mandate is not good enough: we want more than just a managerial approach, although good management is important. We need more if we are to promote our city internationally, to fight for our share of resources among the world's capitals and, very important, as I said on Second Reading, to fight for London's fair share of resources with the national Government—an issue which continues to concern me and many of my colleagues.

The right hon. Member for Sutton Coldfield said that he feared the inexorable growth of the ambitions of the Greater London assembly. That is specious nonsense. The functions proposed for the London authority are ambitious. We are talking about economic regeneration and strategic planning in an enormously divided community that faces a great many challenges. We want to look at the arts, at grants, at the management of transport and the environment—all those issues come before we start to look at the devolved boards, the development agency and the fire and civil defence authority. That is more than enough for an assembly to do.

We have spent a great deal of time on the potential conflict between the assembly and the mayor. That argument seems to have been Opposition Members' only attempt at an intellectual justification for opposing one or other of the Government's proposals according to their political taste. My hon. Friend the Member for Brent, East (Mr. Livingstone) also touched on that issue in Committee. He upbraided me for an alleged inconsistency in my promotion of the government for London—the assembly and the mayor—because I referred to a single voice. I am prepared to concede his point on linguistic grounds, but the point is not that the mayor and the authority should speak on the same issues in exactly the same tone—precisely the opposite is true. There should be a creative tension between the two: the assembly will scrutinise the mayor's work and the mayor will provide dynamic leadership. The combination of those two will make the system work.

The mayor and the assembly will provide a voice that is different from the current voice. The board of the 32 boroughs that Opposition Members propose would have at least 32 voices. It is clear that on a number of crucial issues the representatives of Barking, of Westminster, of Kensington and of Barnet have different agendas—and it is completely right that they should. That is why we have local authorities which fight their own corner, and why central and outer London often have different agendas. That is why we need something different from a borough-based representation in a pan-London authority.

The mayor and the assembly will have different but complementary and balancing roles. They will both speak with democratic legitimacy. If necessary, we should allow differences of opinion and allow the debate to be played out in public as that is right and healthy. They must speak for London as a whole, not its component parts.

Opposition Members have made heroic but futile efforts to oppose the legislation while still attempting, for their political purposes, to give Londoners what they want. I am delighted that the Labour Government have moved quickly to give Londoners what they want and I commend the Bill to the House.

5.8 pm

Mr. Eric Pickles (Brentwood and Ongar): It is a pleasure to follow the hon. Member for Regent's Park and Kensington, North (Ms Buck), but she is wrong in many respects, and in one important respect in particular: she says that we oppose the proposals. We do not oppose the proposals. We have tabled a constructive reasoned amendment. That is unusual on Third Reading, and has not happened for several years, but there is a clear determination among Conservative Members not to deny the people of London a say.

The hon. Lady seemed a little confused about the fact that I was amazed by the returns that she had had. She sent out 10,000 forms and received 1,000 back. That is no criticism of the hon. Lady; a 10 per cent. return is terrific. However, a substantive point needs to be made.

I see the Minister for London and Construction wincing in his seat. Had he been as successful as the hon. Lady, he would have received not a paltry 1,200 returns, but more than 700,000. No doubt there are those in the Prime Minister's office at this moment who will look through *Hansard* and say that the hon. Lady must receive rapid promotion.

Ms Buck: Does not the hon. Gentleman appreciate that the representations made to the Government were representative of organisations, so the 1,000-plus forms received by the Government speak for tens of thousands of Londoners in voluntary, community and residents organisations and other representative capacities?

Mr. Pickles: I do not want to do anything to prevent the hon. Lady's rapid promotion, but I must point out that the representations that the Minister received were from individuals as well. Anybody could write in. The Government did not invite only big organisations. They said, "Let's have a voice from London. Anyone who is bored on the No. 11 bus can write in," but not many people did. That is the important point that the hon. Lady must understand.

The way in which these debates have been conducted places a heavy burden on another place. Only there will there be a possibility of allowing London a voice. The Government have shown an unwillingness to listen to or address the argument. Opposition was dismissed. We heard such cutting put-downs as, "You are missing the point," and, "If you are making a point, you have failed to make it," and, "We are not listening to that."

In this Chamber, Disraeli and Gladstone have stood. Churchill made great speeches.

Ms Glenda Jackson: They would not have said that.

Mr. Pickles: The hon. Lady is probably right. In those days there was a tradition in the House of addressing

[Mr. Pickles]

the debate. Now there is a tradition in the House of using the Government's majority to push legislation through. It is either, "We don't want to listen," or it is straightforward vulgar abuse.

There was not going to be a Report stage. Everything was pre-organised. Instructions went down from on high to the Minister not to take any amendments, because the Government did not want to be troubled with a Report stage. In place of argument, we have either had a chorus of, "We're the masters now," or a trip down memory lane and recollections of the Greater London council.

My right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) referred to the maximum attendance of Labour Back Benchers. There are seven Members present who are not members of the payroll vote. For most of our deliberations, the Opposition have outnumbered Labour Members. I understand that a call has gone out to try to fill the Chamber.

The hon. Member for Brent, East (Mr. Livingstone) spoke about the terracotta army. There are people in the parliamentary Labour party with a voice. I have been approached by London Members who have grave reservations about the single question in the referendum, and who support the calls of Conservatives and Liberal Democrats for two questions, but who are not prepared to vote against the Government's proposals because of the changes in the rules of the parliamentary Labour party which mean that, were they to speak up for what their constituents want, they would be debarred from standing for Parliament again as a member of the Labour party.

During the trips down memory lane, we heard how wonderful the GLC was. The hon. Member for Regent's Park and Kensington, North was the first Back Bencher to suggest that the GLC was less than perfect. The recollections might be justified if there was to be a return of the GLC, but clearly there is not.

There is an unwillingness even to argue the case for a mayor, in conjunction with a strategic authority. Unless we get the opportunity in another place to present those two questions, the Government will win the argument by default, because they do not need to address these important questions.

On Second Reading, the Minister for London and Construction promised that we would find out why it was essential that there should be a mayor, in conjunction with a strategic authority. The first time that we got any idea why those arrangements were so important was at 6.35 pm on Monday, when the Minister said that there were four reasons why it was important to have a strategic authority alongside a directly elected mayor. I shall paraphrase what the hon. Gentleman said.

The first reason is that that is in the Green Paper. The second reason is that there is no simple second question that can be asked. The Minister said that again today. The third mighty reason, which perhaps Disraeli might not have received from the Dispatch Box, is that the suggestion is unworkable. The fourth reason is that we need a clear question. Those four reasons could be put into one: "We will not have it, because we don't want to have it." That is not an answer. The Minister may not have realised it at the time, because the sad death had not yet been announced, but that could have been the memorial lecture for Dr. Hastings Banda. It was a non-answer.

Elsewhere, we were told that the mayor would be too powerful. That is the only real answer that we have received. The hon. Member for Regent's Park and Kensington, North said that it is immensely important that there should be creative tension between a directly elected assembly and a directly elected mayor. Apart from the statements that the Government do not want it, that the mayor would be too powerful, and that we need creative tension, no arguments have been articulated in the Chamber. It is the duty of another place to ensure that the arguments are put together.

The Conservative party believes that there should be two questions, as do the Liberal Democrats and the London Labour party. The intervention of the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick) was a brave attempt to smooth over the cracks, but it was a little like the late Emperor Hirohito saying at the end of the war that events had not entirely gone to his satisfaction.

Anyone who reads the papers or surfs the net knows that the London Labour party wants two questions. Anyone who heard the contributions of the hon. Member for Brent, East knows that the Labour party in London wants two questions. The only people who seek to deny them that are those on the Government Front Bench.

If there is to be a strategic authority, a clear case must be made for it. With the exception of the hon. Member for Regent's Park and Kensington, North, Labour Members reached no real consensus as to what the authority should be. The majority of contributions on Second Reading favoured a return to the GLC. Almost every Labour Back Bencher described the Greater London council as a marvellous body that delivered many benefits to Londoners. I agree with those Ministers who said that that was nonsense. With a lump in their throats, Labour Members described the new authority as GLC mark 2—a variation of "The Empire Strikes Back"; a revenge for the 11 years when London was denied such a body.

However, Ministers have been keen to stress that there will be no return of that evil empire and that we have nothing to fear. They claim that the strategic authority will be quite different from the GLC. Yet the Green Paper remains vague—perhaps such documents should be vague—as to the form that the authority will take. One thing is certain: its power will come not from Government but from the boroughs. The strategic authority will be the dumping ground for problems in London.

Labour Members already claim that the Greater London authority will deal with all sorts of matters. The hon. Member for Putney (Mr. Colman) made the ridiculous suggestion that the authority should consider the problem of aircraft noise—in spite of the fact that most aircraft have left the Greater London area within 90 seconds of take-off. Before the recess, the Minister for Transport in London said that the authority would consider the finances of London Underground—despite the fact that that issue will be resolved long before the body comes into being.

We had a clear example this morning of how the authority will be used as a dumping ground when the Minister for the Environment appeared before the Select Committee on the Environment, Transport and Regional Affairs. He spoke in a most courteous manner and was asked by the hon. Member for Carshalton and Wallington (Mr. Brake)—who is in the Chamber and will

no doubt seek to catch your eye later, Mr. Deputy Speaker—a straightforward question about what part the Greater London authority would play in addressing the problem of air pollution. The Minister said that the Greater London authority would be the "ideal" body to monitor that problem.

There was further discussion about the strategic authority, and it was suggested that, if the traffic situation in the inner city worsened, London could embrace the same traffic restrictions as were introduced recently in Paris, whereby cars with certain number plates were restricted from entering the city on a particular day. To be fair, the Minister pointed out that London boroughs already have the power to impose those restrictions under the Road Traffic Regulation Act 1984—which was amended subsequently to deal with a problem that occurred in the constituency of the Minister for London and Construction.

We can put to one side the issue of the desirability of closing London's roads to traffic, but we must acknowledge that the closure of roads in Paris affected a far smaller area than would occur in London—even then, 11,000 policemen were deployed to enforce the restrictions in Paris. It would clearly be ridiculous to close Romford, Upminster, Barnet, Uxbridge or the constituency of my hon. Friend the Member for Croydon, South (Mr. Ottaway). Such restrictions could be considered in Westminster, Camden, Islington or Lambeth. However, as the London boroughs may already impose those restrictions, it would be absurd for the strategic authority to take that power and concentrate it in a few areas.

Ms Buck: Does the hon. Gentleman suggest that it would be better if Westminster banned particular cars on a Wednesday and Camden banned them on a Thursday? That would be the consequence of devolving that strategic matter to individual boroughs.

Mr. Pickles: It would be absurd to close Camden—although it might have been sensible to do something like that in Greenwich. In the debate about a strategic authority versus a mayor, we must appreciate that a mayor would be in the best position to liaise with the various London boroughs—and, more important, with the Government. We cannot simply cut off central London without recognising that that will have an enormous effect on the rest of the country.

It is possible to restrict traffic in Greenwich without causing knock-on effects throughout the country—although, given some lines of communication, even that might prove difficult. However, it would be impossible to cut off traffic in the inner-London area, in those boroughs to which I have referred, without causing enormous knock-on effects. A strategic authority would contribute nothing to solving that problem: it would simply take powers from individual boroughs.

We acknowledge that London needs a mayor—the hon. Member for Regent's Park and Kensington, North gave many reasons in support of that proposition—but no proper case has been made in favour of a strategic authority. Perhaps such a case could be made, but Labour Members have declined to argue for it in this Chamber. That is why we have put down a reasoned amendment this evening: we believe that the people of London deserve some kind of choice.

The Minister for London and Construction made a very interesting speech. He said on Monday—and he repeated it today—that the Government are not dogmatic about the single-vote issue. I welcome that attitude; it is an important matter. The Minister said that, if two questions can be formulated, the Government will consider them. The argument about whether we should have a mayor or a strategic authority is a matter of public and political debate. According to normal conventions in this country, when the politicians argue, the people decide. By offering a single question in the referendum, the people will not have the opportunity to decide.

The other place has a strong duty to examine the matter most carefully. It must reflect the will and the consensus that exists across the parties about determining a second question. If the people are denied a second question, the referendum process will become meaningless.

5.27 pm

Mr. Tony McNulty (Harrow, East): I was present for much of the Second Reading debate and I witnessed, or subsequently read, the proceedings in Committee. Opposition Members made some useful and positive contributions regarding several of the issues before us. However, with the greatest respect, I have to say that the speech by the hon. Member for Brentwood and Ongar (Mr. Pickles) does not belong in that category. I do not know where most of his comments came from; I did not understand his speech at all.

Mr. Oliver Heald (North–East Hertfordshire): That is your problem.

Mr. Deputy Speaker: Order. The hon. Gentleman should know better.

Mr. McNulty: I raised three key points on Second Reading—to which some Opposition Members responded productively and positively in Committee—regarding the scrutiny functions of the GLA, the inclusivity of the mayor in the assembly and the relationship between the two, and what I called on Second Reading the architecture of governance in London. I make no apologies for starting with that issue. It has not been addressed in the House—although the Committee sought to consider the matter.

There is a fundamental flaw in much of the approach from the Opposition parties in their reasoned amendments: their belief that more than one proposal is on the table, and that more than one proposal for London was in our manifesto. There was not. There was one. It was, as the right hon. Member for Sutton Coldfield (Sir. N. Fowler) called it, a proposal for a system of government. That is exactly what was in our manifesto, and it will be tested in the full light of more fleshed-out details when the White Paper is issued next March.

We cannot issue a White Paper that says perhaps this, perhaps that, perhaps the other; one that fully takes into account the three, four or five permutations and all their subsequent administrative consequences, as outlined by my hon. Friend the Minister, and then say to people, "Here is a whole list of things on which to vote in the May referendum." We are offering an interlocking system of governance for London. As my hon. Friend the

[Mr. McNulty]

Member for Regent's Park and Kensington, North (Ms Buck) said, it includes the relationship between the boroughs, the GLA, the mayor and central Government.

As I said on Second Reading, there is a job to be done by all London Members, and by everyone in the Chamber who is concerned for the governance of London, in working out how the four key elements interlock. If the White Paper starts to address that in March, the argument in the reasoned amendments—that our proposal is flawed because we are offering two proposals rolled into one, when we should be offering two proposals and two questions—falls. We are offering one interlocking, overarching view of the map, if one likes, of governance for London.

As an ex-leader of a Labour group, I say to the hon. Member for Brentwood and Ongar that we shall fight tooth and nail in Harrow, with colleagues, if the assembly wants an inch of powers that properly and rightly belong at borough level. That would be the concerted view and voice of every single Labour council leader in London, whether in power or opposition. It is not a mea culpa or some Pauline conversion. My hon. Friend the Member for Regent's Park and Kensington, North was entirely right that, 11 years on, lessons have been learned, and what is now with the boroughs by and large stays with them. This is, perhaps, offensive to some Opposition Members, but it is subsidiarity writ large. At that end much of it is tied up.

A consequence of the autocratic abolition of the GLC is that, in terms of that end of London government, it has probably sorted things out, and many of the powers that should be at borough level are there and should stay there. All that we are doing is putting in place the second and crucial element—democratisation, instead of all the strategic powers and services in quangos.

Mr. Richard Ottaway (Croydon, South): Does the hon. Gentleman realise that the Green Paper has no fewer than 10 points under which powers will be taken away from the boroughs and given to the authority?

Mr. McNulty: That is entirely a matter for debate. Equally, any number of the 61 questions can, by implication, give further powers back to the boroughs. "You pay your money and take your choice." That is the whole purpose of a consultation paper. Whatever happens on Third Reading or in another place—not necessarily in terms of electoral convention or the other matters suggested by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes)—it behoves everyone in the House to take the White Paper very seriously so that we, collectively, can come up with a proper form of strategic governance for London.

Mr. Pickles: Do I take it then that the hon. Gentleman's bold declaration to fight tooth and nail for borough power lasted exactly five minutes, until my hon. Friend the Member for Croydon, South (Mr. Ottaway) pointed out that powers will be lost? What is happening? Why does not the hon. Gentleman stand up for his borough?

Mr. McNulty: When the hon. Member for Brentwood and Ongar intervened during my speech on Second Reading, I said:

> "I hope that the hon. Gentleman enjoyed that intervention. I will not give way to him again if that is the best that he can do."—[*Official Report*, 10 November 1997; Vol. 300, c. 617.]

I repeat that now. I thought that I responded to the hon. Member for Croydon, South (Mr. Ottaway) in a very reasoned fashion. What the hon. Gentleman just said was entirely unnecessary.

When I first rose to speak, I almost felt like declaring myself as Tony McNulty, the Member for Harrow, East, vocal wing of the terracotta army. The notion that somehow all London's Members of Parliament are scurrying away and dare not be associated with the proposal is abject nonsense. We can all play—I wish that all sides would refrain from it—the silly little game that says because only three Liberal Democrats are in the Chamber, they cannot be taking this seriously, or because only three Back Benchers from London are in the Chamber, they cannot be taking this seriously. That is childish, wholly unnecessary and adds nothing to the debate.

In the short time available, I shall concentrate on the points that I raised on Second Reading. Some of them at least were developed by the hon. Member for Southwark, North and Bermondsey, and that is to his credit. One of the key issues was inclusivity. The hon. Gentleman laid out far better than I did, especially on the second day of consideration in Committee, how we need to get to grips with whatever electoral arrangements we get for the mayor and the assembly. We have to get to grips with a system that reflects as far as possible the rich and varied communities that we have in London. However, there are two small points on which I take issue with the hon. Gentleman.

First, although most borough boundaries might be artificial, Harrow's is not. Harrow is the oldest borough boundary in London, going way back to before the last reorganisation of local government. Secondly, I can see the hon. Gentleman—because he has tagged this often enough throughout the debate's inception—formulating boundary maps in his head when he talks about a little bit of Kent, a little bit of Surrey, and everything else, perhaps being natural communities. With the best will in the world, Middlesex is not. It runs from Twickenham to Tottenham and all stops in between, and quite how that unfolds I am not sure.

Mr. Simon Hughes: I am grateful for the hon. Gentleman's comments. He is also making perfectly measured points.

My understanding has always been that Middlesex, which was a huge county—the whole of the county was lost in Greater London—most easily divides into north Middlesex and west Middlesex. We can debate the boundary, but most people describe the county as one or the other. If we use Middlesex as a whole and then look at what we do with it, we might make some progress.

Mr. McNulty: That is a fair point, as were the other points that the hon. Gentleman made. It is principally the responsibility of parties, rather than the Government, to reflect some equity balance in the diversity of London in terms of gender and ethnicity.

As a caution to the House, I shall repeat the point about the mayor and the assembly that I made on Second Reading. I do not want a mayor for the west end. I do not want a mayor who is essentially an elaborate figurehead and may as well work for the London tourist board. That brings me back to what I said about the relationship between the mayor, the assembly and the boroughs. Neither do I want—we have had to put up with this for so long in outer London in terms of London Labour politics—a mayor and assembly that will focus almost exclusively inwards, perhaps in what was the old Inner London education authority area, or the old Inner London area. I am not by any means making a subversive plea for borough assemblymen, but if the assembly is to be inclusive, it must be inclusive in terms of the strategic needs, desires and wants of inner and outer London. It must reflect the needs and concerns of east London, inner and outer, versus west London; and north versus south. It must celebrate at the strategic level the richness and specific concerns that we have at the different levels.

It is absolutely right to have only one question. If, in terms of relationships and the electoral system, we get something that reflects the diversity and inclusivity that I have spoken about, and if we define—this is more a role for the White Paper in March—the strategic functions of the assembly—if there are to be any, as I hope that there are—the House will have done London a really good turn and a real favour by giving us back democratic government.

It is entirely wrong for hon. Members, whether Labour or Conservative, to talk about this being an American model that will not work. My hon. Friend the Member for Brent, East (Mr. Livingstone) went through the speech made on Second Reading by my hon. Friend the Member for Regent's Park and Kensington, North. He referred selectively to aspects that he chose to mention and he did the same with me. I said that the mayor and the assembly would not be a recipe for conflict and that the mayor, vested with powers relating to the assembly, would not necessarily be a recipe for corruption. I said that, just because people say that, it does not make it true. All that my hon. Friend the Member for Brent, East did in his speech was to say, simply, that my view was wrong, and that it was wrong because it was wrong, and because of the American model.

We are fundamentally not offering an American model. We are offering a brand new model for London. It is not enough to say, like the hon. Member for Carshalton and Wallington (Mr. Brake), that a mayor is alien to our culture. That is not a substantive enough analysis.

On Second Reading we were told, principally by the Liberal Democrats, that we were scared to put this proposal forward. They asked us for a bit of radicalism. I say now as I said then, this is the radical option. This is so radical and so new that I believe that it will excite the people of London into a higher turnout at the referendum.

With the indulgence of the boroughs and the House, if we get our act together and the relationships right—I accept that that is the key—there will be exciting times ahead for the governance of London. I hope that both sides of the House, especially Opposition Members, will take note of what was said by the hon. Member for Southwark, North and Bermondsey. When he has lost all his arguments in this place and a question appears on a ballot paper, the hon Gentleman has committed his party to voting yes. That is in the interests of London. Like my colleagues, I commend the Bill to the House.

5.41 pm

Mr. Andrew Lansley (South Cambridgeshire): I apologise for the fact that I shall be unable to remain in the Chamber for the winding-up speeches from the Minister and my hon. Friend the Member for Croydon, South (Mr. Ottaway) as I have a meeting elsewhere. However, I shall take care to read those speeches tomorrow.

I shall not respond to the hon. Member for Harrow, East (Mr. McNulty) in the terms in which he patronised my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles).

Mr. Pickles: I have been patronised in much better terms.

Mr. Lansley: Perhaps I should do so then. I shall just say that I thought that the objective on Third Reading, especially when there was a reasoned amendment, was to speak to that amendment and to respond to the debates that took place in Committee. I do not believe that it is the place to rehearse the arguments presented on Second Reading. I shall address myself to what was said in Committee and to the reasoned amendment.

The starting point from which I approached the amendments in Committee was that we were being asked to pursue a pre-legislative referendum. The aim of such a referendum, as the Minister has agreed on more than one occasion, is not to bind the House of Commons but to provide advice. Although the advice is not binding on the House, the Government see themselves as, in some sense, bound by it. There is a perverse element to a pre-legislative referendum that offers advice to the Government about how they should proceed with their policy while, at the same time, the Government—this is the essential point—are seeking not to provide the electorate of London with an opportunity to advise them. They are saying, "Here it is. Take it or leave it." In what will become the oft-repeated words of the hon. Member for Brent, East (Mr. Livingstone), they are simply saying, "Let us marshall the terracotta army, muttering that it is in the manifesto, and march it all through." The electorate of London have to accept that, whether they like it or not.

What we have learned from the research of the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) is that that will be true for the Labour party in London, whether it likes it or not. The Labour party is emulating Henry Ford and saying, "You can have any car you like as long as it is black. You can have any form of democracy you want in London, as long as it is the democracy that the Labour party wants, not what the people of London are willing to vote for." That is the heart of the problem.

We are being asked to support an unamended Bill. There were ample opportunities in Committee for the Government to amend the Bill in order to serve the purpose for which a pre-legislative referendum should be designed—that is, to provide maximum opportunity for those being consulted to express their views on the choices available. They should be offered not the minimum number of options, but the maximum number of options and that comes down to two questions.

[Mr. Lansley]

I was interested in the issue of responses to consultation. The hon. Member for Regent's Park and Kensington, North (Ms Buck) stumbled happily into commending to us a 10 per cent. response rate where the Minister managed to achieve a magnificent 0.02 per cent. response rate—he is happy with that. It is one tenth of the response rate achieved by my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) when he was Secretary of State for the Environment and was consulting about London.

It is interesting that, at that time, as the Minister made clear in Committee, there were some people who wanted a strategic authority for London. There is no dispute about that because there have always been some people who want that. The Labour party was consistent in its desire to retain the Greater London council and then, after its abolition, to recreate it in some amended form.

On Second Reading, the Minister for Transport in London told us that, although the analysis had not been completed at that time, 10 per cent. of the respondents to the consultation document wanted a different question. There were 61 questions in the consultation document, but not one of them said, "How would you like to be consulted about the governance of London?" They were not asked about the form of the question, but 10 per cent. ignored the 61 questions they were asked and offered a different view. The view that they were expressing is that which was expressed, rightly, in Committee and which has been supported by argument, which is that the people of London should be allowed to have more than one question.

It behoves us to wonder what the Government are frightened of. I think that, far from it being workable only if there is an integrated or holistic package—or whatever adjective one chooses to use—it is possible to have a different structure of government for London. It is possible to have a directly elected mayor and to have an assembly that is drawn from the boroughs. That is at the heart of the argument that has been presented by Opposition Members on more than one occasion, most eloquently by my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson). In Committee, he made it clear more than once—it has been reflected in our debates but, unhappily, not in the manner in which the Government are proceeding—that London is a city of many communities and that it is of the essence that we should seek a structure of government that reflects that.

Ms Buck: Is the hon. Gentleman saying that the issue of the assembly of the boroughs would be the third question?

Mr. Lansley: I am happy to deal with that. As the hon. Member for Southwark, North and Bermondsey made clear, and as I attempted to explain to the Minister during an intervention, as my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) said, it is possible that, within the structure of two questions, people could say whether they want a directly elected mayor and whether they want a directly elected assembly. It is clear that, if people choose to have representatives from the boroughs, by extension, they are looking for an indirectly elected assembly.

Ministers are afraid that such a package would be rejected. They fear that, if they separated the two propositions by asking two questions, they would not get the answer that they seek. It seems to me that the desire of Ministers to have their own way transcends their desire to do what is best for London, and that is much to be regretted.

I shall mention one or two subjects that came up in Committee that have reflected ill on the Government's argument, or lack of argument, in support of the Bill. Ministers should reflect further on how they approach certain issues, particularly the representation of the boroughs in the assembly. The hon. Member for Regent's Park and Kensington, North referred to creative tension. The principal creative tension at the heart of the governance of London is the tension that will naturally arise in so large a city—in a sense, it is a number of cities—between the localities and the city as a whole. It is all very well for the hon. Lady to talk about creative tension between the assembly and the mayor, but that is an irrelevance. Creative tension in London will come from the mesh that will entwine the strategic overview of the mayor and the authority with the creativity expressed by localities. If we put the creative tension outside the authority, we shall ignore the essential question of how to proceed with the governance of London.

The hon. Member for Harrow, East said that additional powers have been devolved to, and will be retained by, the boroughs. It is illogical for him to talk about the benefits of subsidiarity, given these proposals. My hon. Friend the Member for Croydon, South mentioned 10 powers, but there may be more. It did not take me more than a minute or two to discover that some of the powers of the boroughs will not necessarily be taken away. I shall give just one example, which will resonate with my hon. Friends and with people outside the House.

The Government have not said precisely what is proposed for planning and land use: that is the problem. One of the options in the consultation paper is that the authority would be responsible for a structure plan, and would have the power to ensure that local authorities reflected that strategic plan in their own planning documents. I am sure that the Minister will say that the power of development control has not shifted out of the hands of the London boroughs, but in fact the balance of power in relation to land use and development control in London as a whole will shift dramatically from the boroughs to a higher-level body that will be able to force boroughs to exercise their development control powers in a particular direction.

Mr. McNulty: Rather than mind-read the consultation paper, perhaps the hon. Gentleman will take my tuppence worth. For the past three years, I have been a member of the London planning advisory committee, which issues strategic advice that boroughs have to take into account when developing their structure plans. There is no reason why, once that committee is subsumed by the Greater London authority, that system should not continue to prevail. I would not advocate a separate Greater London development plan with statutory force as a structure plan for London. I offer the hon. Gentleman that comment by way of information.

Mr. Lansley: The analogy used in the consultation document is that of a county council, and the way in

which it exercises structure plan responsibility for its districts. The Minister may correct me, but I think that that has a more direct impact on the boroughs' subsequent development plans than the recommendations of the London planning advisory committee.

The Minister was at pains to remind me that we are discussing a consultation document. That brings me back to one of the principal issues. The timing of the consultation process that will lead to decisions has gone wrong. We are told that the White Paper will be presented shortly before the referendum in the spring.

Mr. Raynsford: Six weeks before.

Mr. Lansley: A draft Bill will not be presented. At the same time, the boroughs will have to make decisions, and campaigns will have to be fought. It is undesirable for the question of the governance of London to be wrapped up in those political considerations. Labour Members have been at pains to say that there are differences between a strategic overview and borough considerations, yet they are perfectly happy that borough considerations and strategic questions about the longer-term governance of London should be pushed into one campaign. They do not want them to be separated for reasons of convenience, and because they want to pursue their manifesto commitments and to save £2 million to £3 million. Democracy has a higher price than that.

The proposals should be published and should be consulted on separately. We should know the views of the people of London, and not necessarily on a partisan basis. As my hon. Friend the Member for Croydon, South said, there is a degree of cross-party agreement on some of the issues, such as the proposal for a directly elected mayor.

Mr. Raynsford: The hon. Gentleman is moving ground.

Mr. Lansley: The Minister is telling me that I am moving ground.

Mr. Deputy Speaker: Order. The Minister should not be telling the hon. Gentleman what to do now. He should wait until he winds up the debate.

Mr. Lansley: The Minister should know, because I referred to this on Second Reading, that, before the election, I published a pamphlet showing that I was in favour of directly elected mayors. I have not changed my view on that subject.

Mr. Raynsford: Will the hon. Gentleman confirm that the manifesto of the Conservative party in London—I accept that he was not a London candidate—specifically opposed the Labour party's proposal for an elected mayor?

Mr. Lansley: The Minister is right to remind me that I was not a London candidate. However, I read that document, and, as I recall, it was opposed to the Labour party's proposals for an elected mayor and an authority. The Minister is at pains to say that this is an integrated package. At that time, it was reasonable for us to place emphasis on the question whether the Labour party wanted to recreate an authority, such as the Greater London council. Our proposal is not the same as the Labour party's proposal, so the Conservative party's view is perfectly reasonable.

The debate in Committee showed the undesirability of the wholesale discretion that the Bill gives the Secretary of State to determine the electoral format for the assembly. The Minister uses the term "citywide", because it is inconvenient for him to recognise the reality. This authority may be the first of a number of regional authorities. Should it be established, it will no doubt be represented as a precedent for regional government. Constitutionally, it is highly undesirable for the electoral system for a regional assembly to be constructed on the basis of such a precedent, because it enables the Local Government Commission to operate under the direction and at the discretion of Ministers, without reference to the House.

A number of issues were raised in Committee. At their core is the question whether the electorate of London should be given the opportunity, which is clearly available, to respond to two questions. I support the reasoned amendment.

5.58 pm

Mr. Jim Fitzpatrick (Poplar and Canning Town): I want first to address the misrepresentation of the position of the Greater London Labour party by Conservative Members. As has been reported, we have had within the Greater London Labour party a full debate on the Green Paper and Labour's proposals for an elected mayor and an elected assembly. We have more than 65,000 party members in Greater London, nine of the 10 Members of the European Parliament, 57 of the 74 Members of Parliament and the majority of London boroughs, so it would be a huge surprise if there was not a variety of views. Conservative Members have, however, focused on a few individuals who have challenged the proposals in the Green Paper.

The consultative conference that I chaired on 12 October has been mentioned frequently by Conservative Members. I am not sure whether I am expected to be flattered or offended by the remark, often quoted by Conservative Members, that I manipulated the conference. I am happy to claim that I chaired the conference effectively—certainly to the satisfaction of the vast majority of those who attended. There were more than 300 delegates, including many Labour Members. The results of that consultation—

Mr. Ottaway: I should hate the House to be misled and to be left with the impression that Conservative Members are saying that the hon. Gentleman manipulated the meeting. It was a member of the Greater London Labour party executive who used the word "manipulated".

Mr. Fitzpatrick: I said that claims that I manipulated the meeting were quoted by Conservative Members. That is not my recollection of the conference, and it is not the recollection of many who were there.

The results of the consultative conference were discussed by the executive of the Greater London Labour party, which wholly supported the way forward being proposed by the Government—that is, an elected mayor balanced by an elected assembly. I repeat that the number of Labour submissions in opposition to the proposals was

[Mr. Fitzpatrick]

only 16 out of the thousands of submissions by councillors, the hundreds of submissions by Labour party branches and the 74 submissions from constituencies. In those terms, 16 is a minuscule number. Clearly, there is overwhelming support within the Greater London Labour party for the proposals.

As my hon. Friend the Member for Harrow, East (Mr. McNulty) said, a directly elected mayor and a directly elected assembly are what we promised at the general election. Londoners obviously support that, as demonstrated by our success within the region. They can demonstrate that support again next May, by voting yes overwhelmingly in the referendum.

I now repeat the suggestion that I made in the closing stages of the Second Reading debate on 10 November. I suggest that once we have agreed that we shall have an elected mayor and an elected assembly, we shall need to look for a home for both. I suggest that for several reasons, east London would be wholly appropriate.

First, it is clear to anyone living in the capital that the centre of gravity has been moving east for years; the docklands area demonstrates that. Secondly, the Thames gateway is the gateway to Europe, and placing the centre of local government there would acknowledge that fact. Thirdly, it would be a gesture to the excluded communities of east London for them to be the home for new London politics. It would also symbolise the regeneration of the area, not only after the closure of the docks, but after the South Quay bombing. For too long, the east end has been the home of poverty, deprivation and unemployment, as demonstrated by the flirtation with the far right.

Mr. Pickles: I am sure that the hon. Gentleman is right to say that the east end would be a good place to locate the building for the mayor and the assembly. Does he agree with the hon. Member for Harrow, East (Mr. McNulty) about the powers that would be exercised by the strategic authority in that building? Would he fight tooth and nail to ensure that no powers were taken away from the boroughs?

Mr. Fitzpatrick: I have never been a local authority representative, but I am sure that local authorities will be more than able to defend their corner when the new strategic authority is created.

Siting the home of the new centre of regional government in the east end would be wholly consistent with the Government's objective of demonstrating that this is a new beginning. The Prime Minister clearly demonstrated that, by siting the Anglo-French conference at Canary Wharf. This is about new Britain, about new London and about a new start for our capital city. I shall submit my proposal to the Minister in due course. I commend the Bill to the House.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. A number of Back Benchers still wish to speak. As hon. Members know, there will be winding-up speeches, so brief speeches, such as the one by the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick), would be helpful.

6.4 pm

Mr. John Wilkinson (Ruislip–Northwood): Ministers must be a little wistful about imposing a gagging order on their Back-Bench colleagues in Committee. We might not otherwise have had such prolix contributions on Third Reading. Ministers would normally expect by now to be home in their Departments for tea. They must be getting a little sad as they realise that tea trolley time has gone and that the bone china cups have rattled down the corridor while the debate here has dragged on.

The contributions from Labour Members today have been most revealing. First, the hon. Member for Regent's Park and Kensington, North (Ms Buck) spoke of dynamic tension between the mayor and the elected assembly as if that was meritorious. The Minister argued most forcefully and convincingly that the governance of London needed leadership from the mayor. If, however, the mayor is locked in almost permanent conflict with an argumentative and difficult assembly, the proposal does not bode well for Londoners.

Secondly, we had the contribution by the hon. Member for Harrow, East (Mr. McNulty). He stated clearly that he thought that local authorities, such as his own in Harrow, would fight tooth and nail to preserve every inch of their power against the overweening ambitions—that was the implication of what he said—of the assembly. Once the assembly is elected—this is the force of the argument put by my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler)—those ambitions will grow. If the assembly members want to demonstrate their effectiveness, they will arrogate to themselves more and more power. That bodes ill for the governance of London and makes any objective commentator wonder whether proposals of such far-reaching consequence should be considered for such a short period by the people of London.

The White Paper is to be produced on 23 March 1998 or thereabouts. The date of the referendum will be 7 May. Easter will come in the middle of April, and there will be the school holidays, the May day bank holiday and the Easter recess. There will be very little opportunity for even this House to give the White Paper proper consideration, let alone the people of London, who will be up to their ears in the arguments about the governance of their own boroughs, which is more important for them than the governance of London.

Before we grant the total power that the Bill will entail, there could well be a change of heart by the Government—perhaps between the publication of the White Paper and the enactment of the Bill that will give force to the proposals. The constituency branches of the Labour party seem very worried that the traditional system of a leader being chosen from their number will be done away with. That is a potential source of pressure on the Government, which could lead to changes between the publication of the White Paper and the Bill.

We would be most unwise to give a carte blanche single question to the electorate, without a paramount and totally plain explanation from the Government of how the assembly will be elected, how the mayor will be elected and how those two separate elections will be funded. That is particularly important for the election of the mayor. There is a real risk that his election could be bankrolled by a company. It is not beyond our imagination to see the immense potential for the corruption of the electoral

process if strict safeguards on expenditure are not written into the White Paper and, more important, enacted in the legislation.

That is why the Opposition are right to insist on two questions. Having two questions would not invalidate the Government's proposals for an authority with the twin components of mayor and assembly; it would provide a means of validating the merits of each. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) and the Minister, in a telling conclusion to his speech, said that they could envisage the assembly working perfectly well without a directly elected mayor, as a normal democratic institution, drawing its leader from its ranks.

If democracy in London is to be better served rather than prejudiced by the proposals, it is crucial that the boroughs have their voice. I apologise for being a little parochial, but the following example makes my point. Mr. Evans, the local MEP for my constituency and that of my hon. Friend the Member for Uxbridge (Mr. Randall), has just said that he is wholly against the fifth terminal for Heathrow and against the abolition of duty free sales at the airport and on airlines for European flights. Those proposals would gravely damage employment in Hillingdon. Without a directly elected representative—or an indirectly elected one in the form of the leader of a borough, as Conservative Front-Bench Members have argued—particular local interests will not be served on the assembly.

Transport is a potential area of competence for the assembly and the mayor. Air transport and the related infrastructure of rail connections, high-speed links and roads are crucial issues for my borough. Our concerns must be effectively articulated in the new assembly. The chances are that they will not be unless we have a representative for Hillingdon. That representative would also have to stand up for the green belt, because there must be a balance between the transport imperatives that are crucial for the economy of our borough, for west London and for the country, and the environmental interests of local residents, which are already imperilled by the ever-increasing demands of Labour authorities to build on open space, and occasionally on green-belt land, as we have seen in Hillingdon.

The electors of London will need to know that the new authority will safeguard local interests better than the current system. If it will not, they would serve their local interests and the interests of London by rejecting the Government's proposals.

6.15 pm

Ms Joan Ryan (Enfield, North): I speak not as the Lobby fodder that the right hon. Member for Sutton Coldfield (Sir N. Fowler) referred to, but as the Member of Parliament for a London constituency—Enfield, North. I speak on behalf of the people of Enfield, North, who voted for our manifesto in considerable numbers. I have consulted them formally and informally about the proposals on many occasions. I am pleased to report that the proposals for a directly elected mayor and assembly in one package have overwhelming support.

There are good reasons to rehearse the arguments put on Second Reading. The Conservatives seem to oppose a democratic voice for London. When they abolished the Greater London council, they made no attempt to reform it. There have been no proposals in the 11 years since then to redress the balance and do something about the democratic deficit in London. They are aware of the tremendous support for the Government's proposals in London, so they find themselves in difficulty. Instead of opposing the proposals wholesale, which I believe to be their true position, they argue about the assembly.

Londoners want and need a democratic voice for the capital, elected by the people to speak up for us and battle on our behalf for inward investment for jobs and for public money to tackle the division between rich and poor, to defend and promote the interests of Londoners and to ensure that London remains a world-class capital.

The capital currently has no voice. We suffer from a lack of co-ordination, which is more than evident on transport issues. We suffer from a lack of strategic planning, which is evident in the King's Cross development. We suffer from a lack of openness, accountability and democracy, which is evident in the situation with the Metropolitan police. The Labour Government inherited a mess from the previous Conservative Government. We have had 18 years of experiments and change, including complete disasters such as the poll-tax. That has weakened local services and demoralised many local councillors.

No wonder talented people shy away from standing for election to their local council. No wonder 80 per cent. of councillors are over 45, one third are retired and only one in four are women. No wonder only 31 per cent. of the electorate bothered to vote in the 1994 local elections. We need democratic renewal. We want change for local government that will bring better public services and stronger local democracy.

It is not healthy for everything to be run from Whitehall. That places too much power in the hands of too few people. The new millennium demands a new approach. Nowhere is that more true than in London. The capital has 12 per cent. of the United Kingdom's population. Its gross domestic product is greater than that of Singapore, Thailand or Hong Kong. Its economy is bigger than those of many European countries, including Portugal, Greece, Ireland and Luxembourg. It accounts for 19 per cent. of United Kingdom GDP. More than 40 per cent. of the United Kingdom's businesses and financial services are located in London. In the rest of the UK, 4.1 million workers depend on producing goods and services that are sold in London.

Of course, with all that, we have our problems. Of the country's most deprived wards, 14 per cent. are in London. At the local elections for London in 1994, more than one in six people in London were in receipt of income support. London has the highest level of serious crime and one of the highest rates of reported drug misuse in the country. Infant mortality rates in deprived inner London are twice as high as those in some outer boroughs. We need a Greater London authority and an elected mayor. This is an idea whose time has come.

Towns and cities compete today in a way that they did not a generation ago. In Britain, Manchester competes with London for millennium cash. In Europe, Liverpool

[Ms Joan Ryan]

competes with cities in Spain and Germany. In the global economy, we compete with every other country to attract investment and production.

Mr. John Randall (Uxbridge): I am trying to work out the relevance of the geography lesson to the referendum. Perhaps the hon. Lady can enlighten me.

Ms Ryan: All the points are extremely relevant. The hon. Gentleman's Conservative Government never addressed any of the issues.

In this world of competitive localities, we need a strong voice for London; someone to promote the area and fight on our behalf for the investment and public resources that we need. It is probably true that nobody really knows the town clerk and that few know the leader of their local council—although I am sure that there are some notable exceptions. An elected mayor would have a high public profile and more political weight. A mayor would be better able to provide the community leadership that London needs.

We cannot leave our local authorities, the police or the public sector to act alone. To reduce crime and pollution and to make our economy grow, we need an elected authority for London; we need a mayor. We need a powerful voice. The democratic deficit must be addressed. The people of London support the package that the Government are putting forward. On 7 May, there will be a massive yes vote for the proposals. We look forward to that.

6.21 pm

Mr. Tom Brake (Carshalton and Wallington): I welcome the concession which I believe the Minister made when he said that he had no objection in principle to more than one question on the ballot paper. That is interesting and makes it even more important that, in the other place, the issue of questions on the ballot paper is considered closely. Perhaps we can now engage in a sensible dialogue. Perhaps the Government have listened to the views of 16 of the 30 local Labour parties in London—the ones who responded to the Government's Green Paper—and the majority of Trades Union Congress councils in London.

For each step forward, we take a step backward. We have taken a step backward on whether the authority constitutes regional government for London. As a matter of urgency, the Government must clarify whether they are talking about regional, citywide or local government.

What electoral system would we favour for the government of London? I do not have time to go into detail. My hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) described certain general principles such as fairness and natural constituencies. I would certainly like there to be natural constituencies. Perhaps one in my neck of the woods would comprise all the south-west London constituencies. I say that not just because most of them are represented by Liberal Democrats. I used to be a councillor in Hackney. Another natural constituency would include Hackney, Islington and neighbouring constituencies in that inner-city area. The Liberal Democrats support five or six variable-size, multi-member constituencies. There might be a need to top that up with some additional members, to ensure overall proportionality. If the two general principles apply, government for London will receive the backing of Londoners.

Such legitimacy is needed, but I am afraid that our debates have not provided it. I cannot accept that Labour Members have given the Bill a vote of confidence. They have taken a vow of silence. The omerta that we are witnessing among Government Back Benchers has everything to do with baseball bat-wielding Whips and nothing to do with acquiescence and agreement with the Government's proposals, especially for a London mayor.

Mr. McNulty: And a cattle prod.

Mr. Brake: Yes, even cattle prods.

It is not too late for the Government to listen to Londoners' views and swallow their pride, in taking on board a second question. The Government's pride is at stake. I hope that they will grasp the opportunity to introduce a second question.

6.25 pm

Mr. Richard Ottaway (Croydon, South): On 23 March, the Government will publish their proposals for the reform of London government, which will leave us just six short weeks in which to consider them. We accept that there is a case for reform, but the striking feature of the previous three days' debates has been the misplaced, cosy nostalgia among Labour Members—and to a degree among Liberal Democrats—for that bureaucratic, blundering, inefficient organisation known as the Greater London council.

Labour Members have described the GLC as a kind of genial godfather, doing good deeds throughout its life for the benefit of Londoners. Their memories are short. London is a young city. The average age of its people is less than the national average. Eleven years on, memories have started to fade.

We make no apology for having abolished the GLC. We believe that that abolition has strengthened London's local government. Few want to return to the days of the GLC. The few who do sit on the Government Benches—but they have not understood their orders. They have not read the Green Paper, which makes it clear that the proposed body is not a return to the GLC. It is not a return, because, in their hearts, members of the Labour party agree with us that the GLC had to go.

Mr. Raynsford *indicated dissent.*

Mr. Ottaway: The Minister shakes his head. I shall take it from that that he wanted the GLC to remain. If he really meant it, he would be reviving the GLC in this Parliament—but he is not.

The world has moved on since 1986, and we accept the case for a mayor for London—a voice for Londoners, someone to represent them in central Government and to speak for London on the international stage. However, given what we have seen of the Government's plans so far, it is important to recognise that the job will be more about influence than about executive power. That is right for what will be a strategic authority.

A second striking feature of the debates has been the Government Back Benchers' wish lists of powers that they hope the new mayor will have. Labour Back Benchers have called for the mayor to have all the old powers of the GLC, plus the powers to run all London's transport, health and education services single-handedly.

Mr. McNulty *indicated dissent.*

Mr. Ottaway: The hon. Gentleman was not present for most of the debates on Second Reading and in Committee. If he had been, he would have heard such calls. *[Interruption.]*

Mr. Deputy Speaker: Order.

Mr. Ottaway: The mayor will not have such powers, and it is an illusion to think so. If for a moment we thought that London's mayor would have such powers, our views on the assembly, whose job it will be to hold him to account, might be very different.

It is of great concern to the Opposition that, under the terms of the question in the schedule, the die has been cast on the nature of the assembly. The proposed structure of the directly elected assembly is flawed, and our amendments have consistently made that point. The Bill is not just about a ballot on the future of London: it deals with the electoral arrangements for the assembly.

Tellingly, in the Minister's letter to the editor of *The Times*, he made it clear that an assemblyman would not be expected to fight for his or her own patch. He said that with such pride and confidence that it rang alarm bells in all of us who are concerned about the democratic process. When I challenged him to admit that that meant that he would sever the constituency link and have an assembly elected by proportional representation, he replied that that would not necessarily be the case. He is nodding to confirm that.

Thus, the situation gets worse. We may have people elected from constituencies, but they will not be allowed to fight for their patches. We know that independent thought by Labour Back Benchers is banned in the House, but it seems that the disease is spreading. Independent thought will not be allowed in any other house. We might have thought that the thought police did not have much work left to do, but they will have to tighten their grip.

The Government's opinions, as expressed in our debates on the Bill, have been deeply insulting to London's local government. We have proposed that the members of the assembly should be the borough leaders. That is a reasonable proposal, which we have put forward without frills. In that way, the thinking for London would come from the bottom up and not from the top down. The assembly would be a bridge between the mayor and the boroughs.

All the Minister can say in reply is that that would not be an adequate alternative. Frankly, I thought that the hon. Member for Harrow, East (Mr. McNulty) did a better job of justifying what it subsequently turned out he does not believe—

Mr. McNulty: I did not say that.

Mr. Ottaway: I will come back to the hon. Gentleman's contribution in a moment, but he gave a better explanation than we heard from the Minister.

The Green Paper is riddled with proposals for the authority to implement Government strategy. There is no suggestion that the assembly will implement borough strategy or thinking. There is no suggestion that the boroughs will have anything more than an informal and occasional consultative role. There is no suggestion that the views of Londoners will be paramount in the assembly's thinking. The boroughs' role in the authority will be minimal.

I thought that the hon. Member for Harrow, East made an interesting speech, but he should realise that Harrow council's power will be diminished. He will have a lot of fighting to do to live up to his words tonight. It will cost him personal credibility in his party, and we will watch him and hold him to account for his words.

The Bill will not be published before the referendum. We are also concerned that the Government will not even publish the White Paper until 10 months after the election. Why have the Scottish and Welsh White Papers been published within three months of the election? Why will the Welsh Bill be published within seven months? If the government of Wales can be reorganised in seven months, why cannot the Government draw up a draft Bill for a strategic authority in 10 months?

Mr. Raynsford: Perhaps the hon. Gentleman has forgotten that we have published a Green Paper to consult people, and we are allowing time for their responses to be considered.

Mr. Ottaway: Sixty-one questions—that is one heck of a consultation document. Is the Minister saying that the proposals in his manifesto were not thought out before the election? How can a Bill be drafted for the future government of a whole country, such as Wales, in less time than it takes to produce a draft Bill for a strategic authority?

The Government will not even give an undertaking not to change the White Paper proposals in the Bill. They are saying to London, "We are not publishing the White Paper until just a few weeks before the referendum. We will give you hardly any time to digest it and ponder its consequences. We, the Labour party, will fight the referendum on the slogan, 'A Voice for London', and you may or may not get what you voted for." That is new Labour's version of "Blind Date", and this is the "Blind Date" Bill. People can choose, but they do not know what they will get. Londoners deserve better.

We want two questions, as my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) said. We want Londoners to say yes or no to a mayor and yes or no to a directly elected assembly as currently proposed. My hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) pointed out that a single take-it-or-leave-it question is inadequate.

One of the more amusing aspects of the Chancellor's statement yesterday was how many times his spin doctors had inserted the buzz word "fairness". He repeated it several times, but the Minister tonight—I listened carefully, because I thought I might be able to make the point—did not use the word once in his speech. He knows how unfair his proposals are. Above all, they are an insult to the enthusiasm that Londoners have displayed for reform of some kind.

[Mr. Ottaway]

The Minister has repeatedly made the point—somewhat smugly—that it is the votes that count. He knows that he has lost the argument on two questions in our debates, but he has enough Lobby fodder behind him to carry the day.

Does the Minister really have support for his policies? He emphatically argued that more than 50 per cent. of Londoners had voted for the Labour party manifesto proposals for London, until we pointed out that he did not get 50 per cent. of the vote. The majority of Londoners did not support his proposals.

I challenged the Minister to say that the 1.6 million Labour voters of May would turn out next May. His head, which normally bobs around genially, froze solid, because he was not sure that they would.

The Minister then claimed that the Association of London Government supports his proposals. We checked our records, and found that that is not true, either. At least half of London's boroughs want a two-question referendum.

Mr. Raynsford: Will the hon. Gentleman confirm that the ALG has supported the Government's position, and that that is the evidence that the ALG has submitted? Perhaps he has not read it and if not, I suggest that he does.

Mr. Ottaway: I repeat what I said. At least half the boroughs represented on the ALG want a two-question referendum. That is the truth of the matter. The Minister does not have the support of the London boroughs for his opposition to a two-question referendum, which is the basis for our reasoned amendment.

Mr. Tony Colman (Putney): I have a copy, as has my hon. Friend the Minister, of the ALG's submission. It clearly states that the ALG welcomes the directly elected mayor and assembly for London. In the minutes—we seem to be keen on minutes tonight—the Labour group on the ALG, which is some 23 boroughs out of the 32, is recorded as totally in favour. It is also clearly minuted that the Conservatives, obviously whipped, are in favour only of the mayor, and the Liberal Democrats, obviously whipped, are in favour only of the assembly. That is the truth.

Mr. Ottaway: After that short speech, I will go through the list of the London boroughs that are in favour of a two-question referendum. I shall do it slowly, in case the hon. Gentleman wishes to write the names down and go round to Old Queen street and check them. The boroughs are Barnet, Brent, Bromley, Hackney, Harrow—*[Interruption.]* The hon. Gentleman does not like what he is hearing. The list continues with Havering, Kensington and Chelsea, Kingston upon Thames, Lambeth, Redbridge, Richmond upon Thames, Sutton, Waltham Forest, Wandsworth, Bexley and Westminster.

Mr. Hill: Liberal Democrat and Tory boroughs.

Mr. Ottaway: Is the hon. Gentleman saying that no thought is allowed in London other than the Labour party's? Is he saying that the only voice from the Association of London Government allowed to be heard is that of the Labour party? That is a fine cry for democracy from Lewisham. If that is all there is to say, Lewisham deserves him.

When the Minister discovered that he had lost both arguments, he said that London's Labour party supported his proposals. Today we heard the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) quoting at length from the report of the London Labour meeting. He presented what he read as the latest revelation, but in fact it was the report that I quoted from on Monday.

We checked out the report on that famous meeting, and we found that people voted against the proposals by a ratio of 8:1, despite the efforts of the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick) to prevent such a vote from being taken. He was trying to rewrite history.

Mr. Fitzpatrick: I suggest to the hon. Gentleman that the reports are a gross exaggeration. The only figure quoted is something like 8:1, but there were more than 300 delegates at the meeting. The vast majority of the people at that consultative seminar were wholly in agreement with the Government's policy, and the formal submission put forward by the Labour party in London was fully in support of the proposals.

Mr. Ottaway: How would the hon. Gentleman know, when he did not allow a vote to find out what the members present thought? He will have to discuss the matter with the hon. Member for Brent, East (Mr. Livingstone). *[Interruption.]* He was there. The hon. Member for Harrow, East was there, too, and so was the hon. Member for Putney (Mr. Colman)—and here are the minutes. They say that London Labour rejected the mayor. The Minister cannot get away from the fact that he cannot even claim the support of his own party.

That catalogue of disaster would have deterred most Ministers and made them think again, but there was no remorse from those men and women. They plough on, regardless of public opinion, of the grass roots of their own party, of the views of the London boroughs, and of those of London itself. They do not deserve the support of the House, and I urge my hon. Friends to support the amendment.

6.41 pm

The Minister for Transport in London (Ms Glenda Jackson): There can rarely have been a Third Reading so dominated by the Labour party. I do not refer exclusively to the contributions by my hon. Friends. My hon. Friends the Members for Regent's Park and Kensington, North (Ms Buck), for Harrow, East (Mr. McNulty), for Poplar and Canning Town (Mr. Fitzpatrick) and for Enfield, North (Ms Ryan) all spoke with passion and conviction, and with information gleaned from listening to what the people of London are saying to them about the Government's proposals for a Greater London authority.

We were also privileged to hear paraded through the Chamber the unnamed thousands who make up the Greater London Labour party. They were paraded, in the main, by Members representing the Conservative party, and they joined us by means of representations made by those hon. Gentlemen. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) even brought them in via the internet. That seemed to me to show just how

open the Labour party is. It publishes on the internet, available for all who wish to see it, the way in which debate is conducted within our party.

The right hon. Member for Sutton Coldfield (Sir N. Fowler) began by saying that he and his party had held a consistent position on a government for London. I must point out that the position was consistent until 2 May. Before then, the Conservative party had campaigned assiduously and virulently against the idea of restoring a democratic voice for London, but after 2 May we saw it begin to make a move in our direction.

The right hon. Gentleman seemed to suffer from a desperate lack of argument and conviction. Again, the Labour party was strongly represented in the bulk of his speech, which was devoted to re-quoting what my hon. Friend the Member for Brent, East (Mr. Livingstone) said on Second Reading.

The right hon. Gentleman was not alone in dubbing my right hon. and hon. Friends "Lobby fodder". It was an insult levelled at my hon. Friends by the hon. Member for Croydon, South (Mr. Ottaway) as well. *[Interruption.]* I am delighted to hear the right hon. Member for Sutton Coldfield say, "Shame." Indeed it is shameful that the trust placed in my hon. Friends by the electorate in London should be so described.

In truth, in describing my hon. Friends as Lobby fodder, the right hon. Gentleman offers an insult not to them, but rather to the people of London who exercise their franchise in every election, be it local or general, with both information and conviction, in the realisation that the decisions they make are important.

Sir Norman Fowler: Will the Minister confirm, therefore, that what the hon. Member for Brent, East (Mr. Livingstone) said was correct—that, if anyone on the Labour Benches voted against the Bill, he or she would be debarred from further candidature within the Labour party?

Ms Jackson: I am delighted to be able to tell the right hon. Gentleman that that is totally incorrect. However, my point in raising the matter was to observe how the mighty are fallen, in that, in a debate that he believes to be important about the restoration of government for London, the right hon. Gentleman is reduced to quoting my hon. Friend the Member for Brent, East. *[Interruption.]* There is another example of Conservative Members who are incapable of listening to the answers to the questions they pose.

Sir Norman Fowler: Answer the question.

Ms Jackson: As I began by saying, nothing can be further from the truth. My point, however, is that the right hon. Gentleman has no arguments to present for himself. *[Interruption.]* He says that I must be joking—but I assure him that, if I tell a joke, I invariably get a laugh; I do not need to come at it from such a sideways angle.

The hon. Member for Southwark, North and Bermondsey repeated the points that he made in Committee. We have no argument with the concerns that he expressed. We, too, wish the process to be both fair and, as I said when he spoke to his amendments in Committee, inclusive.

We do not agree with the hon. Gentleman or with the hon. Member for Carshalton and Wallington (Mr. Brake) that what we propose is regional government. We see it as a citywide government. However, we are very much in tune with the hon. Gentleman's perspective that London is infinite in its variety. That point was tellingly made by my hon. Friend the Member for Regent's Park and Kensington, North in an especially interesting contribution.

We see the GLA—the mayor and the assembly, if that is the will of the people of London—as inclusive, outward-reaching and outward-looking, and as wishing to acknowledge London as a city of an infinite variety of peoples and of interests, which is constantly expanding.

That is the way in which London must maintain its primacy as a great capital city. Its greatest treasure is indeed the people of London, who, despite what Conservative Members say, have a wider perspective of what constitutes London than just their own borough or interest.

The hon. Member for Brentwood and Ongar (Mr. Pickles) made a point that was also made in a different form by the hon. Member for Croydon, South. He argued that there had been no Labour Members present. The hon. Member for Croydon, South said that Labour Members had been forced to take a vow of silence.

However, the hon. Member for Brentwood and Ongar then said that Labour Members had taken us down memory lane, pining for the Greater London council. Where did those mysterious voices come from that the hon. Gentleman heard? Perhaps they were indeed Disraeli, Gladstone and Churchill; they may have been trying to tell him something.

My hon. Friend the Member for Harrow, East made the precise point—

Mr. Pickles: Would the Minister care to comment on a sedentary intervention made by the hon. Member for Streatham (Mr. Hill), to the effect that a vow of silence had been taken?

Ms Jackson: I understood that that remark about the vow of silence was made by the hon. Gentleman's hon. Friend, the Member for Croydon, South.

Mr. Pickles: I heard the hon. Member for Streatham say it.

Ms Jackson: The hon. Member for Brentwood and Ongar is hearing voices again.

My hon. Friend the Member for Harrow, East defined in precise detail what we perceive as the way forward for the government of London. We are not concerned with some arcane argument. We want a democratic voice to be restored to London, but we want a new, modern form of local government—it is practical, it will achieve results and, as I have said, it will be inclusive.

My hon. Friend the Member for Poplar and Canning Town gave the clinching argument in the face of attempts by Opposition Members throughout the debate to imply that there is a great schism between the Labour party in this House and the Greater London Labour party over the Government's proposals, when he stated that, out of

[Ms Jackson]

65,000 members in London, 1,867 branches, 57 Members of Parliament and a majority of London boroughs, only 16 voices oppose the Government's proposals.

In another informed, intelligent and interesting contribution, my hon. Friend the Member for Enfield, North pointed out that we are attempting to redress the democratic deficiency that has burdened London since the Conservative party took away its democratic rights when in government.

The hon. Member for Croydon, South referred to a vow of silence, or that was my understanding, which he implied had been imposed on myself and my hon. Friends. He reiterated that there were constant calls from the supposedly silent voices for ever greater powers to be given to the Greater London authority. Opposition Members' contributions have been somewhat schizophrenic, but I am grateful for the detailed scrutiny that they afforded the Bill in Committee. I am also grateful for the strong endorsement given to the detail of our proposals at that stage.

Londoners want a strategic authority for this capital. They wanted one in 1986, and they want one now. They know that London needs democratic, citywide leadership, capable of tackling our decaying infrastructure and worsening air quality, taking on the task of regenerating the capital and tackling the growing division between rich and poor—a point made by more than one of my hon. Friends. Londoners know that, without that, we will have a continuation of the ad hoc and the absent, the mantra of the past 11 years—no one in charge, no one to blame.

This Government believe that London should be competing with the best in the world—a leader among world cities—and to do that, it needs leadership of its own. That is why we made our manifesto commitment and published extensive consultation proposals in July, and why so many individuals and organisations responded—hundreds of individuals and organisations, representing tens of thousands of Londoners. That is why people are already discussing who might represent London in elections to the authority some two years hence.

Simply publishing our consultation proposals has revitalised London politics. It has brought forth new optimism and a sense of possibility. People are now discussing how to deal with London's problems, how to meet the challenges we face and how they can work with the new authority and make a real difference. What a change from the pointless confrontation and powerless talking shops that predominated less than a year ago. That is a testament to the enthusiasm of all Londoners for what we are proposing.

Despite the best—a debatable choice of word—efforts of Opposition Members to suggest otherwise, this is neither a complex nor a controversial piece of legislation. We promised a referendum on our proposals for a new Greater London authority, to give the people of London the opportunity to vote yes or no to the creation of a new authority. That is what the Government promised, and what the Bill provides for.

Mr. Peter Brooke (Cities of London and Westminster): I apologise to the hon. Lady and to the House for not making this point during the debate, but I was in a Select Committee. If the referendum is to be so consistent a part of our constitutional machinery from now on, does she not think that it would be prudent to have wider discussion of what should be the consistent features of a referendum, not least because those are variable in the Bill?

Ms Jackson: The right hon. Gentleman need never apologise to me. We are not discussing the possibility of the referendum becoming an implicit, intrinsic form of government for the future. He poses a hypothetical question. It is an interesting question, and I wish that I had more time to attempt to answer it.

However, it is particularly clear that we are debating the question that will be posed in a referendum. This is a specific Bill, for a referendum with a specific purpose. However hard Opposition Members have tried, they have significantly failed to present an alternative to the question or to the proposals that we have made in an attempt to restore a democratic voice to London and to Londoners.

Mr. Wilkinson: I wish that the hon. Lady would deal with this question. Even at this late stage of the discussion, can she give the House some guidelines as to whether the Government will impose limits on expenditure in any campaign for the London referendum, or is the sky the limit as far as bankrolling the election is concerned?

Ms Jackson: I am sure that the hon. Gentleman will correct me if I have misunderstood his question, but we have made it abundantly clear that the cost of the referendum will be £3 million. Is he concerned about another area?

Mr. Wilkinson: The question is whether the no campaign, if one emerges, or the yes campaign, could spend any amount of money in securing the result they desire—a majority vote.

Ms Jackson: We have made it abundantly clear that there will be no Government money for either a no or a yes campaign. We have not proposed putting a limit on the funding, but in the light of our concerns about expenditure for other campaigns, the hon. Gentleman has made a valid point, and I see no reason why we should not consider it.

Mr. Simon Hughes: Will the hon. Lady deal with the point to which she almost alluded? What is the Government's objection to the two questions, as formulated by her colleague and put to the Greater London Labour party—a separate question for an elected mayor, and one for an elected assembly?

Ms Jackson: As my hon. Friend the Minister for London and Construction made abundantly clear in a different context, the two questions proposed would not of themselves produce the form of government that we made a clear manifesto commitment to introduce to London.

One could indeed have the question, "Do you want a directly elected mayor?" and the question, "Do you want a directly elected assembly?" It would be entirely

open to the electorate to vote yes or no to either or both. Our standpoint and what our manifesto made abundantly clear is that we are committed to a form of governance for London that comprises a mayor and an assembly.

The hon. Gentleman and other Opposition Members have gone round and round in circles trying to find a form of words. As my hon. Friend the Minister for London and Construction said, the two questions could become three, the three could become six, the six nine, ad infinitum. As my hon. Friend said, it would be grossly irresponsible for a Government to propose a form of questioning that was not clear and concise, and that could not deliver a practical form of government.

We understand the position of those who advocate more than one question; but they cannot come up with a question that is clear, unambiguous and capable of arriving at a clear mandate and not resulting in unworkable options. We offer a clear proposition to the people of London, based on fully worked-out proposals in a White Paper.

The people of London will have a clear, unambiguous choice. If they vote yes, we will introduce legislation to implement our proposals. If they vote no, we will know that they do not want what we propose. It is as simple, open, clear and concise as that.

I hope that, despite the entreaties of Opposition Members, the other place will give the Bill a swift passage. That will be needed to enable us to proceed with the referendum as planned. As I said at the beginning of my speech, Londoners have already waited far too long—11 long years. We hope that the other place will not take any steps that will make them have to wait any longer. I commend the Bill to the House.

Question put, That the amendment be made:—

The House divided: Ayes 176, Noes 324.

Division No. 99] **[7 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Mrs Jackie
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorrie, Donald
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Cran and
Mr. Stephen Day.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger

Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Ptaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quin, Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Wise, Audrey
Wood, Mike

Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Clelland and
Mr. Jon Owen Jones.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading), and agreed to.

Bill accordingly read the Third time, and passed.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

BIOTECHNOLOGICAL INVENTIONS

That this House takes note of European Community Document No. 10510/97, on the proposal for a European Parliament and Council Directive on the legal protection of biotechnological inventions; and supports the Government's view that this Directive could harmonise and clarify national laws on the patenting of biotechnological inventions, so reducing the current uncertainty which exists in this area of law in Europe which has the potential to act as a deterrent in this industry.—*[Mr. Jamieson.]*

Question agreed to.

Special Immigration Appeals Commission Bill *[Lords]*

As amended (in the Standing Committee), considered.

Clause 7

APPEALS FROM THE COMMISSION

Amendment made: No. 1, in page 5, line 14, at end insert—

'(4) In section 33(4) of the Immigration Act 1971, after "1993" there shall be inserted "or section 7 of the Special Immigration Appeals Commission Act 1997".'.—*[Mr. Mike O'Brien.]*

Order for Third Reading read.

7.17 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I beg to move, That the Bill be now read the Third time.

We are now concluding Parliament's examination of the Bill. I am grateful for the thorough, constructive and helpful approach that Opposition Front Benchers and others have displayed, here and in Committee. The desire of all is to ensure that this is a good and effective Bill.

The amendments to the Bill are few in number. To a considerable extent, that is a reflection of the detailed and worthwhile scrutiny that the Bill was given in another place. Everyone recognises that it is a necessary Bill. Its general content has been governed by the terms of the European Court of Human Rights judgment in the case of Chahal. It is about creating the right balance between the liberty of the individual and the safety of the state.

In the circumstances, I do not propose to speak at length; however, I shall take the opportunity to refer to the amendments that the House made to the Bill and explain why the right of appeal from the commission that has been created is more limited than the Opposition have not unreasonably, advocated. Clause 7 now provides an avenue of appeal from the immigration appeals commission to the Court of Appeal on a question of law. Before the clause was added to the Bill, there was no right of appeal from a decision of the commission for either party to the appeal.

The inclusion of that avenue of appeal on a point of law mirrors the existing arrangements for such a right of appeal in respect of decisions of the immigration appeal tribunal. It is not an appeal on the facts. As I explained in Committee, it will be more satisfactory for points of law to be dealt with on appeal to the Court of Appeal rather than by way of judicial review to the divisional court and then to the Court of Appeal.

We have not introduced a more general right of appeal from the commission on the facts for either the appellant or the Secretary of State. We take seriously the concerns expressed by Opposition Members about the importance of protecting the interests of national security in the small number of difficult cases where there will, in future, be a right of appeal to the commission. It is because we share those concerns and because the European Court of Human Rights accepts that these cases raise particular difficulties that we are proposing procedures that will restrict the rights of appellants.

[Mr. Mike O'Brien]

On Second Reading, the hon. Member for Bexhill and Battle (Mr. Wardle) helpfully referred to the importance of having

"a swift but fair appeal, independent of the Home Secretary".—[*Official Report*, 30 October 1997; Vol. 299, c. 1064.]

That is a succinct explanation of what we are all trying to achieve in the Bill. The introduction of a right of appeal to an independent commission in these cases means that the commission will be in a position to overturn decisions made personally by the Secretary of State. Of course, any such decisions taken by the commission will be unwelcome to the Secretary of State, but it is an essential aspect of complying with the Chahal judgment that the commission should be able to take decisions, rather than only make non-binding recommendations in the manner of the three advisers who formerly acted in such cases. The commission will be well aware of the significance of its decisions, whether those decisions support the Secretary of State's decision, or otherwise.

Although the Bill establishing the commission has not quite finished its parliamentary progress, I shall take this opportunity to inform the House about an important development. Schedule 1 to the Bill makes provision for the Lord Chancellor to appoint a chairman from among the members of the commission, one of whom must hold or have held high judicial office. I am pleased to inform the House that my right hon. and learned Friend the Lord Chancellor has decided to appoint Mr. Justice Potts, a High Court judge since 1986, as chairman of the Special Immigration Appeals Commission when it is established. Mr. Justice Potts has widespread experience of immigration cases, was a presiding judge of the north-eastern circuit from 1988 to 1991 and was vice-chairman of the Parole Board between 1992 and 1996. Other appointments to the commission will be made by the Lord Chancellor following Royal Assent.

The Bill will help to ensure that our procedures for dealing, within the immigration context, with those alleged to be terrorists meet accepted standards of fairness. It is a comparatively straightforward matter to accord decent civil rights treatment to decent reasonable people. It is much more difficult to give the same sort of treatment to those who behave in ways that are abhorrent to most people. It is, however, a mark of a civilised and civil society that we accept the need to do so. I commend the Bill to the House.

7.23 pm

Mr. James Clappison (Hertsmere): I intend to make only brief remarks, as this has not been a contentious piece of legislation; but there are one or two points I must make. First, I am grateful to the Minister for his kind remarks and, if I may reciprocate, he has approached the Bill with a commendable spirit of openness. We on the Opposition Benches hope that that attitude will last.

We, too, have been concerned to strike the balance to which the Minister referred, between the rights of the individual—the appellant—and the interests of national security. We believe that the Bill has struck an appropriate balance and we agree with the framework that it creates. Foremost among our considerations have been the interests of national security, and it was because of our great interest in that subject that we suggested a right of appeal from the decisions of the commission. We are pleased that the Minister listened to our arguments and that there is at least a right of appeal on points of law. That is a change that we welcome.

I also welcome the Minister's announcement of the appointment of Mr. Justice Potts to be chairman of the commission. In earlier debate, we said that we approved of the general balance among the three members of the commission. We apprehended that it would consist of eminent people and I am sure that Mr. Justice Potts will be an eminent chairman. We wish him well in his work. I should declare something of an interest here, as Mr. Justice Potts and I are members of the same circuit, but I hope that that does not debar me from wishing him well in his endeavours. The cases that the commission hears will be sensitive cases, sometimes involving serious judgments as to national security and the rights of individuals. We wish the commission well in that important work.

Without wishing to inject any note of controversy into the debate, I think that the way in which the Bill has been amended—especially the amendment creating a right of appeal—as it has passed through its stages in another place and in this House holds valuable lessons for us. It is important that legislation of this sort, which ensures compliance with the European Court of Human Rights, should be subject to full parliamentary scrutiny and debate and is susceptible of amendment. The amendment the Minister has just described illustrates the value of full scrutiny and full debate, which is a point to which we might return during debates on another matter that will come to the House from another place.

I do not want to be controversial at this point, because the Bill has the support of the Opposition. It ensures compliance with the judgment of the European Court of Human Rights in the case of Chahal and it sustains our proud record of complying with that court's judgments. The Bill also does justice to the important considerations of national security and it has our support.

7.26 pm

Mr. Richard Allan (Sheffield, Hallam): I, too, do not want to take up too much of the House's time on a Bill that commands support from hon. Members on both sides. I also thank the Minister for the way in which he has provided information to Opposition Members and made our job of scrutinising legislation more straightforward. That co-operation was much appreciated.

The Bill represents a most sensible response to the judgment of the European Court of Human Rights in the Chahal case and we look forward to a process whereby human rights will be placed at the heart of all our immigration and asylum legislation. We hope that the process of incorporating the convention on human rights into domestic law will help to make that more straightforward, so that changes will be introduced more quickly, instead of their having to go to Europe and then come back again. We look forward to watching the development of the process in our domestic courts as further asylum and immigration legislation is introduced.

I hope that all debates around the Minister's future pronouncements will be similarly uncontentious and constructive and that we shall be able to maintain the habit of talking constructively about immigration and asylum matters. The Bill is a sign of things to come.

7.27 pm

Mr. Humfrey Malins (Woking): I, too, thank the Minister for the way in which he has approached the Bill. Throughout its passage, he has shown consideration and courtesy and his approach has been even-handed and sensible.

I shall make only a few remarks—I might have wanted to made some extensive and lengthy remarks, but it is probably better that I confine myself to taking only a few minutes of the House's time. The Minister knows that I approach this measure from a curious angle, having been involved in the inception of the Immigration Advisory Service, an organisation which gives free legal help and advice to those who have rights of appeal under immigration law.

My remarks may seem slightly slanted owing to my feeling about the need for justice not only to be done, but to be seen to be done. As a result of my concern that some of the worries that I expressed earlier in the Bill's passage have not been fully dealt with, I shall focus on those points for a few minutes tonight.

The Minister will remember that I was worried about clause 5(3)(a), which would allow the Lord Chancellor to make rules

"enabling proceedings before the Commission to take place without the appellant being given . . . particulars of the reasons for the decision".

I thought that that was a troublesome point. It laid the way open for no particulars at all to be given. I thought that it might make the appellant feel slightly handicapped, and that the lawyers might feel that they had one hand tied behind their back. I asked the Minister to comment on that at an earlier stage. I may be wrong, but I believe that the Minister has not come back to me on that point.

Clause 5(3)(b) marginally troubled me at the time. The Minister was very helpful on it in some respects. It says that the rules could

"make provision enabling the Commission to hold proceedings in the absence of any person, including the appellant and any legal representative appointed by him".

That really troubled me and I still feel troubled by it, because it could mean that the entire proceedings could take place in the absence of the appellant, his lawyer and the person appointed by the tribunal to represent him. That is an extreme position, but it is possible under the Bill.

As I said on an earlier occasion, it is very difficult for the appointed person, first, to represent the interests of the appellant, which he is required to do under clause 6(1), which specifically says that he should

"represent the interests of an appellant".

It is difficult for him to do so in such circumstances. I am not sure that he will be able to. How does clause 6(1) then tie up with clause 6(4), which says that a person so appointed

"shall not be responsible to the person whose interests he is appointed to represent"?

I detect a slight clash in the person so appointed being told that he is not responsible to the person whose interests he is supposed to represent, and I remain a little unhappy about it.

One thing has become clear as the Bill has proceeded—that between the appointed person and the appellant there will be no lawyer-client relationship as we all understand it. I believe also—I will be corrected if I am wrong—that there will be no ability for the appointed person to speak freely and frankly to the appellant or, perhaps worse still, to the retained lawyer. In other words, the appointed person may hear matters that he cannot communicate to the appellant or to the retained lawyer.

It is all very well for the Minister to say, as he did, that

"the special advocate"—

the appointed lawyer—

"is there to ensure that the rights of the appellant are protected. That is what he is there for and that is what we hope he will do."—[*Official Report*, 30 October 1997; Vol. 299, c. 1072.]

It is a very fair hope, but I am not sure how the special advocate can protect those rights when, first, he may be absent for all or part of the proceedings, secondly, he is definitely under constraints in his relationships with all the other parties and, thirdly, he cannot draft any grounds of appeal.

I wonder whether my concerns about clause 5(3)(b) have been fully dealt with. I was worried about people's absence from the commission. In Committee, speaking about appeals, the Minister said:

"It is unlikely that a point of law would arise in proceedings in which the special advocate alone was acting for the individual."

Why should it not arise? It might well. It is all very well to say that it is unlikely that a point of law would arise in those proceedings where the special advocate alone was acting, but I wonder.

The Minister said:

"we do not envisage that during the hearing of evidence both the special advocate and the advocate for the individual would be absent. There would always be someone present."

Would there? I wonder on what basis that might be said.

The Minister continued:

"members of the public will be present—for example"—

these are important words—

"lawyers, other representatives"—

who might they be?

"and members of the defence team."—[*Official Report, Standing Committee D*, 11 November 1997; c. 18.]

I believe the Minister was trying to reassure me, but I return to the Bill, which says plainly that it is possible to hold proceedings in the absence of any person.

I should like to make two short final points before I outstay my welcome.

Mr. Paddy Tipping (Sherwood) *indicated assent.*

Mr. Malins: I see Labour Members nodding. I had much more to say and I have tried to shorten it to be helpful.

There is provision for asylum cases to be heard in the tribunal and in the commission at the same time in parallel. As I may have said earlier, I have always believed that asylum cases should be hived off to an adjudicator and dealt with entirely separately. A connected point is that it seems to me that the House should ask the Minister for an assurance that if an asylum application not connected with national security is conducted before the commission, such a matter should be heard not in camera but openly.

[Mr. Malins]

On an earlier occasion, in another place, there was discussion of the anomaly that might stem from the fact that under article 3 of the European convention on human rights we cannot deport a person who would face torture or other inhumane treatment if deported. Such cases might crop up occasionally before the commission. One can envisage someone appearing before the commission who is to be deported, who is thought to be a serious threat to this country but who, if returned to the country of his origin, would be likely to face torture or inhumane treatment.

Let us suppose that someone comes to the United Kingdom from Libya and is caught with the clearest possible evidence that he is about to commit an atrocity in this country. He fails to carry out the atrocity. Can he quote article 3 of the convention to say that we cannot move him away from this country because if he is sent back to Libya, he will be treated rather unkindly by the leaders of Libya for failure to carry out his duties? That is an odd situation. The man might be here for ever, plus his family, but I suppose we are stuck with that—that is how life is.

I had worries throughout the Bill's passage. The Minister has dealt with them, with me and with the rest of us most courteously. The very fact that I expressed those worries does not take me away from the fundamental point that, as my hon. Friend the Member for Hertsmere (Mr. Clappison) said, we support the Bill, which is a sensible and sound measure. Subject to my concerns, which I hope do not amount to much, I wish it a very fair wind in the times ahead.

7.36 pm

Mr. David Winnick (Walsall, North): I shall not detain the House long because, as I explained on Second Reading, my interest is a constituency one. As the House may remember, my constituent, Raghbir Singh, was put in prison. No charges were laid against him. He was in prison for more than a year and the only reason for his release arose from the decision of the European Court of Human Rights in the Chahal case, which is the basis of the Bill.

I said at the time that it was not for me, as a Member of Parliament, to decide the guilt or otherwise of my constituent; I had no means of doing so. I made representations, as any Member of the House would have done in such circumstances. It is a very serious matter indeed for someone to be held in prison without charge: my constituent was in prison for more than a year, but one can imagine the feelings of the person who brought the case before the European Court of Human Rights, who was in prison for more than five years.

I have some concern. Like other hon. Members, I recognise that the Bill is undoubtedly an advance. I am pleased that it is, rightly, being brought into law, but one or two matters trouble me. I take the point made by the hon. Member for Woking (Mr. Malins) that it is a very serious matter to deprive a person of a lawyer, and when the Bill says that a person appointed in such circumstances

"shall not be responsible to the person whose interests he is appointed to represent"

that does tend to go against the grain of the rule of law.

We all recognise—not least myself—that the commission could be dealing with very serious cases involving terrorism. None of us underestimates the dangers and the curse of terrorism; if we were minded to forget, we have only to remember the terrible crime committed in Egypt last week, including the murder of British citizens. I do not underestimate the difficulties, but if we want to act according to the rule of law we must be careful in the way in which we frame the legislation that is the basis of that law.

I want to mention a matter that I did not mention on Second Reading—the membership of the commission. The Bill says that one member of the commission will be a High Court judge, and the Minister told us his name today. Another member will be a person connected with the immigration appeals system—probably the chief adjudicator or a member or the president of the tribunal. As my hon. Friend the Minister mentioned on Second Reading, someone who has been connected with the Security Service will also be a member.

Mr. Mike O'Brien *rose—*

Mr. Winnick: Am I wrong?

Mr. O'Brien: Just to clarify the position, the third member will be someone who has experience of dealing with security matters, not necessarily someone who is a member of the Security Service. It may be a past senior civil servant, perhaps from the Home Office or another Department, who has had some experience of dealing with security matters and who knows how those procedures and organisations operate, but it is not, at this stage, envisaged that the person will be a serving member of the Security Service.

Mr. Winnick: I put it clumsily. I did realise that it would be someone with experience of security matters, but it was right that my hon. Friend the Minister corrected me. However, the commission's membership may be such that I am a little concerned—I put it no higher than that—that an appellant will find it difficult, through his or her representative, to persuade the commission that the Home Secretary's decision was wrong. There is no one there to balance it up, as it were, from a civil liberties point of view. I had that concern on Second Reading and I should have expressed it then.

Although, like other hon. Members, I believe that the Bill is undoubtedly an advance, the sort of imprisonment that my constituent suffered should not occur again. For the reasons that I and the hon. Member for Woking have stated, there is reason to feel some concern and some apprehension as to whether justice will be done.

7.41 pm

Mr. Mike O'Brien: With the leave of the House, I thank all hon. Members for the constructive way in which they have contributed to the debate. I again thank the spokesmen for the official Opposition and the Liberal Democrats for their contribution and the constructive way in which they have made it.

The hon. Member for Woking (Mr. Malins) has spoken in several debates on the Bill and has always raised important and sometimes difficult issues. The rules made by the Lord Chancellor will be subject to affirmative

resolution and the draft of the rules has already been made available to the House. As it makes clear, the powers to limit the rights of appellants will be very carefully exercised. The whole point of the Bill is that the rights of appellants cannot be those that would normally apply in other courts—simply because of the nature of the proceedings with which we are dealing. However, let me try to address some of the issues that the hon. Gentleman raised, without taking too long to do it. They are important and should be addressed. Many people would argue that, for lawyers, they are fundamental points.

The hon. Member for Woking raised clause 5(3)(a) and (b). Clause 5(3)(a) provides for proceedings to take place

"without the appellant being given full particulars of the reasons for the decision".

That is true in the sense that national security matters that we are seeking to have excluded from the appellant's knowledge will not be disclosed to him at any stage. That is for obvious national security reasons.

There is a legitimate view that that is regrettable, but it is probably necessary. It is part of the difficult balance between the rights of the individual and the needs of the state to protect its national security. I do not think that we are ever going to get this entirely right—where we have absolute rights for the individual and still preserve national security. In the Bill, we try to make the most sensible, reasonable and balanced judgment that we can.

On the way in which the special advocate—the appointed person, as he is described in the Bill—will operate, it is right that the lawyer appointed directly by the appellant may not be present during part of the proceedings. He may, of course, be present during the whole of the proceedings because they might take place without having to go into camera. However, we may need to go into camera, so let us deal with that situation.

The appellant's lawyer will then be absent. Under clause 6, the special advocate has an obligation to seek to represent the appellant's interests without taking instructions from him. As I have mentioned in previous debates, that is not completely unprecedented. Perhaps it has never been done on this scale and in this way, but it happens in cases involving people with psychiatric problems and with minors. Their lawyer sometimes has to exercise independent judgment in the way in which he represents that person.

I accept that we are taking it a step further—the special advocate must make a judgment about the way in which the appellant would have wanted his case argued. He will not be expected to take instructions, but he will be sitting through the whole of the proceedings, so he should be fully aware of the case that is being put by the appellant and be able to move forward on that case when he goes into camera. The position may not be ideal—I could not argue that it is—but it is the best balance that we can reach in seeking to protect national security and in ensuring that the appellant has rights consistent with the convention.

The hon. Member for Woking raised the important point of what happens if a point of law arises when the appellant and his lawyer are absent. That is unlikely—I repeat that it is unlikely—because of the very nature of what we are dealing with. The appellant and his lawyer should be absent only when a factual matter relating to national security is in issue, or when something that cannot be disclosed to the appellant or his lawyer arises.

In those circumstances, it is difficult to see when a point of law is likely to arise, but it is not impossible. I envisage that the commission might consider if it wished the Court of Appeal to consider a point of law. It would perhaps raise with the appellant's lawyer whether there was a point of law that could then be referred to the Court of Appeal, so the lawyer might be informed that such a point of law might have come into issue. The commission would have to make a judgment about whether he should be so informed.

If the factual issues of national security did not come into it—if it was just a legal point that happened to arise during the in camera session—there seems no reason why the commission should not say to the appellant and his lawyer, if it felt that it was in the interests of natural justice, that the point had arisen and it might be a matter that they would wish to consider seeking leave for. Leave could then be applied to the commission to take that point of law to the Court of Appeal. In these difficult circumstances, that is the best way I can think of to get around the legitimate objection that the hon. Member for Woking has raised.

The hon. Gentleman asked for an assurance that matters not involving national security would not be heard in camera. I am sorry about the double negative there, but I give him that assurance. It is envisaged that matters would be heard in camera only when there is a need for secrecy for reasons of national security. Other matters would not be heard in camera.

Article 3 is absolute; there is no evasion of it. The hon. Gentleman raised the question of Libya. The convention appears to be absolute and the European Court of Human Rights has indicated that it is absolute.

My hon. Friend the Member for Walsall, North (Mr. Winnick) again contributed wisely to our debate. I shall briefly address his concerns. He again referred to his constituent, Mr. Raghbir Singh, on whose behalf he fought a good fight as a constituency Member of Parliament—without, as he says, reaching a judgment about the individual case, but believing that he should fight for his constituent in the proper way, as he always does.

My hon. Friend expressed concern that in the composition of the commission there might not be anyone representing the interests of civil liberties. I am not sure that that is the case. Mr. Justice Potts, whom we have appointed as the chair of the commission, is a judge of some standing, known to the hon. Member for Hertsmere (Mr. Clappison), and is regarded as having a balanced judgment in these matters. Also, the person with considerable experience of immigration matters will be a lawyer and, one would hope, would have a great respect for civil liberties. As Lord Denning said, if we are to trust anyone, should we not trust the judges? Some have demurred from that, but the fact remains that lawyers, judges and adjudicators have the experience and the knowledge and should know what natural justice and civil liberties are supposed to be all about. We hope that they would provide some guarantee of the right balance.

Mr. Winnick: Of course the distinguished judge and the person connected with the immigration appeals system will have great expertise. That goes without saying. My reservation is simply that the person who has security knowledge might say, "That may well be so on

[Mr. Winnick]

immigration matters and on judicial matters, but the Home Secretary would never have dreamed of doing what he has done without great cause to do so." Those who are—rightly—concerned with the national security of the country might be swayed in a particular direction, and there will be no one else to put a counterpoised point of view. If my fears are unfounded, so be it, but I have that reservation, bearing in mind what could well have happened in the case of my constituent and the other case which form the basis of the measure.

Mr. O'Brien: I hear what my hon. Friend says, and I understand why he might have concerns. I shall try to provide reassurance. Not only do we have the protection of respectable and highly qualified legal people on the commission, but we have the protection of the convention. The judge and the other members of the commission will know that their role is to seek to achieve a balance between recognising the needs of national security—we hope that no Home Secretary would ever make such an order if there were no proper need for it—and protecting the interests of individuals under the European convention. Part of their role is to ensure that we comply with the proper safeguards that the European convention requires in such cases—hence the judgment in the Chahal case.

Members of the commission will have that balance in mind. At a later stage, if the House approves the convention coming into English law, they would take direct account of all the provisions of the convention in those circumstances. We are moving towards a situation not only where the commission will have the legal basis of natural justice and respect for individual rights, which we hope are inherent in the English and the Scottish legal systems, but in due course, if the House approves it, where we may have the European convention as part of English and Scottish law.

I hope that I have dealt with most of the matters raised in the debate. I thank the House for its indulgence and for its support for the Bill, which I commend.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

Plant Varieties Bill

Lords amendments considered.

Clause 6

PROTECTED VARIETY

Lords amendment: No. 1, in page 3, line 37, leave out from ("unless") to end of line 39 and insert

("subsection (4A) below applies.

(4A) This subsection applies if, before the product was made, any act mentioned in subsection (1) above was done as respects the harvested material from which the product was made and either—

(a) the act was done with the authority of the holder of the plant breeders' rights, or

(b) the holder of those rights had a reasonable opportunity to exercise them in relation to the doing of the act.")

7.55 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): I beg to move, That this House doth agree with the Lords in the said amendment.

Clause 6(4) provides for the breeder's right to extend to directly made products, in certain circumstances. Basically, if a plant breeder's right has been infringed in respect of harvested material from which the product is made, and he has not been able to act against that infringement, he should be able to act against the product.

As originally drafted, clause 6(4) came into play only if the product was obtained from harvested material by committing an act requiring the breeder's authority—for example, selling, marketing and importing. It is, however, quite possible for a product to be made from harvested material to which the breeder's right extends, without committing any of the acts that require his authority. The amendment ensures that the breeder can act against infringement of his rights in these circumstances. It also brings the Bill into line with the UPOV convention and the Community regime.

Mr. James Paice (South-East Cambridgeshire): I shall not detain the House long on this or any other amendment, but I shall raise one or two issues of concern. I realise that the Minister has already participated in a full-length Standing Committee debate this morning and is to reply to the Adjournment debate later. He is clearly earning his salary today, so I do not want to test him more than necessary.

I am puzzled by the need for the amendment. The Minister will recall that when we considered the Bill in the summer, in the Committee stage which was taken on the Floor of the House, I pressed him particularly on clause 6(1)(h)—the catch-all phrase, as I called it—which refers to

"any other act prescribed for the purposes of this provision."

The Minister said that that was necessary to ensure that everything else could be covered, and he gave one or two examples, yet when Lord Carter spoke to the amendment in the other place, he said:

"It is, however, quite possible for a product to be made from harvested material to which the breeder's rights extend, without committing any of the acts in Clause 6(1)."—[*Official Report, House of Lords*, 23 October 1997; Vol. 582, c. 827.]

That is what the Minister has just said, but if that is the case, I do not understand why there is the need for the catch-all paragraph (h).

I have a further query about the use of material derived, to which the Minister referred. I am grateful to him for arranging for me to receive the notes on the amendments, but unusually, they threw up a question that is more puzzling than the amendment itself.

I believe that I am entitled to quote from the notes. They refer to an example of a protected variety grown to produce oil, which is used in the manufacture of perfume, although I do not think that the ultimate use of the oil is relevant. It is implied that, effectively, the oil is the end product, and it is the oil to which the breeder's rights would apply. If I have understood that correctly, it casts a very different light on some aspects of the Bill.

The purpose of the Bill is to ensure that plant breeders' rights are protected where the plants are used for some form of propagation—whether it be vegetative, for seed or whatever—but not where the plants are sown or planted for commercial exploitation. Yet, in this example, the notes imply that, if the breeder is not able to claim breeders' rights on the sowing of the seed—the reason is not explained—somehow he would have some claim against the oil. I am somewhat confused by that point, and I hope that the Minister will be able to clarify the situation.

8 pm

Mr. Rooker: I am not sure whether I can clarify those points now. If I cannot do so satisfactorily, I shall write to the hon. Gentleman. Hon. Members will recall that the Committee stage took place on the Floor of the House in one day. Consequently, there was no Report stage and the other place has dealt with some issues. It has provided some clarification on parts of the Bill, which is implicit in other Lords amendments.

As to the oil issue, I can do no more than refer to the notes on clauses. The hon. Gentleman is perfectly entitled to mention those notes, and I think that it is right and proper that Opposition Members should have the same information that I received about the effects of the proposed changes. I do not seek to put those notes on the record because that would take too long and they are not strictly relevant.

The amendment comes into play only if Ministers decide to prescribe products. The oil is the end product, but only if Ministers decide that there are grounds for prescribing the oil. Even then, they can act against the oil only if they have not had the opportunity to act at an earlier stage against the propagation of the material or the harvested material. It is a fall-back position in some ways because the material progresses through different stages before it reaches the point where difficulties may arise. If I have not made the situation as clear as I might, I shall be happy to elucidate in writing to the hon. Gentleman.

Lords amendment agreed to.

Clause 8

GENERAL EXCEPTIONS

Lords amendment: No. 2, in page 4, line 38, leave out (", or other") and insert ("and")

Mr. Rooker: I beg to move, That this House doth agree with the Lords in the said amendment.

The 1991 UPOV convention, which we shall be able to ratify when the Bill is enacted, exempts acts done for private and non-commercial purposes from the breeders' rights. This ensures that amateur gardeners, for example, can continue to take cuttings of protected varieties for their own private use. The Bill as originally drafted referred to "private, or other non-commercial" use. That could be interpreted as permitting the multiplication of large quantities of protected varieties for public rather than private use provided that it is done for non-commercial purposes.

That is not what the convention intended. Lords amendment No. 2 brings clause 8 into line with the convention, and the corresponding provision in the Community plant variety rights regime, by making it clear that an act must be both private and non-commercial in order to fall within the exemption.

Lords amendment agreed to.

Clause 9

FARM SAVED SEED

Lords amendment: No. 3, in page 5, line 20, after ("date") insert ("after 30th June 2001")

Mr. Rooker: I beg to move, That this House doth agree with the Lords in the said amendment.

Farmers who have saved seed of a protected variety before the Bill comes into force may continue to do so without payment until such time as Ministers discontinue the "prior use" exemption by order.

We have emphasised in the House and in the other place that we will not discontinue the prior use exemption until after 30 June 2001. The amendment writes that into the Bill. I was almost prepared to accept a manuscript amendment in Committee during the summer, but that is no longer necessary.

Mr. Paice: The Minister will not be surprised to hear that I greatly welcome the agreement that he and his colleagues have reached on this subject. As he said, we discussed the matter in Committee. Notwithstanding the fact that yesterday the Home Secretary accepted a major amendment within minutes of proposing legislation on the European elections, I believe that this is the first amendment proposed by the Opposition in this Parliament to which the Government have acceded. I am grateful to the Minister for accepting the amendment—I hope that it is not the last time that that occurs.

It is interesting to observe that the notes on the clause refer to the fact that on Second Reading in another place Lord Carter undertook to address our concerns. They do not mention the similar undertaking that the Minister gave me in Committee—I trust that that does not mean that he ignored that promise. I am grateful to him for agreeing to the amendment, which has been welcomed by the National Farmers Union and by the industry because it ensures that the exemption will continue at least until the date specified in the amendment, as agreed originally.

Mr. David Kidney (Stafford): The Minister may recall that I pressed him on Second Reading to amend the Bill, and he said that the matter would be attended to in another place. I was concerned that existing farm saved seed would not become liable to the requirement to pay

[Mr. David Kidney]

equitable remuneration until at least July 2001. I also welcome the amendment and the Minister's support for it. The Minister may recall that I pressed him in verse on Second Reading. It might be fitting if I now

"Thank him for his graciousness
In truth I expected no less.
Here is the message his change will send:
He's an honourable farmers' friend."

Mr. Norman Baker (Lewes): I am afraid that I cannot follow the verse of the hon. Member for Stafford (Mr. Kidney), but I can confirm that the Liberal Democrats welcome the Government's acceptance of the amendment. We also welcome the fact that the date of 30 June 2001 will appear on the face of the Bill.

The Minister will know that the Liberal Democrats are concerned about the balance in the Bill between the interests of plant breeders and of farmers. I shall return to that subject later, but this amendment is a move in the right direction.

Mr. Andrew Lansley (South Cambridgeshire): The Minister remarked generously on Second Reading that we must strike a balance in the Bill. While welcoming the amendment, I ask him to comment about the process of setting a date. There is a balance to be struck in relation to the holders of rights as well as those who are using farm saved seed. Perhaps the Minister might comment on the process and the date upon which he expects the exemption to be ended.

Mr. Rooker: No, I cannot expand on that point. However, it is the first time that I have been described as gracious and as the "farmers' friend". In order to avoid doubt in future, I put on record the fact that the Government will always be willing to consider sensible amendments from wherever they come. As I have said, I was prepared to accept a manuscript amendment over the summer, but it is better to accept the Lords amendment in this place.

I am grateful for the response from both sides of the House—and particularly for the verse of my hon. Friend the Member for Stafford (Mr. Kidney). I hope that the spirit of consensus will continue throughout the rest of tonight's proceedings.

Lords amendment agreed to.

Lords amendment: No. 4, in page 5, line 39, at end insert—

("( ) Regulations under subsection (7)(a) above may include provision imposing obligations of confidence in relation to information supplied by virtue of the regulations.")

Mr. Rooker: I beg to move, That this House doth agree with the Lords in the said amendment.

Clause 9(7) enables Ministers to make regulations requiring plant breeders, seed processors and farmers to provide information to each other for the purposes of the farm saved seed provisions in the Bill. The amendment will enable Ministers to impose an obligation on the recipients of information to keep it confidential. If, for example, a farmer discloses that he has planted so many hectares of farm saved seed, the plant breeder receiving that information can be required to treat it as confidential. This is quite important. I ask the House to approve the Lords amendment.

Mr. Baker: I cannot share the Minister's enthusiasm for the amendment, and I hope to explain why. He will be pleased to know that I do not intend to press for a Division.

Any Government have to be very careful when seeking to restrict the amount of information that is in the public domain. We have seen from the Government—indeed from the Minister himself—a commitment to freedom of information. The Minister will remember that, when we discussed the Bill at lightning speed earlier this Session, I raised a number of matters relating to freedom of information. In response to a point that I made about freedom of information, the Minister said:

"This Government plan to introduce a freedom of information Act: we are not in the business of denying access to information that is already available."—[*Official Report*, 24 June 1997; Vol. 296, c. 739.]

I suggest that the welcome statement from the Minister on that occasion is somewhat at variance with the Lords amendment. In itself, it is, perhaps, innocuous, but I wonder what damage would be done—perhaps the Minister will tell us—if the information relating to the examples that he gave earlier, about hectares, fields or whatever, were in the public domain. I do not believe that it would be particularly sensitive or cause great damage, but the Minister may take a different view.

There is a history of secrecy in the Ministry of Agriculture, Fisheries and Food which has not served the farmer or the consumer well in recent times. Dare I mention the dread three letters BSE—bovine spongiform encephalopathy? If the then Minister of Agriculture, Fisheries and Food had been far more open earlier on that matter, we would not have the crisis that so affects our beef farmers today.

Equally, there are restrictions on pesticide information, and we are told that it is commercially sensitive—the same argument that we are given in relation to the amendment—yet that information is freely available in the United States. There is a tendency, which I detect in the amendment, for the Minister of Agriculture to keep information secret when it does not necessarily need to be. His Government are committed to freedom of information—I am sure that he is as well—but I ask him, through the Minister of State, to have a mind when introducing amendments that will restrict the amount of information available publicly.

Mr. Rooker: Nobody can argue successfully that, since May, the Ministry of Agriculture, Fisheries and Food has not been more open than in the past in publishing information; in the detail in which information is given in parliamentary answers; in publishing chemical surveillance reports; and in naming brands. Our record is there for everyone to see. That does not mean that every piece of private commercial information should be available to the public, which is the implication of what the hon. Gentleman is saying.

The information to which the amendment refers is not available to my Department. I am in no position to publish information about what farmers have grown. That is commercial information. It is available to the farmer,

the client or to whomever he or she may have rented the land. The Government do not hold that information, so we are not in a position to publish it. If we were it would be totally wrong. It is commercial. It is private, and to that extent it is privileged and would not be covered by any future freedom of information legislation.

Lords amendment agreed to.

Clause 10

EXHAUSTION OF RIGHTS

Lords amendment: No. 5, in page 6, line 10, at end insert

(", or

(b) is derived from material which has been so sold or otherwise marketed.")

Mr. Rooker: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this, it will be convenient to discuss Lords amendment No. 6.

Mr. Rooker: The purpose of the amendments is to correct the drafting of clause 10. The breeder should be able to exercise rights only once in a cycle of propagation. If a farmer buys wheat seed to produce milling wheat, the breeder's right should be exhausted at the point of sale of the seed. The initial propagation to produce the commercial crop will be authorised in the sale, and the breeder has no rights over the subsequent crop of milling wheat. The breeder's right will not be exhausted, nor will he have authorised any propagation after the initial propagation.

In other words, the breeder's right is not exhausted where there is further seed production. If, for example, certified first generation wheat seed is sold and used to produce certified second generation wheat, the breeder's right applies to the second generation seed. The amendments ensure that clause 10 accurately reflects that position, as it did not when the Bill was before the House.

8.15 pm

Mr. Paice: May I press the Minister on that point, because it seems that what he just said, which was close to what appears in the notes on clauses, appears to contradict the answer that he gave to me on Lords amendment No. 1? He just said that if a breeder sells seed to a farmer for the production of milling wheat, the breeder's right is exhausted at that point as long as it is used for the production of milling wheat. If the farmer reuses it to breed C2 second generation seed, it is not exhausted, but the Minister made it clear, and I quote from the notes on clauses:

"The breeder's right does not extend to the product of the seed, i.e. the milling wheat."

However, a few moments ago, on Lords amendment No. 1, the Minister said that the right did extend. I cited the example of oil. He made it quite clear that the right did extend in extremis—I think that the phrase that he used was "a last resort"—to oil in that context. I apologise for pressing the Minister, but the debate has created the question whether the ultimate product carries that liability.

Mr. Rooker: I can only repeat—probably at a slower speed—the second paragraph that I just placed on the record. The hon. Gentleman is right to raise this issue. It is fairly complex, and in some ways esoteric, but it is very important to the breeders and farmers involved. These are draft corrections designed to clarify. The breeder's right will not be exhausted. Nor will he have authorised any propagation after the initial propagation. In other words, the breeder's right is not exhausted where there is further seed production. If, for example, certified first generation wheat is sold and used to produce certified second generation wheat, the breeder's right applies to the second generation seed, but not if it was to produce milling wheat.

Mr. Paice: I understand exactly what the Minister has just said, but I am sure that if he reflects he will find that at odds with what he said earlier, because he said quite clearly that the right could apply in the earlier example of the issue of oil as a matter of last resort. That would imply that, in the case of milling wheat, if the breeder had not been able to get his rights before then, they would still lie on the milling wheat. I must press the Minister to be a little clearer about what appears to be a clear contradiction between the answers that he has given on these two amendments.

Mr. Rooker: I have obtained further clarification, for which I am extremely grateful. The point is that the breeder's right does not extend to the production of the seed, but if there has been illicit propagation—part of this is the policing process—and the breeder has not had the opportunity to exercise his rights, he may do so later, but only if illegal actions have taken place at earlier stages.

Lords amendment agreed to.

Lords amendment No. 6 agreed to.

Clause 11

DURATION

Lords amendment: No. 7, in page 6, line 35, after ("period") insert

(", not exceeding—

(a) in the case of paragraph (a), 35 years, and

(b) in the case of paragraph (b), 30 years,")

Mr. Rooker: I beg to move, That this House doth agree with the Lords in the said amendment.

The House will enjoy my first sentence about this amendment. The amendment addresses concerns about the unlimited powers of Ministers to extend the period of rights by restricting their powers to extend the rights for particular species or groups to five years in total. Effectively, that means that the rights for trees, vines and potatoes may be extended to a maximum of 35 years and the rights for other species or groups may be extended to 30 years in total. I hope that the House will agree with the amendment.

Mr. Baker: I certainly agree with the amendment because it is not dissimilar to one that I moved on 24 June 1997, which appears in *Hansard* at column 735. As the hon. Member for South-East Cambridgeshire (Mr. Paice) was claiming that the first Conservative amendments of

[Mr. Baker]

the new Parliament have been woven into legislation, I can perhaps claim something similar for a Liberal Democrat amendment.

I am delighted by the efforts of the House of Lords and by the Minister's change of heart. When I first introduced an amendment to restrict the unlimited power of Ministers it was—I would say "rubbished" but that is probably unparliamentary, Mr. Deputy Speaker—comprehensively and strongly rejected by the Minister. He said:

"I cannot accept the amendment because it would prevent periods of rights being altered by secondary legislation, which is currently possible under the 1964 Act."—[*Official Report*, 24 June 1997; Vol. 296, c. 736.]

I am delighted that he has found a way of accepting something similar and I am happy to support it.

Lords amendment agreed to.

New clause

Lords amendment: No. 8, after clause 13, to insert the following new clause—*Presumptions in proceedings relating to harvested material—*

".—(1) This section applies to any proceedings for the infringement of plant breeders' rights as respects harvested material.

(2) If, in any proceedings to which this section applies, the holder of the plant breeders' rights proves, in relation to any of the material to which the proceedings relate—

(a) that it has been the subject of an information notice given to the defendant by or on behalf of the holder, and

(b) that the defendant has not, within the prescribed time after the service of the notice, supplied the holder with the information about it requested in the notice,

then, as regards the material in relation to which the holder proves that to be the case, the presumptions mentioned in subsection (3) below shall apply, unless the contrary is proved or the defendant shows that he had a reasonable excuse for not supplying the information.

(3) The presumptions are—

(a) that the material was obtained through unauthorised use of propagating material, and

(b) that the holder did not have a reasonable opportunity before the material was obtained to exercise his rights in relation to the unauthorised use of the propagating material.

(4) The reference in subsection (2) above to an information notice is to a notice which—

(a) is in the prescribed form,

(b) specifies the material to which it relates,

(c) contains, in relation to that material, a request for the supply of the prescribed, but no other, information, and

(d) contains such other particulars as may be prescribed.

(5) In this section, "prescribed" means prescribed by regulations made by the Ministers."

Mr. Rooker: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this, it will be convenient to take Lords amendments Nos. 9 and 10.

Mr. Rooker: The House will forgive me if I take a little longer over these amendments. They are three new clauses and, taken together, they address the particular problems that breeders of vegetatively propagated ornamental plants face in enforcing their rights. I will put that into plain English in a moment.

Ornamental plants are traded to the public through a wide range of retail outlets, including garden centres, supermarkets and by mail order. They are things that we and our constituents buy every week as gifts or to enhance our living rooms.

Ornamental plants, by their very nature, are easy to multiply through, for example, taking cuttings or using modern tissue culture techniques. The products—rose bushes or pot plants—which have been produced legitimately and on which royalty has been paid, can easily be diverted from their proper end use and used for further propagation, without the breeder's authority, as they are traded through a chain to the final consumer.

Illicit propagation, where no royalty is paid, enables less scrupulous traders—there are spivs in our society—to undercut legitimate traders who are operating correctly and fairly. It gives people an unfair advantage. It is similar to the reason why, in due course, we intend to introduce a national minimum wage.

Plants that have been produced through illicit propagation are the same as those produced by authorised propagation—it is, after all, a condition of protection that plants reproduce true to type. Therefore, a plant breeder cannot identify infringing material simply by looking at the plants. He needs to know the source of the plants on sale. If the seller refuses to provide information on where he obtained the plants—those who knowingly trade in illicitly produced protected varieties will almost certainly refuse to do so—the breeder is left with a strong suspicion that his rights are being infringed, but nothing more.

The new clauses provide for plant breeders to issue information notices, in a form prescribed by Ministers in regulations, to people trading in plants or directly made products of protected varieties. Where the trader refuses to provide the information requested within a period specified in the regulations, without reasonable excuse, the clauses require the courts to presume that the material or directly made products to which the notice relates were obtained in circumstances which infringed the breeder's right, unless the defendant can show otherwise. In effect, the burden of proof is reversed in those carefully defined circumstances—I emphasise that they are carefully defined circumstances.

The information to be provided will not be onerous. It will basically be details of the supplier and the amount of material supplied by him. It is reasonable to suppose that anyone selling plants will know whom he bought them from and how many he bought.

The breeder must treat the information obtained in a notice as confidential, except where he uses it to establish whether his rights have been infringed or in infringement proceedings. If the breeder breaches the obligation of confidentiality, the person who supplied the information will be able to bring an action for breach of a duty of confidentiality.

I expect plant breeders to use those provisions in a proportionate and sensible way, in respect of transactions which are in the normal course of business. There should be no question of plant breeders laying siege to local church fetes and bring-and-buy sales, demanding information on the source of plants on the plant stall. I must also emphasise that the clauses do not permit plant

breeders to serve notices on private individuals growing plants in their own gardens, for their own private and non-commercial purposes.

Mr. Paice: The Minister is right to spend a little longer on these new clauses, because they are significant. I congratulate him on using, word for word, the same speech used by the noble Lord Carter when he moved the same new clauses in the House of Lords.

Mr. Rooker: Same Government.

Mr. Paice: Yes, indeed. Two Ministers speaking with the same voice. The Minister without Portfolio has obviously been into the Ministry of Agriculture, Fisheries and Food recently.

There is something serious about the amendments and that is the reversal of the presumption of innocence. As we all know, that is well enshrined in English law. A proposal to reverse that is a major step. It is not without precedent, but we must take it seriously and consider carefully whether it is necessary. I am persuaded that it probably is necessary, but there are issues of concern.

The Minister and his noble Friend Lord Carter—I should say our noble Friend because he is an old friend of mine—referred, rightly, to charitable activities, car boot sales, church fetes and so on. He made it clear, as we would expect, that plant breeders should not be roaring round the countryside handing out information notices at every little place that sells plants.

I have no doubt that the Minister's words were well intentioned and that he meant them, but there is nothing that he or I or any other hon. Member can do to stop that happening. I wonder whether he has given any thought to what measures could be taken or what advice or guidelines could be issued to try to prevent that happening. As he implicitly accepts, there would be a major problem for many valuable community activities if that were taking place.

The second issue of concern is imported material. I am sure that the Minister is aware that considerable numbers of ornamental vegetation and plants are produced overseas and that there is a considerable amount of two-way trade between us and other countries, particularly the Netherlands. Somebody who has an information notice served on them could say that the parent material was imported. As the Minister said, because of type reproduction, it can be traced back to the breeder originally, but I wonder whether he can tell the House about the relevance of the international aspect of the trade. It is not clear from the new clauses how that would operate. I do not know whether a breeder would have the authority to seek information from growers abroad from whom it might be claimed that somebody purchased the plants being sold on. That is important, particularly because of the relevance of the Bill, as the Minister reminded us, to the UPOV convention. I hope that he will respond to the two important concerns that I have expressed.

Mrs. Anne Campbell (Cambridge): I have an interest in this subject, having previously worked as head of statistics at the National Institute of Agricultural Botany in Cambridge, which dealt with many of the issues that we are discussing. The institute works mainly with agricultural varieties, but it has dealt with the propagation of chrysanthemums and associated plant varieties.

I congratulate my hon. Friend the Minister on the new clauses. They were obviously needed, and he seems to have covered every aspect, including, I am pleased to say, exemption for the car boot sales and church fetes. We all appreciate that. Will my hon. Friend clarify the status of material that has been taken illegally, perhaps from a garden centre, a botanical garden or some other public place, and used as propagating material for private or public use? It would be helpful for people to know that, and to have it put on the record. I hope that I am not putting my hon. Friend in any difficulty. The problem may already be covered by the law.

8.30 pm

Mr. Baker: I shall not repeat at length the comments made by the hon. Member for Cambridge (Mrs. Campbell), but it is fair to say that the Liberal Democrats agree with the points that she made, and are concerned that a presumption is being built into the legislation that is against the farmer in an unusual way. Not to put too fine a point on it, it seems that the voice of plant breeders is heard more loudly than the voice of farmers. I would not say that they have been nobbled, but we are concerned about the balance between the two views. The National Farmers Union has written to most hon. Members who are interested in this matter to show its concern about the way in which the Bill has been loaded against farmers. How often are we presented with loaded presumptions, as we are in this legislation?

I should also like to draw attention to the speech of Lord Carter, which the Minister quoted verbatim. It is all very well for the hon. Gentleman to say that he would expect plant breeders to use those provisions in a proportionate and sensible way, but there is no guarantee that they will be so used. We may expect and hope that a fox, let loose in a chicken coop, will behave sensibly, but there is no guarantee that it will. Hon. Members may forgive me if that is not an exact parallel.

It is dangerous to introduce such open-ended legislation, which relies on people to behave reasonably when they could benefit from behaving unreasonably. We require answers from the Minister to the questions that have been asked on this subject.

My other concern, which I also expressed when we debated amendment No. 4, relates to the restriction of information that is implicit in amendment No. 10. I acknowledge that the Minister and his colleagues have been more open. The door to freedom of information has been opened within the Ministry of Agriculture, Fisheries and Food and within other Departments, but it has not been opened far enough, and the proof of the pudding will be in the White Paper to be published shortly. I do not want to be antagonistic, but I must say that the Minister's feel for freedom of information may not be the same as the feel within the Department that he inherited. Liberal Democrats are looking to him and his colleagues to ensure that the culture of freedom of information that he wants to achieve is not stymied by the traditions of his Department. It is easy to slip back into habits of secrecy, so I ask them to be on their guard for any such moves.

Mr. Rooker: The hon. Member for Lewes (Mr. Baker) referred to the history of the Department. Civil servants

[Mr. Rooker]

are professional, dedicated people who serve this Government in the same professional, dedicated way in which they have served other Governments. They act on the instructions of Ministers, and it is the current Ministers who have decided to be open. *[Interruption.]* The hon. Gentleman must take the issue seriously, or we cannot have a proper debate. I ask him to judge us on our performance, and not on his prejudices or what the press cuttings say.

In answer to the final question of my hon. Friend the Member for Cambridge (Mrs. Campbell), I was tempted to say that the Theft Act 1968 would cover that aspect, but that is not the full answer. The status of material that is taken illegally is an important issue. If the plant is a protected variety, it is exempt if it is used for private propagation but, if it has been stolen, it will be covered by the Theft Act 1968. If it is used publicly for commercial propagation, the rights of the plant breeder can be exercised, notwithstanding the fact that the material has been stolen.

The hon. Member for South-East Cambridgeshire (Mr. Paice) said that this measure was a reversal of the presumption of innocence, but I am not sure that it goes that far. This is a modest change. I must make it absolutely clear that information notices cannot be handed out for private and non-commercial acts. The notices do not reverse the burden of proof: there have to be court proceedings. The courts will have to deal with that matter, and the burden of proof in the courts will remain: that is not being changed.

I have no doubt that, in due course, Ministers will address that issue when they agree the form to be prescribed in regulations. If there is any abuse of the notices and regulations, we shall alter them.

On the international aspect, the Bill applies to the United Kingdom.

Mr. Paice *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): It is not usual for hon. Members to make a second speech.

Mr. Paice: I am sorry, I should have spoken with the leave of the House. I wanted to challenge the Minister on the amendments, and I should have intervened while he was speaking.

Will the Minister think again about imports? He rightly said that the law applies only in the United Kingdom but, in the particular circumstances of ornamental plants and the international aspect to which I referred, there is a glaring loophole. Anyone who is served an information notice can simply claim that the original plant was imported.

Mr. Rooker: I shall look into the matter and, if there is a loophole, I shall see what action can be taken. Clearly, action cannot be taken under the Bill, but it may be taken under regulations.

Lords amendment agreed to.

Lords amendments Nos. 9 and 10 agreed to.

Clause 45

REGULATIONS AND ORDERS

Lords amendment: No. 11, in page 18, line 9, at end insert—

("( ) Before making any regulations or order under this Act, the Ministers shall consult such organisations as appear to them to be representative of persons likely to be substantially affected by the regulations or order.")

Mr. Rooker: I beg to move, That this House doth agree with the Lords in the said amendment.

The amendment requires Ministers to consult organisations representing those likely to be substantially affected before making orders and regulations under the Bill. We are consulting day in and day out as a matter of routine, so we had no difficulty when we were asked to enshrine this requirement in the Bill in the other place.

Mr. Baker: I welcome the fact that the Minister is prepared to accept that organisations should be consulted and that he is willing for that to be spelt out in the Bill. That is a welcome step.

I draw attention to the fact that the amendment refers to the Plant Varieties Act 1997. That phrase was introduced in the House of Lords on 23 October this year. That is symptomatic of the fact that the Government have sought to push the Bill through at lightning speed from the moment that they took office in May, even to the extent that they assume in the amendment that it will be on the statute book before the end of the year.

Mrs. Anne Campbell: Does the hon. Gentleman agree that everyone involved in the industry has been asking for the Bill for many years? It may have been rather dilatory of the previous Government not to have introduced the Bill earlier.

Mr. Baker: I welcome the commitment to consultation, which is the thrust of what the hon. Member for Cambridge (Mrs. Campbell) is saying. I shall return to my second point in a moment.

Mr. Paice: The Opposition welcome the Government's decision to include a commitment to consultation in the Bill. I welcome the fact that the Government have pursued a line that is usually taken by the Opposition, whoever they may be. The Opposition often demand that a commitment to consultation should be written on to the face of the Bill. I am grateful to the Government for making that commitment.

I am also grateful to the Minister. The Lords amendment is testimony to the open way in which he has handled the Bill throughout. I want to use this speech as a vehicle to thank him for the way in which he has handled the Bill. I regret that it was rushed through the House especially as, as the Minister knows, it was introduced about two days after the Opposition Front-Bench team took on its new responsibilities. We had a fast learning curve, although I realise that that is not unusual on either side of the House, as the Minister well knows. I also thank him for his courtesy in responding to our questions. He has looked for consultation, as is enshrined in the amendment.

I look forward to the Minister's response on one or two of the issues I raised earlier. I thank him for everything he has done and I am happy to support the amendment.

Lords amendment agreed to.

Clause 48

CONSEQUENTIAL AMENDMENTS

Lords amendment: No. 12, in page 18, line 28, at end insert—

("(2A) In Schedule 4 to the Parliamentary Commissioner Act 1967, in the cntry relating to the Plant Varieties and Seeds Tribunal, for the words after "Tribunal" there shall be substituted "(referred to in section 39 of the Plant Varieties Act 1997)".")

Mr. Rooker: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this, it will be convenient to discuss Lords amendment No. 13.

Mr. Rooker: These are purely consequential amendments.

Mr. Baker: These consequential amendments also refer to the Plant Varieties Act 1997. I shall continue to develop the point I made in my speech on Lords amendment No. 11. I want to express Liberal Democrat Members' regret that the Bill has been rushed through Parliament. I know that the Government and the official Opposition do not regard the Bill as controversial, but we do.

I hope that hon. Members understand that the assumption built into the amendment that the Bill will be enacted by the end of the year shows that the Government were determined to railroad through the Bill. The matter was drawn to the Minister's attention on Second Reading not only by Liberal Democrat Members, but by the hon. Member for Stafford (Mr. Kidney). I suspect that the Minister does not welcome my contributions on the Bill.

I remind the Minister that the Bill will enable up to five American biotechnology companies to control about 80 per cent. of the staples that we eat, within five years. The world market for genetically altered seeds will reach US $7 billion by 2005.

I remind hon. Members of the words of Vandana Shiva in "Future of our Seeds". The author concludes:

"Transnational companies will decide what is grown by farmers, what they use as inputs, and when they sell their produce, to whom and at what price."

The Minister will say that the Bill is purely 'about patents. In a sense, he is right, but the implications go further. Rather than rubbishing what I have said, as I think that he may do, I hope that he accepts that the Bill has serious implications. The Government should think carefully about ensuring a fair balance between the interests of farmers and consumers and those of the biotechnology companies.

8.45 pm

Mr. Rooker: There will never be a time when anyone can accuse me of not being full and frank with hon. Members. I spoke very briefly to the amendment. I raised the hon. Gentleman's point in a previous incarnation many years ago. I suspect that the Bill will be passed tonight to become the Plant Varieties Act 1997. He may be shocked to learn that, if Royal Assent takes place in 1998 for some reason, the House authorities will alter the relevant passages so that they refer to the Plant Varieties Act 1998.

Lords amendment agreed to.

Lords amendment No. 13 agreed to.

Schedule 1

THE PLANT VARIETY RIGHTS OFFICE

Lords amendment: No. 14, in page 20, line 10, after ("may") insert

("with the consent of the Minister for the Civil Service")

Mr. Rooker: I beg to move, That this House doth agree with the Lords in the said amendment.

The Bill provides for the pay and allowances of staff of the Plant Variety Rights Office to be determined by Agriculture Ministers jointly—my right hon. Friend the Minister of Agriculture, Fisheries and Food and my hon. Friends in the territorial Departments. The amendment provides for the Act to be subject to the consent of the Minister with responsibility for the civil service, which is appropriate.

As this is probably the last time I shall speak in the debate, I thank hon. Members for their courtesy and support over the summer. This is the first Bill that I have taken through the House, although not having had a Committee stage upstairs, I freely admit that I have not been truly blooded as a Minister.

I sincerely thank the hon. Member for South–East Cambridgeshire (Mr. Paice). Between the appointment of his new Front-Bench team in June and the debate on Lords amendments, there has been a change to the team, but not one that involves him. I am grateful for what he has said.

Lords amendment agreed to [Special Entry].

Schedule 4

REPEALS

Lords amendment: No. 15, in page 26, column 3, leave out lines 33 to 40 and insert ("Part I")

Mr. Deputy Speaker: With this, it will be convenient to take Lords amendment No. 16.

Mr. Rooker: I beg to move, That this House doth agree with the Lords in the said amendment.

Amendments Nos. 15 and 16 are purely technical, concerning repeals, which are listed as a necessary consequence of the passage of the Bill into an Act.

Lords amendment agreed to.

Lords amendment No. 16 agreed to.

NORTHERN IRELAND GRAND COMMITTEE

Motion made, and Question put forthwith, pursuant to Standing Order No. 116 (Northern Ireland Grand Committee (Sittings)),

That, at the meeting of the Northern Ireland Grand Committee on Thursday 11th December,—

(1) the Committee shall consider the matter of public expenditure in Northern Ireland in 1998–99;

(2) at the completion of those proceedings, a motion for the adjournment of the Committee may be made by a Minister of the Crown, pursuant to Standing Order No. 116(1)(*h*).—[*Mr. Pope.*]

Question agreed to.

Over-30-months Scheme

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pope.]*

8.48 pm

Mr. Paul Keetch (Hereford): I am delighted to be able to open my first Adjournment debate. In a week when all eyes in Parliament will focus on a private Member's Bill to ban the hunting of foxes, I should like to bring to the attention of the House the slaughter of almost 2 million cattle. That is the number so far slaughtered under the over-30-months scheme. In fact, since April 1996, the total amount is 1,772,000 cattle. That is an incredible number of slaughtered animals—all because of politicians' errors.

The OTMS was of course an attempt to restore public confidence in the beef herd following the bovine spongiform encephalopathy crisis, which came to a head on 20 March 1994. The then right hon. Member for Loughborough, now the right hon. Member for Charnwood (Mr. Dorrell), announced a possible link between BSE and Creutzfeldt-Jakob disease. I have no doubt, representing, as I do, a largely rural constituency, that the management of that crisis cost the former Government hugely on 1 May. The right hon. Gentleman may have escaped the cull of Tory Members of Parliament by moving constituency, but thousands of cattle, of course, did not. The crisis really began in 1988, when BSE was made a notifiable disease. Tonight, I shall restrict my comments to the OTMS.

The OTMS determined that cattle over 30 months old would no longer be able to enter the human or animal food chains. When introduced, it paid farmers compensation of 1 ecu—which was then rated at 85.6p—a kilo liveweight for cows and clean cattle. Since then, however, there has been a steady decline in the amount of compensation paid.

The Tories cut compensation from 1 ecu to 0.9 ecu in October last year. With the growing strength of the green pound, by July compensation had fallen, in real terms, from 85.6p a kilo to just 64.9p a kilo. It is now just 55.7p a kilo. That is because the new Government have also made cuts. First, they cut the rate for cows to just 0.8 ecu and then they imposed an arbitrary maximum weight of 560 kg an animal. Therefore, whatever the weight of a cow for slaughter under the OTMS today, it would be worth only £312. If it were destroyed for being tuberculosis-ridden, the same animal would be worth £580. That is surely not equitable.

We all understand the terrible cost to the Exchequer and the nation of the BSE crisis. I know that the Minister and his hon. Friends in the Ministry of Agriculture, Fisheries and Food have inherited an enormous problem, and they are dealing with it very positively, but by trying to shift the cost of the crisis to farmers, they are adding to the pain that has already been inflicted.

Sir Robert Smith (West Aberdeenshire and Kincardine): I congratulate my hon. Friend on obtaining the debate, especially as I also represent an area that is heavily dependent on farming. He has identified the crux of the matter. There has been a change of Government. The Labour Government are blaming the previous Conservative Government for negligence in not bringing

forward a scheme that could get us back into the European market, which they are genuinely right to do. However, it seems somewhat unfair that the farmers are paying the price for Government negligence. The party in government may be different, but the Government have an inherited responsibility to take on the burden of the previous Government's negligence and not to pass it to farmers. Ministers should illustrate to the Treasury that this seems a classic case for the contingency reserve. It is a short-term contingency crisis for which the farmers are paying the price—when the Government should be paying.

Mr. Keetch: My hon. Friend makes a valuable contribution to the issue, as he always does. He is absolutely right.

It should be remembered that cattle farmers have not been equally affected. Dairy farmers, for example, did not have their principal product—milk—dramatically affected by the BSE crisis. Of course, beef farmers did. It is an unfortunate twist of fate that beef farmers who produce prime, distinct herds, such as Hereford herds, have found their businesses most affected. That relates to the fact that, in 1988, the ban on exports began. In August, the imposition of the maximum weight especially affected the bigger beef animals.

The catastrophe of beef herds has not ended. The Government have been suggesting in some quarters that they might exempt steers altogether from the OTMS. There is talk of a £10 charge being levied on cattle passports. Incidentally, it is sad that Northern Irish beef has not been able to be re-exported this week. The dramatic effect is that that underlines the fact that any passport or tagging system that is introduced must have the confidence of our European partners. I stress that to the Government. I am glad of the positive way in which they are dealing with Europe, in contrast to the previous Administration. The British beef industry cannot afford a system that nobody believes in.

It is not just the compensation package that has affected farmers in rural areas. Since the introduction of the scheme, the number of abattoirs available for use in the OTMS has been cut from some 50 to just 29. Many abattoirs were worried about the tendering procedure, and I know from experience in Herefordshire that some decided not to bother to tender. The fact that we now have half the number of abattoirs has reduced flexibility for farmers and has dramatically increased the time and length of the cattle's last journey.

Mr. David Drew (Stroud): I was with a group of farmers yesterday, and I raised that very point with them. They assured me that the geographical spread of abattoirs was done in such a way that they did not face a significant problem. Admittedly, those farmers were mainly dairy farmers, but they were also affected by the scheme. I would ask you to check your facts, because the farmers do not face the problem that you allege.

Mr. Keetch: I am not sure which constituency the hon. Gentleman represents, but I can tell him that Hereford does not have a single abattoir. In Wales, there are only two abattoirs—one on Anglesey and one in Cardigan. If you are suggesting that that is a geographical spread for the Principality, you clearly do not know Wales.

Mr. Deputy Speaker (Mr. Michael Lord): Order. Both hon. Gentlemen have used the word "you". I am not responsible, and I should be grateful if they would try to use our normal parliamentary language.

Mr. Keetch: I apologise, Mr. Deputy Speaker.

I happen to know that my hon. Friend the Member for Somerton and Frome (Mr. Heath)—who unfortunately cannot be here tonight because of parliamentary business—conducted a survey of markets in the south-west, which might be helpful to the hon. Member for Stroud (Mr. Drew). My hon. Friend found from his local market in Frome that, in the first week in November, almost 60 cattle were sent to either Birmingham or Kent. Cattle from Salisbury and Shaftesbury markets were also sent to Kent, and cattle from Chippenham ended up in Essex. That is hardly a fair distribution of the abattoirs, and I urge the Government to reconsider their number and geographical spread. The Government should reopen the tendering procedure and cut the time and cost of those poor animals' last journeys.

Most poignant of all is the fate of the so-called casualty cows, some of which are forced to travel hundreds of miles to be dealt with. Farmers used to be able to issue a section 18 certificate, effectively self-certifying casualty cows, but that has been ended. Vets are now required to issue a certificate, which costs between £30 and £40. However, the certificate is valid for only 24 hours and, with waiting lists at some abattoirs of up to two weeks before cows can be dealt with, repeat certificates are almost always needed. Not even the excellent British farmers can anticipate a casualty cow two weeks in advance. The practice is a national disgrace, and the Government must end it now.

In addition, the huge costs of storage of the specified bovine material that has resulted from the OTMS are still growing. Much of it goes into cold storage to wait for incineration, because there are not enough incinerators powerful enough to destroy all possible traces of BSE. Although attempts are being made to build more incinerators, the efforts are being blocked by local councils.

Ms Julia Drown (South Swindon): Does the hon. Gentleman agree that it is important that those involved in considering sites for storage look for the safest methods and buildings and ensure that the most up-to-date precautions are followed? Local residents must be assured that the risks are minimised, but I fear that that does not always happen at the moment.

Mr. Keetch: The hon. Lady makes a valid point, and she is right to say that we must consider the safest way to approach the incineration of the products. I am sure that she, like the Liberal Democrats, does not wish to increase the scare stories that surround BSE.

Since the subject of my Adjournment debate was announced last week, I have been inundated with stories about what happens to the waste products from the OTMS. I have been told of fields in Staffordshire on which, allegedly, some 50,000 gallons of such waste are

[Mr. Keetch]

spread every day. The Environment Agency is concerned about that practice, but the Government must act. We are also told of carcases that apparently carry no risk of BSE being used as landfill waste.

It seems to me, and to many of my hon. Friends, that the present Government, having inherited the problem from the previous Administration, simply do not know what to do with the results and leftovers from the OTMS. They must assure us that all the waste will be either stored safely or dealt with properly. We need a little more transparency and information on the subject, if we are not to have more problems with scare stories.

I want to ask the Minister several specific questions. For example, how long will the OTMS last? Will it, and the calf scheme, last as long as the crisis? How many cows do the Government expect will be processed through it, and do they believe that that number will decline? The Government must also give us assurances about beef imports into Britain. We hear rumours about beef from Russia coming here, and we need guarantees that any beef imported into the United Kingdom has had all specified risk material removed.

During the scheme's existence, the rural communities of Britain have suffered enormously. A recent survey conducted in the county of Hereford and Worcester, for example, suggested that 256 jobs have been lost simply in businesses that supply or buy from farms. Those jobs were not even on farms. Of the firms approached, 56 per cent. said that they had lost business directly during the OTMS, as a result of the BSE crisis. Only 4 per cent. said that they had gained extra business from it.

The Government must also understand that the rural communities are suffering the growing problem of bovine TB. We cannot afford to lose our TB-free status, and I welcome the Minister's efforts to ensure that the Krebbs report will be published shortly.

My hon. Friends and I wish the Government well in their dealings with the rural communities, and in their attempts to end the export ban and to restore confidence. We wish them well in their attempts to breathe new life into the British beef industry. The farmers of Herefordshire, indeed the farmers of all of Britain, deserve that respect. I hope that the new Government will not let them down.

9 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): I congratulate the hon. Member for Hereford (Mr. Keetch) on his first Adjournment debate, and the way in which he put the case for the beef industry, throughout which the name of his constituency, of course, resonates. It is a beautiful part of the world, which I often visit.

Certainly there is a case to be made, which the hon. Gentleman put succinctly. I must tell him that I would need a little more of what my learned friends call "further particulars" for some of the allegations that have been made before I could promise to take action. Nevertheless, I appreciate the force of his argument.

I shall first try to deal with some aspects of our policy. I do not want to take too long and try the patience of the House, but the issue is important. The Government welcome the opportunity for the debate. We have no problems about debating such issues, although they are difficult. We understand the fact that thousands of people have been affected, and that BSE and all its implications are costing the taxpayer a fortune—more than £1 billion this year and, we estimate, £4 billion in total. That is an enormous sum, and we must account for it.

It is clear from what the hon. Gentleman said that he is interested not only in the operation of the over-30-months scheme—in the jargon, it is called the OTMS, but I shall try to avoid using that term—but in the policy that drives it, a policy for which we must be accountable.

I shall give a brief rundown of some of the rationale behind both the policy that we inherited and the policy that we are now conducting. The over-30-months scheme provides for the slaughter—the killing—and destruction of cattle over 30 months. That is not to say that all cattle are slaughtered when they reach 30 months. Obviously, many milkers are older than 30 months, but when they have finished their working lives, if they are older than 30 months, they will not go into the human food chain.

That decision went well beyond the independent advice of the Spongiform Encephalopathy Advisory Committee to de-bone cattle in licensed plants supervised by the Meat Hygiene Service. Contributory factors were the views of retailers and catering establishments, which were reluctant to sell over-30-months meat, and those of farmers' representatives, who were keen for the Government to intervene.

Compensation and disposal arrangements were established in European Union regulations in April last year. Maintenance of the scheme is now a precondition of the Florence agreement for lifting the export ban on beef and cattle. Therefore, it is important to remember that the Government cannot unilaterally change the scheme. It is not within the competence of this Government or this Ministry to change the scheme, the conditions or the compensation arrangements, which are enshrined in EU regulations.

Changes have been relatively few and they have to be proposed by the European Commission and approved by EU member states. Most of the changes in the sterling value of compensation payments have not been achieved through regulation, but are attributable to fluctuations in the green pound, which I hope will be the subject of another debate.

The scheme is very expensive. The over-30-months destruction of cattle scheme is the single most expensive part of the BSE crisis. Scheme expenditure in the last financial year amounted to some £870 million. The budget forecast for the four years from April 1996 is £1.8 billion. Therefore, expenditure on all BSE-related measures over those four years is forecast to be £4 billion, and more than half of that is for the scheme.

I must also remind the House that the EU contributes only to the cost of compensating farmers for the lost opportunity to market the over-30-months animals. The remainder of the compensation bill plus the full cost of slaughter, rendering, storage and in due course the ultimate destruction of cattle entering the scheme is borne by the British taxpayer.

The significant costs have created difficulties for the Government this year—difficulties that the previous Administration also discovered. As in so many areas of life, the previous Administration left insufficient

provision in the budget for this year. As everyone knows—I do not intend to argue this at length—we are committed to maintaining the overall public expenditure programme of the previous Government.

Sir Robert Smith: When we meet Ministers, they explain that when they took over and opened the cupboards, they discovered that the previous Government had been negligent in even starting to address a scheme that would get us back into the European market. Now that the negligence of the previous Government has been discovered, why are the farmers having to pay the price?

Mr. Rooker: It is not just the farmers who are paying the price, but the whole of the food industry. The beef industry is certainly paying the price throughout the chain—in transport and retail—for the BSE crisis. There is no question about it, and we are not seeking to hide the fact that an unfair burden has been placed on the beef industry as a result of the BSE crisis—far from it. As I said, the financial constraints within which we are working are well known, and we make no apology, because they were made clear. The fact of the matter is that if provisions are not made, the expenditure cannot be made.

The costs are escalating. We have had to go to the Commission to get agreement to revise the compensation arrangements. Those discussions resulted in the changes introduced on 4 August, which we debated before the summer recess. I do not think that it would be helpful for me to detail all of them tonight. We recognise that those changes have affected farmers' incomes, particularly those of beef farmers, who have traditionally produced animals with a higher value at slaughter than dairy cows would command. However, we had no real alternative but to introduce some financial discipline into this demand-led scheme.

Ministers have gone to considerable lengths to explain our policy to farmers and their representatives. There are no easy options. We have offered the industry an opportunity to produce alternative proposals for a better distribution of the money that is available. That offer has been made throughout the industry. So far, we have not received any suggestions. Certainly, the National Farmers Union has not submitted any alternative proposals. That is not a criticism, but merely a statement of fact. Others have suggested alternatives, none of which is, in our view, practical, cost neutral or successfully negotiable in Brussels.

Some have suggested paying greater compensation on beef cows or removing the weight limit on them, but there are considerable problems in identifying suckler cows and policing a scheme offering different rates. Others have suggested removing steers and, possibly, heifers from the scheme. We agree. Farmers have had more than 18 months to adjust to the production and marketing system, so that they can sell clean cattle at prices well in excess of over-30-months scheme compensation allowances.

It is a source of bewilderment why farmers sometimes leave cattle until they are in the over-30-months scheme, when they could have been sold on the market and gained a higher price. Unfortunately, the Commission does not agree with our idea for a scheme to be restricted to cull animals. The over-30-months scheme is likely to be around in some shape or form for some time to come. By that, I mean some years to come.

Mr. James Paice (South–East Cambridgeshire): Will the Minister confirm that the Agenda 2000 proposals for reform of the common agricultural policy are based on the assumption that the over-30-months scheme ends at the end of 2001? If that is the case, does it tie in with any of his expectations about the timing of the lifting of the ban?

Mr. Rooker: The answer to the second question is no. I have seen no exit date for the over-30-months scheme. I do not think that it is tied to Agenda 2000 in the specific way that the hon. Gentleman asked about. It is a reasonable point, because by then there should be no reason to continue the scheme, as our best scientific advice is that BSE will be eradicated by that date. This year it is occurring at 40 per cent. of last year's rate; last year, it occurred at 40 per cent. of the previous year's rate; and that year it occurred at 30 per cent. of the year before's rate. It is a dramatic, exponential decline. Fewer than 100 cattle a week on average are now diagnosed with BSE.

There are other aspects to the lifting of the ban. I and my ministerial colleagues have said before that the Florence negotiations are so imprecise that it becomes a moving target simply to know whether we have met the preconditions. That is extremely difficult. The previous Prime Minister was the last person to offer advice to the present Prime Minister about negotiating skills in Europe, considering the Florence agreement on lifting the ban.

We have an open mind on alternative compensation arrangements. If someone is prepared to come to Ministers with a cost-neutral scheme that we can put to Brussels, which must be the final arbiter, we shall consider it positively and confidently. We are keen to find practical alternatives.

The hon. Member for Hereford spoke at some length, understandably, about operational matters. Many people have been critical of the decision to reduce the number of abattoirs working on the over-30-months scheme. I have visited only two cattle abattoirs—both on the same day—since I became a Minister. The first was fairly small, and it was the owner's last day of working on the over-30-months scheme.

The owner did not whinge, but told me what he had lined up for the following week and how he would move his facilities around and be positive for the future. That is not to say that the scheme did not cause him problems, but he was wholly positive in his approach: a really can-do abattoir owner. I was pleased, because I understand that others are less can-do. I shall not embarrass the gentleman in question by mentioning the abattoir that I visited.

We keep an open mind, but there is no possibility of additional funds. Our expenditure on BSE is considerable. We cut the number of abattoirs because the Intervention Board put the issue out to tender. I sat through many statements from the previous Government about what happened when the scheme was first introduced, and the costs of the scheme and the payments to the renderers.

We currently have 29 abattoirs working for the over-30-months scheme, following the tender. The tender exercise is there to get best value for money for the

[Mr. Rooker]

taxpayer. We expect it to yield savings of more than £12 million in a full year, and that is not to be sniffed at. The key point is that, while contracted abattoir capacity has reduced, so has demand for the scheme. The backlog of animals awaiting entry to the scheme was eliminated about the turn of the year, leaving capacity well in excess of throughput. Contracts awarded by tender carry more than sufficient capacity for the number of animals expected to enter the scheme in most weeks of the year. Additional capacity is factored in as necessary to deal with increased seasonal demand—

Mr. Keetch: The competitiveness of the abattoirs is not in doubt; nor is the fact that they may not have tendered. What is in doubt is their geographical spread.

Mr. Rooker: Oddly enough, I was just coming to that. Some journey times have inevitably increased, with fewer abattoirs working for the scheme. However, we have no evidence that animals are travelling further than they were before the OTMS was introduced. Indeed, some are travelling shorter distances. The anecdotal evidence that I have shows that, much to my amazement, animals have always travelled hundreds of miles to slaughter. They have never gone to the nearest abattoir. Nevertheless, we do not seek to force farmers and animals to travel further than is good for the health of the animals on their final journey to death and rendering—*[Interruption.]* Let us not beat about the bush: it is their final journey. Those journeys perform no function for the human food chain; they are a tragic waste of good, healthy BSE-free animals.

We believe that the contracts awarded provide a good geographical spread, with more capacity around the main cattle-producing regions. Where no acceptable bids were made in a particular region, the Intervention Board had no alternative but to provide sufficient capacity in neighbouring regions. Just because there is no abattoir in the wonderful county of Hereford, that is not to say that there is none just across the border. There is one in Bromsgrove and another in Bristol. Between them, they can kill 1,700 animals a week in normal conditions. Both plants recently had their permitted weekly kill increased to reflect seasonal demand. The Intervention Board is not aware of access problems at either plant.

The hon. Gentleman has made representations about a particular abattoir in Hereford, but as Ministers have explained, it did not submit a bid for tender, so under the terms of the contracts, and for reasons of value for money and fairness to those who did bid, the case was not made.

The hon. Gentleman alluded to the proposed £10 charge for cattle passports. I would ask people to read what we say. They will cost between £5 and £10. We are trying to keep the price as low as possible. It is not so much a charge for the passport as part of the funding of the British cattle movement service, which in turn is part of the computerised traceability system for every animal in the country, under the Florence agreement. As always, we seek the most cost-effective option—we do not seek to impose on people. When we made our recent announcement, we thought it right to give farmers an idea of what the costs would be.

Mr. Paice: I accept what the Minister has just said about the cost of cattle passports, but will he give an undertaking to the effect that the final cost will amount to no more than the true audited cost of running the system? There must be no question—this is suspected in many farming circles and in the farming press—of the Treasury gaining. I repeat that the cost to farmers must be no more than the cost of running the system.

Mr. Rooker: That is a legitimate question. I alluded to that subject only as a courtesy to the hon. Member for Hereford, who mentioned it in his speech.

I have not come here to make any statements—all I can say is that we shall make statements in due course when the decisions have been made. It is not our intention to impose unnecessary burdens on the industry; by and large, it is the industry that gains from the setting up of the computerised cattle tracing system. We hope to have it up and running on target, although we have made changes, even since my announcement in August, as to the way in which it will be paid for through the passport. We have considered many options, as did the previous Government. I cannot go beyond what I have already said, but I promise that we shall make an announcement in due course and be fully accountable for it to the House.

The hon. Member for Hereford and my hon. Friend the Member for South Swindon (Ms Drown) raised the issue of storage. Speaking now without the benefit of brief, I believe that it is not true to say, as the hon. Gentleman said, that most of the over-30-months cattle are in cold storage. By far the minority are in cold storage; the vast majority have been rendered into meat and bonemeal. These days, the blood is rendered as well—I would need further and better particulars to accept the notion that there is a field somewhere in Staffordshire on which 50,000 gallons of blood have been sprayed.

The rendered remains are being stored in safe, environmentally approved dwellings around the country, all of which are subject to planning permission. The stores are usually in old warehouses and factories and not, generally speaking, in heavily built-up areas. I cannot account for all of them, but I did visit one. I said, "A picture is worth a thousand words—I have to see what a few tonnes of bonemeal look like." I visited an old factory up north near Chorley, where 17,000 tonnes are stored and there is capacity for another 15,000 to be stored safely, with full planning permission. Nowhere that is being used has not been approved.

We currently hold vast tonnage in stock. I can illustrate how much quite well because, over the summer, I said to my officials, "I shall be quoting figures of hundreds of thousands of tonnes to the House. I need to know what it looks like and what is the scale—how many London buses?" They had already worked out an answer, which is that the volume of bonemeal is the equivalent of 32 Big Bens—it is bigger than Westminster Hall. We are required to dispose of those rendered carcases. A small percentage of the animals go directly for incineration and we are trying to use that as the main means of disposal, because it reduces transport needs and so on.

All the storage facilities are subject to planning permission. The Ministry of Agriculture, Fisheries and Food and Department of the Environment, Transport and the Regions do not impose extra burdens on local authorities or on the Environment Agency—all the checks and balances are already there. We are not trying to cut corners. Nevertheless, there is now a substantial amount

of bonemeal and tallow—more than 100,000 tonnes of tallow—to be disposed of. It is all stored securely and none is being dumped on landfill, as the hon. Gentleman alleged. The only use of landfill is for farmers to dispose of fallen cattle, which is perfectly legal, provided that farmers do it properly and take all necessary precautions. There are no over-30-months cattle or BSE cattle going into landfill: if there are, that is a breach of all the regulations and we will take the most rigorous action against anyone caught bending the scheme in that way. I really mean that.

I give an assurance to the House that we are looking for safe means of disposal. Ministers are actively considering what to do with the bonemeal and tallow. We are not complete masters in the matter—we require approval from our European partners—but we hope to make an announcement as quickly as possible.

Question put and agreed to.

Adjourned accordingly at twenty-three minutes past Nine o'clock.

House of Commons

Thursday 27 November 1997

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

MESSAGES FROM THE QUEEN

DOUBLE TAXATION RELIEF

The VICE-CHAMBERLAIN OF THE HOUSEHOLD reported Her Majesty's Answer to the Address, as follows:

I have received your Addresses praying that the Double Taxation Relief (Taxes on Income) (Malaysia) Order 1997, the Double Taxation Relief (Taxes on Income) (Singapore) Order 1997, the Double Taxation Relief (Taxes on Income) (Falkland Islands) Order 1997 and the Double Taxation Relief (Taxes on Income) (Lesotho) Order 1997 be made in the form of the drafts laid before your House.

I will comply with your request.

SUMMER TIME ORDER

The VICE-CHAMBERLAIN OF THE HOUSEHOLD reported Her Majesty's Answer to the Address, as follows:

I have received your Address praying that the Summer Time Order 1997 be made in the form of the draft laid before your House.

I will comply with your request.

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Inward Investment

1. **Dr. Stoate:** If he will make a statement on the impact of the Green Budget on the Government's policy on inward investment into the United Kingdom. [16585]

The Chancellor of the Exchequer (Mr. Gordon Brown): Our policies for stability, for sustainable public finances, for long-term investment, including our cuts in corporation tax, and for skills and employment will enhance the attractiveness of the United Kingdom as a location for inward investment.

Dr. Stoate: Does my right hon. Friend agree that partnerships between the public and private sectors, such as the Kent Thames-side group, which is working for the regeneration of north-west Kent including my constituency of Dartford, are the blueprint for inward investment and stable growth that this country needs and that this Government can deliver?

Mr. Brown: I am grateful to my hon. Friend. I understand that this morning he launched an exhibition on the Kent Thames-side region, and I wish him well in his efforts both to form an effective public-private partnership there and to attract inward investment. What is absolutely clear is that for inward investment we need a stable monetary framework—that is why we gave the Bank of England independence—a commitment to Europe, sustainable public finances and measures such as our cuts in corporation tax for long-term investment, which are all measures that we support. We have still to hear what the Opposition think of them.

Mr. Nicholas Winterton: While the Chancellor will know of my deep commitment to manufacturing industry and while I commend him on some of the actions that he has taken, is he not worried that in the short term the changes that he has made to corporation tax will cause many companies to have liquidity problems, so that in the short term there will be a problem with investment? Will he perhaps give that matter serious consideration?

Mr. Brown: I am grateful to the hon. Gentleman for raising that matter. He has always championed the cause of manufacturing industry. I must tell him that businesses have welcomed our proposals: they accept that it is necessary to move to the abolition of advance corporation tax and have welcomed our cut in corporation tax. It is a measure of how much the Conservative party is now out of touch with business that Conservative Members cannot welcome our proposals.

Mr. Gunnell: Is it not true that the one policy mentioned by the Chancellor on which we are certain where the Conservative party stands is the policy on Europe? Is it not also true that our commitment to Europe and our insistence that we will be at the heart of Europe are particularly attractive to inward investors after the uncertainties that they suffered with the previous Government's position?

Mr. Brown: I am grateful to my hon. Friend, with whom I remember working for many years and who has always been a champion of inward investment for Yorkshire. I think that most people in business agree that a stable policy on Europe—one that will make people sure that this country is committed to Europe—will benefit Britain. It is therefore unfortunate that we do not have all-party support for that policy.

Mr. Lilley: I congratulate the Chancellor on his well-deserved award at the *Spectator* "parliamentarian of the year award" lunch yesterday. Can he confirm that the combined effect of his July and November changes in corporation tax, after taking account of the changes in the rate of tax, will mean that, over the lifetime of this Parliament, British business will have to pay £20 billion more tax?

Mr. Brown: I do not accept those figures at all. The corporation tax cut will give business an extra

£1.5 billion a year. The transitional costs having been met, business will be £1.8 billion a year better off. I thank the right hon. Gentleman for his good wishes on *The Spectator* award, but if he is going to pursue this course of action, he had better explain why Adair Turner, secretary general of the Confederation of British Industry—[*Laughter.*] It is interesting that Conservative Members now scoff at the CBI. That is what has happened to the Conservative party.

Mr. Nicholas Winterton: Red Adair.

Mr. Brown: The Conservatives now call the secretary general of the CBI "Red Adair". That is how far the Conservatives have sunk and how far they have moved away from business. One of their friends at the Institute of Directors, Mr. Richard Baron, its taxation executive, said that abolition of ACT was wonderful for companies. The Institute of Directors, the CBI, the chief executive of BP, and many others, including the *Financial Times*, have welcomed the proposals.

I fear for the Conservative party. It has moved so far from business that in Scotland, business people who were pro-Conservative are trying to form their own pro-business party to fight the Conservatives. I think that the Conservatives should go back to Eastbourne, hold another bonding session and think again.

Mr. Lilley: Is the Chancellor then denying the figures that he himself published, which show that, over the lifetime of this Parliament, British industry will have £20 billion less to invest and to create jobs with? Does he deny that the effect of his changes will be to make investment abroad more attractive and investment at home less attractive? Those are the figures on page 19 of the document "A Modern System for Corporation Tax Payments", which the right hon. Gentleman published. The document also shows a figure of £2 billion a year extra taxation during this Parliament as a result of the changes announced in November.

Can he confirm that, in the borrowing forecasts that he issued for this Parliament on Tuesday, he did not take into account the extra revenues that he is to raise from the changes in corporation tax, and will he explain why he did not do so? Is it because he did not want Labour Members to realise that he was raising several times more than it would cost to meet recent demands to defer certain changes in benefits?

Mr. Brown: If the right hon. Gentleman is going to read out that document, perhaps he will remind the House—[HON. MEMBERS: "Answer the question."] I am about to—*[Interruption.]* They must listen, Madam Speaker. I am about to quote from the very document that the shadow Chancellor mentioned. Will he not thank us for the cut in corporation tax in July, and the further cut announced on Tuesday, and will he read to the House the passage that states:

> "After the transition, the annual impact is an Exchequer cost of about £2 billion a year"?

We are doing something to help long-term investment. That is the reason why it is being supported as a principle by business.

Public Expenditure

2. **Dr. Tony Wright:** If he has plans to set a target for public spending as a share of gross domestic product. [16586]

The Chief Secretary to the Treasury (Mr. Alistair Darling): We have no plans to set a target for public spending as a share of GDP.

Dr. Wright: Does my right hon. Friend recall that the previous Government wanted permanently to reduce public spending as a share of GDP? Does he further recall that the dogma of that ambition was exceeded only by the incompetence of their attempt to achieve it? Can he tell the country that the days of dogma are gone, that spending on high-quality public services will be a first claim on a growing economy, and that, even under an iron Chancellor, fiscal prudence will never be confused with fiscal parsimony?

Mr. Darling: My hon. Friend is right in that the previous Government ended up spending almost exactly the same share of the national income at the end of their 18 years as they did at the start. He is also right in saying that, although the amount that they spent did not change, what the money was spent on did change. They had to spend more and more on mopping up the failures that their misguided policies created.

The objective of our comprehensive spending review is to examine each and every penny that the Government spend. The test for this Government is not just how much is spent but where it is spent and to what effect. I agree with my hon. Friend that public spending is extremely important for building economic prosperity—important in economic terms and important in social terms; but it is fundamental that we achieve the long-term stability and sustainable public finances that will allow the economy to grow as well ensuring that we have the wealth to provide the services that we all want.

Mr. Jenkin: Should we conclude that the threats to benefits for disabled people and the lengthening hospital waiting queues, alongside massive increases in taxes, rising interest rates and slowing economic growth, are somehow a price worth paying for achieving the criteria for economic and monetary union?

Mr. Darling: The hon. Gentleman is, as ever, obsessed with Europe. He sees Europe behind just about everything. The country will remember that the Conservative party systematically denigrated those on benefits and systematically undermined the benefits system without regard to the consequences. We are determined to build a stable economic platform so that we achieve growth and so that the finances of the country are put on a sustainable long-term footing so that we can provide the very services that hon. Members—certainly Labour Members—want to see in the future.

State Pensions

3. **Mr. Bill O'Brien:** What discussions he has had with the DSS about the level of future financial provision for state pensions. [16587]

Mr. Darling: I have regular meetings with my right hon. Friend the Secretary of State for Social Security, at which we discuss a wide range of issues, including pensions.

Mr. O'Brien: I thank my right hon. Friend for that reply. Will he accept from my constituents and all Labour Members sincere thanks for the statement by my right hon. Friend the Chancellor last Tuesday, in which he announced help for pensioners throughout the winter and over the Christmas period? That is most welcome. Will my right hon. Friend continue that good work in his talks with my right hon. Friend the Secretary of State for Social Security on improving pensions to a standard at which people no longer rely on handouts, but are offered a pension that sustains the quality of life that the old people of this country deserve?

Mr. Darling: I am grateful for my hon. Friend's support for the announcement on Tuesday. My hon. Friend has been in the forefront in campaigning for pensioners. I saw that when I visited his constituency recently. Of course, he is right. The Labour Government have delivered their promises to pensioners. We have cut VAT on fuel to 5 per cent. We have uprated pensions in line with prices, as we promised. We have cut fuel bills for pensioners by up £100 a year and there is more to come.

My right hon. Friend the Secretary of State for Social Security has announced a pensions review. We are encouraging pensioners to ensure that they receive all the entitlements that are available to them. Last week, we launched a document on stakeholder pensions which is designed to encourage people to have fully funded pensions in future. Next year we shall consult on the new citizenship pension. The Labour Government are delivering their promises to pensioners and, as a result, this winter many pensioners will no longer have to worry about whether they can heat their houses—something that never happened when the Tories were in power.

Mr. St. Aubyn: Will the Chief Secretary explain to a constituent of mine—a pensioner whom the pensions tax has hurt particularly hard because he belongs to a closed pension scheme—why he refused to extend to closed pension schemes the benefits afforded to charities when the pensions tax was introduced?

Mr. Darling: I am grateful to the hon. Gentleman for referring to the measures we took in respect of charities—we appreciate that degree of support. As I have said before to the House and to the hon. Gentleman, our reforms to corporation tax announced in July and the further reforms announced on Tuesday are designed to encourage profitability in this country's companies, which, in turn, will benefit pension funds. The fact is that, since July, the reforms we have implemented have been widely welcomed as the far-sighted and long-term reform that people in this country wanted.

Mr. Ian Bruce: What about the stock market?

Mr. Darling: The stock market, which has a substantial bearing on the value of one's pension at retirement, has climbed since we were elected, which shows—among other things—that there is another sector that has absolute confidence in the Government's ability to deliver long-term, sustainable economic growth that will benefit pensioners and everybody else.

Mr. Campbell-Savours: May I say to my right hon. Friend that there is no such thing as the pensions tax?

Mr. Darling: I agree—there is not.

Inflation

4. **Mr. Hammond:** What assessment he has made of the measures that will be required to control domestic inflation, with particular reference to house prices, in the event of United Kingdom interest rates converging with those prevailing in the other major economies of the EU. [16588]

The Paymaster General (Mr. Geoffrey Robinson): None, Madam Speaker.

Mr. Hammond: Will the hon. Gentleman give an assurance that, in pursuing convergence of interest rates so as to achieve his objective of joining a single currency, he will not find that he has to increase the tax burden on the British people in order to achieve his inflation targets?

Mr. Robinson: The question was muddled—I now understand what the hon. Gentleman wanted to say. The position is simple: the Governor sets the monetary policy to achieve the inflation target set by the Chancellor.

Mr. Stringer: Does my hon. Friend agree that the tough measures that he has had to take stand in marked contrast to the policies of the previous Government; and that the failure of the previous Government's policies led directly to nearly 1 million people losing their homes?

Mr. Robinson: My hon. Friend is absolutely correct. It is precisely because the Conservative party did not have the political courage to give operational independence to the Bank of England that economic policy was too often dictated by political expediency. That is why we experienced the two biggest recessions and the two biggest periods of inflation during 10 years of hopelessly incompetent macro-economic policy under the Conservative party.

Mr. Bercow: The Minister had a little difficulty with the question asked by my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond)—I hope that he can do better this time. Can he give the House an assurance that, if this country joins a European single currency and if the interest rate across Europe is inappropriate for the control of domestic inflation, he and

his Government will be willing and able to make representations against the interest rate policy of the European central bank?

Mr. Robinson: The hon. Gentleman is as muddled as his hon. Friend. My right hon. Friend the Chancellor made it absolutely clear that five tests would have to be met, the central one of which was convergence. Central to convergence is convergence of interest rates and the question of entry does not arise until that is sustained and a sustainable period of convergence has been achieved.

Economic and Monetary Union

5. **Mr. Cranston:** What steps he proposes to take to help business prepare for economic and monetary union. [16589]

18. **Mr. Bayley:** If he will make a statement on the steps he is taking to help businesses prepare for economic and monetary union. [16602]

Mr. Gordon Brown: The Government are committed to ensuring that British business is well equipped to take advantage of the introduction of the euro in other member states from 1999. We have set up a new standing committee, the members of which include the president of the Confederation of British Industry and the president of the British Chambers of Commerce, alongside the existing business advisory group to co-ordinate and press forward the preparations agenda. I will be publishing a summary of the advisory group's findings early in the new year.

I have also arranged for the Treasury to publish a practical guide to EMU for business and 55,000 copies have already been issued to a wide range of businesses.

Mr. Cranston: I thank my right hon. Friend for his answer, especially in relation to the establishment of the standing committee. He will be aware that Marks and Spencer has announced that it will install tills to take the euro. Does not that show how British business is getting on, in a practical and pragmatic way, with dealing with the single currency, while the Conservative party is in an ideological time warp?

Mr. Brown: I agree entirely with my hon. Friend that what frustrated British business was the previous Government's inability to help them with preparations to cope with the introduction of the euro in other member states in 1999. Marks and Spencer has said that it will have the capacity to deal with the euro in the United Kingdom as well as Europe. Other companies such as the National Westminster bank are preparing to trade in euros and to train staff to do so. The Conservative party should wake up to the fact that this is something that is going to happen in other member states in 1999, and it should stop its ideological opposition to a single currency.

Mr. Bayley: Does my right hon. Friend agree that large companies will, in future, increasingly be manufacturing and marketing their products on a pan-European basis and that, as such, they will be concerned about the predictability and stability of exchange rates when making their investment decisions? How does my right hon. Friend think British business will react to the Conservative party when it pursues a policy of saying that it will not join a common currency even if it is in the national interest to do so?

Mr. Brown: I am grateful to my hon. Friend. British business is reacting: business men in Scotland are about to set up their own party even though they are Conservatives because they are so out of touch with the Conservative party. As for business preparations, I think that business understands and the Conservative party will soon understand—if it does not listen to what its Conservative Members of the European Parliament are telling it, the public will tell it—that 50 per cent. of our trade is with the European Union, more than 60 per cent. of our trade is with Europe and 30 per cent. of inward investment into Europe comes through Britain. It is important for the Conservative party to wake up to those realities.

Mr. Quentin Davies: What is the point of spending all this public money on so many publications if they are shoddily produced or even deceptive about the facts? The document that I have with me, which I think every hon. Member has received, called "UK Membership of the Single Currency", deals on page 10 with the important matter of interest rate convergence. It sets out and compares current nominal interest rates. The Chancellor knows perfectly well that it is not nominal, but real, interest rates that are important for economic behaviour.

If we compare current real interest rates—nominal interest rates minus inflationary expectations—we see that the gap is very much less than that set out in the document. Was that just a schoolboy howler, or were the document's authors, the Treasury Front-Bench team, determined for their own reasons to exaggerate, even dishonestly, the difficulties that this country will have to overcome to converge on interest rates and join a single currency?

Mr. Brown: The hon. Gentleman is advancing an interesting case: he is putting a case for entering the single currency in 1999; he is totally at odds with his colleagues on the Opposition Front Bench who want to delay entry for 10 years. I have made it clear that we shall have to meet five economic tests, not one. Some of those tests are: unemployment must come down; investment must benefit; inward investment must benefit. The hon. Gentleman should start questioning his own Front-Bench team, as they do not seem to have any answers for him.

Sir Robert Smith: In the committee that the Chancellor of the Exchequer has announced, how are the views and concerns of self-employed people and small businesses to be taken into account?

Mr. Brown: The small business community is already represented on the business advisory committee; it will be on the wider group; it will be consulted on such matters. The Federation of Small Businesses is represented on the business advisory group. The shadow Chancellor is out of touch with events, and should go back and do his homework.

Mr. Skinner: Is my right hon. Friend aware that, long before Marks and Spencer is using the euro, lone parents will be visiting the stores to spend money, and that some of those parents will have less money if the Government

continue to implement the Tory dogma contained in the Social Security Bill? I know that my right hon. Friend is against Tory dogma, so let us get rid of the proposal that will penalise lone parents.

Mr. Brown: It is because we are against Tory dogma that we are giving lone parents new opportunities that they never had under the previous Government. We are giving them opportunities for work, opportunities for training, opportunities for child care—up to 1 million child care places as a result of our £300 million investment. When people see the range of new opportunities available as a result of a £200 million welfare-to-work programme and a £300 million child care programme, they will welcome the changes that we are making.

Mr. Heathcoat-Amory: A written answer from the right hon. Gentleman's Department on 11 November confirms that the Government have no estimate or idea of the cost to businesses, the public or even the Government of converting to the euro. Is it not a disgrace that the Government are calling for a national debate on monetary union without having any idea of what the costs are likely to be? Since unofficial estimates of those costs range up to £19 billion for the private sector alone, will the Chancellor replace his hot air and rhetoric with some hard estimates and facts about what the likely costs of conversion will be, and will he report them to the House?

Mr. Brown: If the right hon. Gentleman is so interested in that question, why did he not bother to find out the answers when he was the Treasury Minister responsible for those issues? We are now making the preparations and looking at all the necessary detail. The previous Government failed to do that, because they are completely divided over Europe.

Inflation

6. **Mr. Ruffley:** If he will make a statement on his policy for controlling inflation. [16590]

Mr. Darling: The Government's policy for controlling inflation is absolutely clear. We have a target of underlying inflation of 2½ per cent. We have put in place the necessary institutional reforms to ensure that the Bank of England delivers that target which has been set by my right hon. Friend the Chancellor.

Mr. Ruffley: Is the Chief Secretary aware of concern in the City about how the Government will measure inflation in the future? Will he therefore give an undertaking to the House that the Government will not change the basis of measuring inflation from RPI X to the European Union harmonised index of consumer prices?

Mr. Darling: The Conservative party is so obsessed with Europe that it cannot see anything rationally. The position is quite clear. The Government have set out their target of 2.5 per cent., and that is only likely to change if, when the circumstances are right, my right hon. Friend the Chancellor comes to the view that that target should be revised downwards. It is widely understood that the target is 2.5 per cent.

Mr. Malcolm Bruce: I hope that the Chief Secretary will accept that the Liberal Democrats greatly welcome the Chancellor's proposals to lock in economic stability, in particular the fiscal code, but can he explain to the House why the Chancellor is forecasting an inflation rate of 3 per cent. at the end of next year, while the Bank of England is forecasting an inflation rate of less than 2.5 per cent? Is that because the Government are concerned that there is a risk of moving to a mini boom-bust cycle, not least because they have revised downwards their growth forecasts for the same period?

Mr. Darling: I am grateful to the hon. Gentleman if he supports the Government's policy on fiscal stability, which is something of a change from what he has said at treasury questions in the past. The position of the Government and Bank is clear; our target is 2.5 per cent., and we are confident that all the measures that we have taken and the Bank has taken will result in us meeting it.

Mr. Ian Bruce: I wonder whether the right hon. Gentleman can explain to me what is meant by the term that he keeps using—"fiscal stability". Given that the Bank of England has been changing the interest rate virtually every month, will we achieve fiscal stability when it does that every week? Did the Bank get it wrong four out of five times, or is he satisfied that its policy is the right means to get inflation down? After all, inflation is going up while it is changing those rates.

Mr. Darling: As I have said before, fiscal stability means ensuring that we get stability in public spending and stability in taxation. The hon. Gentleman is referring to the Bank's monetary policy—*[Interruption.]* They are complementary, but they are different. As I have said on many occasions before, the Bank has had to increase interest rates because, in the six months before the election, the previous Government did absolutely nothing to deal with the inflationary pressures that were mounting in the economy.

We are determined that the necessary action will be taken in terms of monetary policy and the other measures that my right hon. Friend the Chancellor has announced. They will ensure that we have stability so that we can increase the capacity of the economy, and begin to remove the inflationary pressures which would otherwise exist in the economy. Under this Government we will get long-term stability—and, unlike the previous Government, this Government are not afraid of taking the necessary tough decisions.

Mr. Boswell: I am sure that the right hon. Gentleman will have noticed that his right hon. Friend the Chancellor is not a touchy-feely kind of person, but neither of them is averse to a little bit of ear-stroking of the representatives of industry. Has the right hon. Gentleman not noticed press reports that the Post Office, which is the largest corporation remaining in state ownership, recently settled a 4 per cent. increase in wages, and will he not concede that that, combined with his own projections of the growth rate sinking to as low as 1.5 per cent. in a little over 12 months' time, inevitably means that high and rising unemployment will result?

Mr. Darling: There are two points there. If the hon. Gentleman considers public and private sector wage settlements over the course of this year, he will find that they have been very low. Most people will welcome that,

because they know that we have a choice: we can blow our current prospects in higher wage increases, which lead to higher inflation and therefore higher interest rates and higher mortgage rates, or we can take the opportunity to get sustainable growth in the long term, which will mean increasing prosperity for individuals and ensure that we generate the necessary wealth to improve the public services—and we all want that.

Charities

7. **Mr. Green:** What representations he has received from charities regarding dividend tax credits; and if he will make a statement. [16591]

Mr. Geoffrey Robinson: We have received some 500 representations, half of which have related to VAT matters, about 20 of which have been concerned with tax credits.

Mr. Green: Is the Minister aware that Mencap has confirmed that it will have to find £750,000 to top up its employee pension fund as a direct result of the pension tax introduced in the Budget? Does he agree that that £750,000 would be better spent on Mencap's important charitable purposes than on filling the Treasury's coffers? What remedies does he have to offer the large charities in this country, which would prefer to spend their money on charitable purposes than to fill the Treasury's coffers because of the unnecessary imposition of a swingeing pensions tax in the Chancellor's Budget?

Mr. Robinson: The large companies will benefit from the 10 per cent. rise in the stock market that has taken place since Labour came to office. I was at a recent Mencap meeting, hosted by George Bull, and was very supportive of that charity, which does especially good work. The hon. Gentleman must be aware that, unprecedentedly, the Labour Government—acting much more generously than the Conservative Government did when they took action on tax credits—have delayed the starting date for two years, until April 1999, and there is a further five-year transition period, at a cost of £1 billion to the Government. That is very good treatment.

Ms Ward: Will the Minister take into account the representations that I have received from many constituents, regarding their anxieties about possible tax changes and their effects on charity shops? Will he recognise how important charity shops are, not only to the charities that they work for, but to the local community?

Mr. Robinson: I entirely agree with my hon. Friend and I can confirm to her that the position of charity shops is a fundamental part of the charities review, which is under way now and due to report in the spring.

Mr. Rowe: As so many of the services that used to be public services are now rendered by charities, has the Minister made any assessment of the costs to the public purse if charities are forced to retrench on the services that they offer because of the various tax threats hanging over them?

Mr. Robinson: It is a pretty poor reflection on the previous Government if their plans eventuated in charities undertaking necessary public services, but we are aware of the great work done by charities. The charities review is under way, which is considering VAT matters and other matters, and there is a seven-year transition period. Charities have time—I am sure that they will profit from it—to ensure that they can carry on the very good work that they do.

Rev. Martin Smyth: I welcome the assurances about tax credits and charity shops, but will the Minister bear in mind that many charities are suffering under the impact of the national lottery? The charity review needs to take into account not only pension funds but the impact of tax credits on charities' everyday money to help people in need.

Mr. Robinson: That, too, will be part of the review.

Barnett Formula

8. **Mr. Randall:** If he will make a statement on the future of the Barnett formula. [16592]

Mr. Darling: The Government have made it clear that they intend to keep the existing arrangements. The Government's position was clearly set out in the two White Papers on which the referendum campaigns in Scotland and Wales were fought and won.

Mr. Randall: I thank the Minister for that reply. Does he agree with members of his own party that there should be cuts in Scottish public expenditure?

Mr. Darling: I do not think that anyone is saying that. We are determined to ensure that all parts of the country benefit from our economic policies and our spending decisions. That has always been so, and it always will be.

Mr. Dalyell: After all the assurances given in and out of the House before and during the referendum, were there by any chance to be any tampering with the Barnett formula, would there not then be a moral obligation to hold yet another referendum on the question, "Do you approve of the Scotland Act 1997–98?"

Mr. Darling: I never thought I would see the day when my hon. Friend the Member for Linlithgow (Mr. Dalyell) would call for another referendum on devolution. Our position was clearly set out in the White Paper; it remains our position.

Mr. Wallace: I welcome the Chief Secretary's affirmation that that will be the position. I am sure that he would agree, having campaigned on a White Paper in which the Barnett formula was a key component in the funding of the Scottish Parliament, that any Government departure from that position would be a breach of faith. But if there is a need to investigate divergence, will the right hon. Gentleman bear in mind that, under the local government distribution from central Government, Westminster gets £864 a head and Rutland gets £213 a head, which is a greater divergence than any between Scotland and the rest of the United Kingdom?

Mr. Darling: The hon. and learned Gentleman will know that the Deputy Prime Minister is to make a statement on the local government settlement for England shortly. I do not think I ought to anticipate it.

Mr. Rhodri Morgan: Does the Chief Secretary agree that it would be supremely self-contradictory if the

Barnett formula were now to be abandoned, given that it was invented 20 years ago to cope with the then anticipated devolution of 1978–79? Would he further agree that, in the experience of all countries to have introduced it, devolution can be introduced successfully only if there is an effective resource transfer mechanism from rich to poor regions?

Mr. Darling: The principle of ensuring transfers between the regions and nations of the United Kingdom has been stuck to by successive Governments of both political colours. I repeat what I said at the outset: the Government fought and won the referendums on the basis of the White Papers; that remains our position.

Mrs. Ewing: Perhaps the Chief Secretary would like to count up the number of Members of Parliament who had heard of the Barnett formula outwith the past couple of weeks. More seriously, what assessment has been made of needs? What commitment is there to ensuring that these arrangements continue? We should bear in mind the point raised yesterday with Madam Speaker about the Treasury Committee's assessment of the Barnett formula. May we have an assurance that these discussions will be open and transparent?

Mr. Darling: This Government are always open. I would agree that there are many people outside and not a few inside the House who may not be aware of what the Barnett formula does. I would commend to them the evidence recently received by the Treasury Select Committee. At the risk of repeating myself, I will state that the Government's position on Barnett and needs assessment remains exactly as set out in the White Papers.

European Single Currency

9. **Mr. Reed:** What representations he has received on the consequences of British entry into the European single currency after 1999. [16593]

Mr. Gordon Brown: My statement of 27 October on economic and monetary union was widely welcomed in this country. Representations are still being received.

Mr. Reed: I thank my right hon. Friend. Will he comment on the contrast between the Government's policies in Europe, which have given us a leading voice with business in Europe, and the Conservative party's policies? The right hon. Member for Henley (Mr. Heseltine) has said that the Tories are leading the fight against British companies, and we have heard some examples of that today; does my right hon. Friend agree that their increasing isolationism in Europe is leading to increasing isolation in the opinion polls?

Mr. Brown: I am grateful to my hon. Friend. We have declared for the principle of monetary union: we have not yet had an answer from the Conservative party. We have said that there is no constitutional bar to entry: we have not yet had an answer from the Conservatives. We have said that the economic tests will be decisive, and if entry is in the national interest, that is what we shall do: we have not yet received Conservative party policy. It is small wonder that the former Deputy Prime Minister has said that the Conservative party has fallen out with Britain's leading companies.

Sir Peter Tapsell: Has it occurred to the Chancellor of the Exchequer that by 1999 the danger of inflation may be rather less than the danger of deflation? If that should come about, the economic criteria for the establishment of a single currency laid down in the Maastricht treaty will be not only irrelevant but exceedingly damaging for the people of this country.

Mr. Brown: That was exactly the proposition that was put forward in 1987, and it led the Conservative Government to cut interest rates, cut taxes and cause boom and bust conditions, as a result of which 1.5 million people lost their jobs and businesses were destroyed. We shall have stability in our economy, and we shall not return to the stop-go days of the Conservative party in government. Even now, they should apologise to the British electorate for what they did.

Economic Growth (North-East)

10. **Mr. Cousins:** When he next plans to meet the north-east regional Chamber of Commerce to discuss economic growth. [16594]

The Financial Secretary to the Treasury (Dawn Primarolo) *rose—*

Hon. Members: Hear, hear!

Dawn Primarolo: I am touched by the support shown by Opposition Members.

My right hon. Friend the Chief Secretary was recently in the north-east to give the Darlington economics lecture to the local employers forum. Although there are no immediate plans for a meeting with the regional chamber, Treasury Ministers regularly meet business representatives, and pay careful attention to what they have to say.

Mr. Cousins: I thank my hon. Friend for her reply. Does she accept that we have very few fat cats in the north-east? With our colleagues in Wales and Northern Ireland, we are last in and first out of any recovery. We understand that the Government have had to make tough choices to secure stability, but does she accept that high interest rates, the strong pound and our exposure due to links with south-east Asia have given us special and particular problems? Is she willing to meet some of us involved in business and some of my hon. Friends from the north-east to work out how we could match the tough patience that we shall need with the tough choices that the Government have had to make?

Dawn Primarolo: Recent business surveys indicate that the north-east economy is performing well. In particular, north-east manufacturing industry is growing at a reasonable pace. My hon. Friend has made important points. The Government's policies on regional development agencies and the consultation document that will be released shortly reinforce our determination to

ensure prosperity in our regions. I should be happy to discuss with him how those policies can be developed further in the north-east.

Miss McIntosh: Has the Financial Secretary had the opportunity to consider the impact on the local economy in North Yorkshire of the collapse of the Samsung plant at Flaxby moor? Will the Government review the effect that the collapse of south-east Asian economies may have on job prospects and economic development in north Yorkshire generally?

Dawn Primarolo: The Government are vigilant on all matters, especially jobs. We need to ensure that the economic framework is sound, so that business can invest, grow and survive in our communities.

National Minimum Wage

11. **Mr. Burns:** If he will estimate at what level of national minimum wage the current departmental spending limits would be breached. [16595]

Mr. Darling: The level of the minimum wage has not yet, of course, been set. The hon. Gentleman will be aware that the National Minimum Wage Bill received its First Reading today. The level of the national minimum wage will not be decided until the Government have the benefit of advice from the Low Pay Commission, which has already started work.

Mr. Burns: I am grateful to the Chief Secretary for that answer. I am slightly surprised, however, that his officials have not been carrying out any studies of the impact of a minimum wage at different levels on the Government's spending targets. Will the right hon. Gentleman give a categorical assurance to the House that, if the level of a minimum wage, when it is set, has any impact on the wages bill of the national health service, patient care will not suffer and the Government will make up any shortfall?

Mr. Darling: It is a bit rich for Opposition Members to lecture us on patient care after their record for 18 years—*[Interruption.]* The hon. Gentleman does not like being reminded of what the Tories did to the NHS. The minimum wage will be set at a sensible level that is manageable, and we shall keep the promises to the health service that we made during the general election campaign. We are ready to be judged by that at the next election.

Ms Abbott: Are not the arguments against a minimum wage at a decent level, as put by Tories in business, exactly the same as the arguments advanced by the same people in the 1970s against equal pay for women, being based on the premise that a minimum wage will lose jobs? Just as equal pay for women did not lose jobs but did more to raise the living standards of working-class women than any other act of the Labour Government, will not the minimum wage have the same effect?

Mr. Darling: My hon. Friend is right. The Conservative party has always been against any economic or social progress. We were told that equal pay would spell the end of British industry, and the Tories say exactly the same about a national minimum wage. We believe that a national minimum wage is right in principle and that it will be good for the economy.

Mr. Forth: Is the Chief Secretary suggesting that it is possible that a minimum wage level, when set, will be at such a low level that it can have no impact on budgets or cash limits in the health service and other public services?

Mr. Darling: As I told the hon. Member for West Chelmsford (Mr. Burns), the Government will decide the level at which the national minimum wage will be set when they receive the benefit of the advice and evidence of the Low Pay Commission.

Mr. Pike: Is it not increasingly obvious that the public support the policy of a national minimum wage and oppose poverty pay, whether in the public or the private sector? They believe that the implementation of such a policy is long overdue. They obviously welcome the policy announced earlier this week by my right hon. Friend the Chancellor of the Exchequer, and believe that it will prevent those who go into work from losing out as a result of the present conflict between benefits and tax. It is a good policy, and it is overwhelmingly welcomed by the people.

Mr. Darling: I am grateful to my hon. Friend for his support. He is right to say that it is the Government's strategy to ensure that as many people as possible are encouraged to go into work. To that end, we want to remove some of the barriers that face people coming off benefit and going into work. Our strategy is geared to achieve that. As for the minimum wage, many people will wonder why the previous Government put up with a situation in which some employers paid wages so low that their employees were being subsidised by decent employers and by the public purse. That is an intolerable situation and one that we are determined to end.

EU Tax Co-ordination

13. **Mr. Gibb:** If he will make a statement on his Department's policy towards the European Union paper "Towards Tax Co-ordination in the European Union". [16597]

Dawn Primarolo: The Government deposited an explanatory memorandum on 17 November on the Commission communication of 5 November 1997, "A Package to Tackle Harmful Tax Competition in The European Union." The issue was debated yesterday in European Standing Committee B.

Mr. Gibb: This European Union proposal, which the Chancellor of the Exchequer intends to agree to at Brussels on Monday, breaches the principle that the EU does not involve itself in direct tax policies of member states. Why do the Government think that it is necessary to do this?

Dawn Primarolo: As I explained repeatedly to the hon. Gentleman yesterday in Committee, the code is a voluntary agreement. There are no sanctions and it is not legally binding. It specifically recognises national

competence in direct tax issues. There is no giving away of sovereignty on this issue. The hon. Gentleman is simply wrong.

Mr. Derek Twigg: Does my hon. Friend agree with the Leader of the Opposition when he says that we should realise a single currency for the next Parliament, or does she think that the shadow Chancellor is right when he says that we should not bind future Parliaments?

Dawn Primarolo: It will not surprise my hon. Friend to hear that I agree with my right hon. Friend the Chancellor and with the Government's policy on that issue.

Local Authority Expenditure

14. **Mr. Gorrie:** What studies the Treasury has undertaken into the impact on *(a)* the national economy and *(b)* prospects for meeting the convergence criteria for economic and monetary union of the removal of local authority self-financed expenditure from the control total. [16598]

Mr. Geoffrey Robinson: I am not aware of any specific studies of that sort, but I look forward to hearing the hon. Gentleman's supplementary question.

Mr. Gorrie: The Government's insistence on retaining capping and on keeping local authorities' self-financed expenditure within the control total is a major reason for many local council cuts. It is therefore an important issue. Will the Minister explain why the Government are so insistent on that policy? If a council, reflecting the democratic wishes of its voters, raises £1 million more in council tax and invests it in employing 40 or 50 more teachers, those teachers will live and spend their money locally. Much of the money—perhaps a quarter or a third—will come back to the Treasury in increased taxes. How does that have a disastrous effect on the national economy, or prevent us from signing up to something with Europe? It is nonsense and I should like some explanation.

Mr. Robinson: The hon. Gentleman will be aware of the £1 billion extra that we have given to schools, which is £1 billion more than even his party asked for. On the narrow question of the control total, with which he seems to be obsessed, he, his local authority and other local authorities should consider what they can do in partnership with the private sector. We are introducing legislation to enable them to do that and we have set up a new energetic task force in the Treasury, run by the private sector, to get private-public partnerships going with local authorities. That is where he should put his efforts.

Mr. Willetts: Will the Minister confirm that, before spending any available money on schools or social services, local authorities are under a legal obligation to put money into their pension funds to make up the cost of his July tax measures?

Mr. Robinson: The hon. Gentleman knows that that question will not arise for two and a half years. It is being studied and we are in discussion with local authorities to find a proper resolution to it in due course.

Corporation Tax

16. **Mr. Mullin:** What plans he has to review the effectiveness of corporation tax; and if he will make a statement. [16600]

Mr. Geoffrey Robinson *rose—*

Hon. Members: Come on.

Mr. Robinson: I apologise. I did not realise that question No. 15 had been passed. I apologise for the delay in locating Question No. 16.

We are satisfied with the excellent measures that my right hon. Friend the Chancellor took in the July Budget and announced in the pre-Budget document which we discussed this week. They put corporation tax on an excellent long-term basis. They do not distort competition and they make for investment. We are pleased with all the long-term, principled reforms that we have carried through.

Mr. Mullin: Has my hon. Friend noticed that some companies do not pay their fair share of corporation tax? One thinks, for example, of the Murdoch empire, which I believe paid only about 2 per cent. of its profits in corporation tax. Does he agree that that is unfair on companies which do pay their fair share? What plans does my hon. Friend have to ensure that all companies do so?

Mr. Robinson: If my hon. Friend brings the matter to the attention of the corporate division of the Inland Revenue, I am sure that it will investigate, if it is not already doing so. My hon. Friend will be aware that the Government have already announced four tough anti-avoidance measures for the corporate sector, which we expect will yield £1 billion in savings.

Mr. Yeo: Does the Minister understand that the changes in corporation tax announced two days ago greatly increase the amount of tax that companies will pay in the next four years? As that will inevitably reduce new investment by companies, what assessment did the Treasury make of the number of jobs that will be destroyed directly as a result of the Chancellor's statement?

Mr. Robinson: The statement has been welcomed by the Confederation of British Industry and by companies throughout the country because they recognise the principled reasoning behind it. The hon. Gentleman is getting his cash flow mixed up with his profits; if he would like a lecture on the subject after Question Time I shall be happy to give it to him.

Euro (UK Retailers)

17. **Mr. Gordon Prentice:** What discussions he has had with major United Kingdom retailers concerning their preparations for the introduction of the euro. [16601]

Mr. Gordon Brown: I have had many discussions with United Kingdom companies, particularly retailers, about the introduction of the euro.

Mr. Prentice: Does not the decision made by Marks and Spencer and others show remarkable foresight,

and does it not contrast with the immobilism of the Conservative party, whose members cannot make up their minds whether they are for or against the euro in principle? Is it not eccentric of the Conservative party to decide not even to consider joining the single currency for a decade, although to do so may be in the nation's economic interests?

Mr. Brown: I agree. I think that businesses are increasingly worried by the Conservative party's behaviour in this regard. Those who run businesses are practical people who want to get on with preparing for what will happen, but they are now faced with a Conservative party that cannot give them any answers about future policy other than ruling out the single currency for 10 years.

Of course, not only businesses are now against the Conservative party. The shadow Cabinet is being depleted week after week as its members resign as a result of the policy on Europe, and one former Conservative Member has been added to our side during the past few days. The downsizing of the Conservative party continues.

Mr. Soames: Certainly not over Christmas.

I welcome the prudent steps that the Chancellor has taken to prepare business for possible entry to monetary union. Does he accept, however, that there is a vast gulf of misunderstanding in businesses of all sizes about what monetary union actually means? In preparing the documents that he rightly intends to distribute to businesses, will the right hon. Gentleman ensure that those documents are carefully tailored to fit the sector and size of the companies to which they are sent?

Mr. Brown: I am grateful that the voice of one-nation Conservatism is now being expressed in the House. I entirely agree with the hon. Gentleman: business has a right to know the implications of the euro, and the last Government should have made those implications known long ago. We have published a pamphlet by Professor Currie, which sets out the arguments on the euro, and we have now also published a practical guide to the euro. Literature will be available to small businesses. They have a right to know how the euro will affect them, and how British business can benefit from it. We shall take the steps that the previous Government refused to take.

ROYAL ASSENT

Madam Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

Firearms (Amendment) (No.2) Act 1997.

Local Government (Contracts) Act 1997.

Plant Varieties Act 1997.

Youth Crime

3.32 pm

The Secretary of State for the Home Department (Mr. Jack Straw): With permission, Madam Speaker, I should like to make a statement on youth crime.

I am today publishing a White Paper entitled "No more excuses". It sets out the Government's new approach to tackling youth crime in England and Wales. It follows a period of intensive consultation, which began when we were in opposition. In May this year, I appointed a youth justice task force to advise me on the issue, and in September and October I published three consultation papers.

Reform of youth justice to make good years of mismanagement and under-performance is an urgent priority. In the past, the youth justice system has mimicked a bad parent, being indulgent one minute and harsh the next. Those are precisely the faults that foster youth crime, and they are compounded by the fact that the system suffers from endemic delays.

Many right hon. and hon. Members will have seen the problems in their constituencies. There are children whose misbehaviour goes unchecked and escalates into crime, and children who offend repeatedly, with no meaningful intervention, and come to court only for their cases to be adjourned time after time. When they are finally sentenced, many receive only a conditional discharge. There is no punishment, no chance for them to make amends for their crimes and no action to tackle the cause of their offending.

There must be no more excuses for youth crime. Before the election, we promised to halve the time from arrest to sentence for persistent young offenders, as part of a fundamental reform of youth justice. The White Paper sets out how we will deliver those pledges. We will make a start through the crime and disorder Bill, which is to be laid before Parliament shortly.

One of the fundamental deficiencies of the youth justice system is that different agencies work to different, even conflicting, objectives. The crime and disorder Bill will make it clear, for the first time, that the principal aim of the youth justice system is to prevent offending by young people. All youth justice practitioners will be under a duty to take account of that aim.

To tackle youth crime effectively, we must recognise that young people often start down the path of offending when they are very young. Therefore, the Bill will provide new powers to protect children under 10 from being drawn into crime. Local authorities—after consultation with the police and the community—will be able to set up local curfew schemes for the under-10s, and a new child safety order will help to stop individual children under 10 from drifting into crime.

Many factors draw young people into offending. Not attending school, through truancy or exclusion; having delinquent siblings or friends; coming from a family with multiple problems; and, for older teenagers, being unemployed—all those factors increase the risks of juvenile criminality.

The Government are taking action to tackle the causes of juvenile crime across the board, by raising school standards; by fighting truancy and under-achievement; by combating social exclusion; by helping families at risk; and by giving the young long-term unemployed a pathway from welfare to work.

We know that the single most important factor associated with youth criminality is the quality of a young person's home life—crucially, the relationship between parents and children, and the level of parental supervision. The parents of young people who offend or who are at risk of offending need particular support and guidance. They should be made to face up to their own responsibilities. A new parenting order will therefore require parents to attend guidance sessions and to comply with requirements specified by the court to help them to control the behaviour of their children.

However, families are about much more than preventing crime. Families are the fundamental unit in society, providing mutual care and support and helping to shape the values of future generations. At the Prime Minister's request, I am chairing a new ministerial group looking at wider ways of supporting families more effectively and of promoting good parenting.

Young people, too, should face up to the consequences of their offending. The present rule of doli incapax—being incapable of evil—can stand in the way of holding properly to account 10 to 13-year-olds who commit crimes, yet young people of that age know that it is wrong to steal, vandalise or commit an assault. We intend to abolish that archaic rule to ensure that such young people are answerable for their offences.

Firm action is needed when young people begin to offend, but that does not happen at present, so we will replace repeat cautions with a new reprimand and final warning scheme to provide a consistent, graduated police response to youth crime, within a clear statutory framework.

A final warning will normally trigger a tailor-made intervention programme with the offender and his or her family, to tackle the causes of the offending. Once a youngster has had a final warning, the firm presumption will be that he or she will be charged with any further offence.

The Government will give the courts a much wider range of powers to help to change offending behaviour. Reparation and apology can bring home to young offenders the harm that their offending has caused. The crime and disorder Bill will provide a reparation order and make reparation available as a requirement of a supervision order.

There will also be a new action plan order providing an intensive programme of intervention with offenders and their families, combining punishment, reparation and rehabilitation, as an alternative to custody.

Custody is, however, necessary for the most serious or persistent young offenders, and for some young people, it may be the only effective way of preventing offending while they are awaiting trial. The courts' existing powers to remand young people to secure facilities are wholly inadequate.

The crime and disorder Bill will therefore pave the way for powers for the courts to direct that 12 to 14-year-olds and 15 and 16-year-old girls who are charged with serious offences—and who have a history of absconding or offending on bail—are held on remand in secure local authority accommodation. The Bill will also enable the

[Mr. Jack Straw]

courts to direct that particularly vulnerable 15 and 16-year-old boys also held in local authority secure accommodation when a place is available, rather than remanded to prison.

For the minority of young offenders whose crimes require that they are sentenced to custody, public protection is best served if sentences and regimes work to change anti-social behaviour and equip those youngsters for a law-abiding life on their release. The crime and disorder Bill will establish a new detention and training order in place of the current sentences of detention in young offenders institutions and the separate sentence of a secure training order. Detention under section 53 of the Children and Young Persons Act 1933 will remain available for 10 to 17-year-olds convicted of the most serious crimes.

The detention and training order will be made up of 50 per cent. custody and 50 per cent. community supervision, with provision for shortening or extending the custodial element to encourage young offenders to make good progress against agreed sentence plans. Orders will range in length from four months to two years, and young offenders will be placed in the most suitable accommodation for their circumstances.

At the moment, we do not have effective local or national structures to tackle youth crime. The crime and disorder Bill will rectify that, establishing local, multi-agency youth offending teams charged with planning and supervising community interventions. To provide better national direction, the Bill will establish a new national youth justice board for England and Wales, which will ensure consistent standards and monitor local performance. The national board will also set and oversee standards for secure accommodation.

I have spent a good deal of time over the past two years studying at first hand the operation of the youth courts. Over the summer, I visited courts across the country and discussed problems and solutions with all those involved, including young offenders. Despite the obvious commitment of the people working in the system, the unavoidable conclusion is that it is simply not operating effectively. Offenders are rarely asked to account for themselves. They are bystanders in the process, at best bemused by the obscure theatre of the occasion. Parents are not confronted with their responsibilities; victims have no role; and the public are excluded.

I am convinced of the need for fundamental change. For example, we are already encouraging magistrates to allow victims into court to see that justice is done. We will be asking youth court magistrates to use their discretion to lift reporting restrictions following a young person's conviction when that is in the public interest.

I want to go further, and integrate the best aspects of restorative justice into the youth court system. There has been a wide welcome for some remarkably successful schemes that bring young offenders face to face with the human consequences of their crimes. These schemes can bring significant reductions in reoffending. Victims, too, can benefit from this opportunity—if they want it—to tell offenders how the crime has affected them, the innocent parties.

Confronting young offenders with the damage they cause is much tougher than the present alternative. Today, young offenders are spectators in legalistic, adversarial court proceedings and frequently all they hear is lawyers making excuses for their offending. With the restorative approach, there is no way for youngsters—or their parents—to hide from their personal responsibilities in committing their crimes.

The White Paper proposes a radical new approach for young offenders coming before the youth court for the first time. First-time offenders pleading guilty would normally be referred, after conviction, to a youth panel. The panel would draw up a contract with the young offender and their parents, which could last for up to a year and would tackle the causes of the offending as well as punishing that offending. Under the contract, the offender would be obliged to make reparation. If the contract were broken, the young offender would end up back in the youth court and could be sentenced for the original offence.

Those changes would require primary legislation. The Government will introduce that at the earliest suitable opportunity once the crime and disorder Bill has been enacted and in light of comments in the House and from parties outside it regarding the details of our proposals.

Currently, there is no system of quality assurance to guarantee that legally aided lawyers in youth courts possess the right skills and experience for that work. Moreover, what those lawyers are paid depends on the length of time that they take to complete cases—which, unquestionably, can provide a perverse incentive, and so add to delay and expense.

The Government believe that a better approach might be for lawyers to provide services under block contracts. Such an approach would provide flexibility and a consistently higher quality of legal representation. Such contracts would also discourage delay. Pilot trials will be run by the Legal Aid Board.

Delays in the youth court system impede justice, frustrate victims, and only encourage more crime. A young offender who commits an offence today will have to wait, on average, until the middle of next April to be sentenced. That is wholly unacceptable. No parent and no teacher would wait that long to deal with misbehaviour by their children or by the pupils in their charge. Our first priority is to halve the time that it takes between arrest and sentence for persistent young offenders, to ensure rapid justice for individuals from whom the public most need protection.

Before we came into government, information was not even collected to show how long it took to deal with persistent young offenders. In contrast, over the past few months, we have been collecting such data. I can now tell the House that it takes, on average, 142 days—five months—from the date of first arrest to sentence, during which time the victim receives no justice, and there is neither punishment nor intervention to prevent reoffending.

With the Lord Chancellor, I took immediate action after the general election to combat some of those delays. Provisional data for last month show that the average time to complete young offender cases, once they reach court, is 60 days, compared with 68 days in October 1996. The average number of adjournments also has fallen.

I welcome those improvements, but they can be only a start. In areas that have already introduced fast-tracking schemes, the results are clear. In north Hampshire,

for example, the average time between charge and sentencing for young offenders has dropped from 133 days to 89 days since last October. That dramatic change has been achieved in only one year.

The crime and disorder Bill will provide for fast tracking for all persistent young offenders. There will be mandatory time limits for all young offender cases, and stricter time limits for cases involving persistent young offenders. Time limits will be backed by demanding performance targets. The Bill will also implement many of the recommendations of the Narey review of delay in the criminal justice system, to streamline procedures, improve case management, and so expedite justice for both juveniles and adults.

One of the most depressing things about visiting this country's adult prisons is seeing and hearing how many inmates started offending as children. By nipping youth crime in the bud, we will be preventing today's young offenders graduating into tomorrow's career criminals.

Our manifesto committed us to tackle youth crime and its causes. The White Paper sets out how we will do that. The measures that I have announced should deliver a youth justice system that prevents youth crime and punishes it; deals directly with offending behaviour, rather than simply processing cases; reinforces responsibility; delivers justice for victims and for offenders; and provides value for taxpayers' money. I commend the White Paper to the House.

Sir Brian Mawhinney (North-West Cambridgeshire): I start by thanking the Home Secretary for his courtesy in allowing me to have a brief prior view of both the White Paper and his statement. He knows that I have not yet had time to study the White Paper, but I was grateful for the opportunity to read it.

I know that the Home Secretary will accept that Members in all parts of the House are concerned about high levels of crime committed by young people under the age of 18. Such crime is damaging to the community, but, far more important, it is damaging to the young people themselves and to their families. Most hon. Members agree that, overwhelmingly, such young people need to focus on the difference between right and wrong and that they do know the difference but choose to ignore it in their behaviour patterns. The Home Secretary will have no difficulty with the part of the Bill that deals with doli incapax.

Like the Home Secretary, we accept the principle of parental responsibility. Indeed, he will have noted that our manifesto stated that, if we were re-elected, we would introduce parental control orders, which sound similar to the ideas that he has outlined today. We also accept the principle of partnership—the Home Secretary's youth offending teams sound similar to the child crime teams also proposed in our manifesto. Does the Home Secretary accept that there is a broad similarity of approach even if, as we will no doubt discover when we debate the Bill, there are differences of detail?

Does the Home Secretary accept that not only do parents have responsibilities but society has a responsibility, and that adults must set standards that are good templates of behaviour for young people, rather than the opposite which is too frequently the case?

We will support any and all measures in the proposed Bill that will fairly and effectively help to reduce the level of youth crime, but I have some detailed questions for the Home Secretary. What are the measures that he envisages will "break the habit", as mentioned in paragraph 3.11, of young people who are addicted to alcohol and drugs?

Will the Home Secretary consider a form of parenting order based on truancy which, as the White Paper correctly states, is an indicator of subsequent criminality? In many cases, parenting orders after the criminal conviction may be too late to be effective. Paragraph 4.11 talks about parenting orders being made against parents who have been convicted of failing to send their children to school, but this is a different matter which I hope the Home Secretary will consider.

Will the Home Secretary be cautious about encouraging the use of local authority care proceedings in the event of the failure of child safety orders, given that the local authorities' record in terms of children in care and offending is—I will be delicate—doubtful?

The White Paper and the statement contain several references to correcting or addressing the "causes of offending"—as in, for example, paragraph 5.19 of the White Paper. Does the Home Secretary accept that he has to decide whether he believes in personal responsibility, as he suggests by, for example, wanting to replace doli incapax, or whether young people who offend are somehow doing something that they cannot avoid doing because they are overwhelmed by circumstantial forces? He will have the whole House with him on the first interpretation. When we debate the Bill, I hope that he will be a little more precise about dealing with the causes of crime.

Why does the Home Secretary believe that 17-year-olds should be offered the incentive of release earlier than the courts have determined, but that 18-year-olds should not have a similar incentive? Who will assess the risk to the community in these early releases? I have asked the Home Secretary twice before, and now give him another opportunity to tell the House, whether young offenders under the age of 18 are to be included in the tagging proposals that he announced to the House a little while ago.

How many new jobs will youth offending teams they entail? How many existing jobs will they replace, in what areas, and what will be the cost? Will parenting orders be served on parents who do not have custody of the young people as they live apart?

Does the right hon. Gentleman accept that the Opposition welcome the practice of restorative justice, but will he guarantee to the House that victims of crime will have a final say on whether they wish to meet or have anything to do with those who offended against them?

What obstacles in the magistrates court rules—mentioned in paragraph 9.6 of the White Paper—does the right hon. Gentleman want to remove? Will he refute suggestions that he will fine police forces if he thinks that they are acting too slowly?

I realise that I have asked a number of detailed questions, and I should be grateful if the Home Secretary would write to me on those that he is unable to deal with today.

In government, we showed that we recognised the importance of continuing to press down on youth crime and, where practically possible, to create circumstances that reduce the temptation to offend. I assure the Home

[Sir Brian Mawhinney]

Secretary that we will bring the same constructive and responsible attitude to the consideration of the crime and disorder Bill when it appears.

Mr. Straw: I am grateful to the right hon. Gentleman for his constructive response to my statement. I hope that he will take it as something of a compliment when I say that those of us who spent years in opposition debating these issues from that side of the House—the right hon. Member for Berwick-upon-Tweed (Mr. Beith) is still in the same place, and he remembers those debates—now recognise an altogether different approach by Conservative Members. The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) argued with anyone who opposed him, even about what time it was, as well as about issues such as crime and punishment. I should much prefer that the whole House was united on that issue, and I will forbear to mention the previous Government's record over 18 years.

I accept what the right hon. Gentleman said about the importance of responsibility and the fact that society—I commend him on his use of that word—has responsibilities. I look forward to many more occasions on which the word society and the idea of community that it embraces are used by Opposition Members. He asked 11 questions and I shall rattle through them as quickly as possible.

The right hon. Gentleman asked about our proposals to break the link between crime and drugs. A large part of what we are proposing in respect of youth crime is to do with the fact that perhaps 60 or 70 per cent. of the youngsters who come before the courts have some sort of drug habit, so that is woven into all our approaches. We are also proposing the drug treatment and testing order to try to break the vicious circle between drugs and crime. Much of the intervention that is involved at the final warning stage, the youth court stage and when youngsters are committed to custody, is about breaking that drugs habit.

The right hon. Gentleman asked an important question about whether the parenting order could be used as an enforcement for parents who are keeping their kids out of school. The answer is yes. We tried to cover that in paragraph 4.11 of the White Paper, but if he feels that we have not dealt with it adequately, we shall be happy to hear his representations.

It is fair to say that the majority of local authorities deal with care proceedings very sensitively. It is the abuses that we hear about, and it is important that more control is exercised there. However, the final sanction for people who do not face up to their responsibilities as parents is for the state to intervene as parent. I can think of no other final sanction. I wish that it did not have to be used, but sometimes all of us have to accept that the state, through the local authority, must step in and remove parents' rights because they are not accepting their responsibilities.

The right hon. Gentleman asked about the causes of offending. The Labour party and I are committed to the notion of getting youngsters to acknowledge that, if they steal from a shop, they have committed the theft and not some extraneous forces. That has to be the only way in which we can run a justice system. Set against that, we must recognise that external factors may tempt youngsters into that condition. There is no contradiction there. Indeed, it was the right hon. and learned Member for Rushcliffe (Mr. Clarke) who said that the best answer to young adults who commit crime was to provide them with jobs. He was not diminishing their responsibility for their crimes but suggesting a constructive way to get them away from crime.

The right hon. Member for North-West Cambridgeshire asked about early releases for under-17s. There is bound to be some difference in the detention regimes for under-18s and over-18s. We think that it is worth building some incentive into the detention and training order for young people subject to detention to ensure that they go straight at an earlier age. If they break their release conditions, they can be taken straight back into detention. Electronic tagging will apply to 16 and 17-year-olds in the Prison Service, which includes those in young offenders institutes.

The right hon. Gentleman asked about the number of new jobs that are likely to be created, and the overall cost. The overall cost for the package is estimated at £22 million, which is relatively small for the changes that we are making. Over time, we hope that it will be offset by savings. If we can get the delays down, we can save money. I do not in any sense regard the establishment of young offender teams as an opportunity for job creation in the local authority sector. It is about making better use of existing agencies and resources, although there may have to be some expenditure changes at times.

The right hon. Gentleman asked whether parenting orders should be available for parents who do not have custody. They should be available for parents with care and control. If parents have no involvement in the upbringing of the child, the idea is redundant.

Should victims have a final say on whether they are to be involved in the process? Unquestionably, it should be up to the victim to decide whether he or she wishes to be involved. The examples of restorative justice that I have seen suggest that victims want to be involved and just want the person who has committed the crime to say sorry. Often, that is enough, but getting that out of a youngster under the current system is difficult.

Mr. Chris Mullin (Sunderland, South): May I put it to the Home Secretary that the measures that he has announced will be especially welcomed by those parts of our community where law-abiding people's lives are made miserable by out-of-control youths? Will he confirm—he touched on this earlier—that the strategy is not meant to be seen in isolation, and that the best way of stopping youngsters going into anti-social activity is to provide them with a purpose in life? That requires investment in sports facilities, training and education, and, ultimately, in getting them into work. What progress has been made on setting up secure training units, a subject much announced by the previous Government but on which we have not so far seen results?

Mr. Straw: I am grateful to my hon. Friend for those questions. He is right about the importance of giving youngsters a purpose in life. This morning, the Prime Minister and I saw the excellent mentoring programmes run by the Dalston youth project in Hackney, which deals with young offenders. To pick up a point made by the right hon. Member for North–West Cambridgeshire, it is

about getting youngsters at risk of drifting into offending away from crime at an early stage and providing them with mentors—adults who are willing to give them advice and guidance. One of the terrific things that mentors told us was that it has not only been important to youngsters subject to it but added something to the lives of those who provide it.

I have already announced the establishment of a secure training unit at Cookham Wood. The contract for that has been let, and it should be running next year. I have agreed to have a competition for the contract for the other four, which will all go ahead.

Mr. A. J. Beith (Berwick-upon-Tweed): We welcome the emphasis on prevention and the new statutory duty, but does the Home Secretary recognise that the agencies with most to offer, especially the youth service, are under the greatest threat from local government cuts?

In a paper endorsed by Sir Stephen Tumim last year, we called for the less adversarial youth justice system that brings together offenders, families and victims. We warmly welcome the steps that the right hon. Gentleman has announced in that direction. Does he accept the Audit Commission's recommendation that savings achieved by improving the youth justice system should be ploughed back into prevention projects and positive opportunities for young people?

Does the right hon. Gentleman accept that, while it is right that the courts should have the power to ensure that young offenders can be remanded in secure local authority accommodation, 15-year-olds should never be sent to adult prisons? If they need to be detained, it should be in accommodation suitable for their age group.

Does the Home Secretary recognise that some measures, especially the curfews, in this generally useful package look a little like gimmicks, and that even the parenting orders will not work if the problem is criminality in the home background or if parents are at their wits' end, having tried everything to stop their youngsters offending? It would be a pity if gimmicks obscured the good features of the package of proposals that he has announced.

Mr. Straw: I am grateful for the two cheers from the right hon. Gentleman. Of course, it is de rigueur for a Liberal spokesman—it is always a man, by the way—to call for more spending. He never says where it is to come from.

My answer to the right hon. Gentleman is to refer to the Audit Commission report. It pointed out that more and more was being spent on dealing with fewer and fewer offenders. We are spending £1,000 million. I have accepted the need for some more spending, which should be carefully targeted, but the existing system is not only ineffective and replete with delays but inefficient. We have to get people working together. The reason why it is important to have a single statutory aim for everyone is that we must ensure that they are all focused on the common objective of reducing offending.

For example, social workers believe that their objective is the welfare of the child and that the welfare of the child is not necessarily dealt with by punishing the child. That is not a view I take, but it is their view. We have to break that view.

The right hon. Gentleman said that 15-year-olds should never be sent to prisons. I greatly regret that adult prisons have to be used for 15-year-old boys. We intend to ensure that they are not used for 15-year-old girls. My hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin), the Minister responsible for prisons and probation, has already announced a series of major improvements in the way in which 15 and 16-year-old boys will be dealt with within the prison system. We shall set up new regimes specifically for them in the light of the report of the chief inspector of prisons.

The right hon. Gentleman described the proposals for curfews as gimmicks. If he had been to the places that I have been to, such as Yardley in Birmingham, Redditch, and Hamilton in Scotland, and many other places where young children under the age of 10 are out at 11 or 12 o'clock at night without adult supervision, he would not think that curfews were gimmicks. He would think that they were sensible and straightforward, and would wonder why they had not been imposed before.

Ms Joan Walley (Stoke-on-Trent, North): I welcome the proposals that my right hon. Friend has brought to the House. May I draw his attention to the work of the Burslem youth consultative panel, which has just reported on offending and what young people want? My right hon. Friend talked about how different agencies came together. Will he look at crime prevention? If the views of young people can be brought in at local level through the Burslem youth consultative panel, perhaps we can learn nationally from the work that the panel has done.

Mr. Straw: I will certainly take that on board. I do not have direct knowledge of the consultative panel to which my hon. Friend refers, but I know of some others. I know that excellent results have been achieved. Where young people are brought in and offered responsibility, they typically take it with open arms.

Mr. Andrew Rowe (Faversham and Mid-Kent): The right hon. Gentleman knows as well as anyone that in many cases one of the root causes of offending among young people is the fact that they have no self-esteem outside that provided by their peer group. Does he have any proposals to ensure that some of the gangs that roam the streets are directed towards more constructive purposes? It can be done. There is no doubt that the areas in which such gangs rampage suffer most from their activities. It is interesting that, almost without exception, those at a national conference of gang leaders in the United States asked for some way of getting themselves back into the legitimate system.

Mr. Straw: The hon. Gentleman is entirely correct. On visits to young offenders institutions and adult prisons, once one has cut through the bravado, one sees young people who lack any sort of self-esteem and often lack much in the way of formal education. That is why, despite the Prison Service's best efforts, the number of suicides in prison remains at a worrying level. Youngsters who, outside, would have been cocky beyond belief get inside and realise that they have thrown their lives away.

The hon. Gentleman is right to say that programmes aimed at targeting some of those youngsters and moving them away from criminality can be effective. There is a project in my constituency in exactly the sort of area he

[Mr. Straw]

describes: it is highest crime area in the constituency, and the poorest area. It also has the highest levels of unemployment. A project called Youth Works has specifically targeted four or five known young offenders; that work has helped those young offenders, but—much more important—it has ensured that the level of property crime has dropped dramatically. The costs to one of the housing associations of repairing houses has been reduced from £400,000 to £100,000 in a year.

Dr. Brian Iddon (Bolton, South-East): I welcome the Home Secretary's statement today and I am sure that my constituents will, too. However, I am sure he is aware that social services departments across the land are expressing concern about an increasing minority of young offenders being placed in expensive secure accommodation. Will he comment, if not today, on a future occasion, about the resulting increase in costs, for which social services departments cannot budget?

Mr. Straw: There is a problem with social services secure accommodation, because it costs more than £2,000 a week, whereas a place in a young offenders institution costs a quarter of that, at £500 a week. One reason for setting up the national board for youth justice is to ensure much more effective planning and management of the secure estate, and, as part of the comprehensive spending review, we are conducting an audit of such accommodation. Although we have to maintain high standards of quality in secure accommodation, there must be opportunities for savings—after all, it costs £100,000 a year to keep one youngster in such accommodation—and we hope to achieve that. We are also looking at the charging arrangements.

I also say to my hon. Friend that the problem with the current situation is the young offender who simply cannot be remanded in custody and who, for months and months, commits scores—sometimes hundreds—of offences while on bail. When that young offender finally gets put into secure accommodation, everyone breathes a sigh of relief, but, typically, by that stage the habit of crime is ingrained, so the overall cost to the public purse will be much greater. If we can get that small hard core of persistent offenders into secure accommodation earlier, we may be able far more effectively to do something for them and for their victims.

Mr. Nick Hawkins (Surrey Heath): The Home Secretary is well aware of my long-standing interest in the subject of youth justice from the number of times I have raised it in the House. I welcome much of what he has announced, but will he deal specifically with a number of questions?

First, on the issue of restorative justice, does the Home Secretary intend to issue some guidance to chief constables to reinforce what he said to my right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney) about victims being given the final say on whether to meet the perpetrators of crime? That relates particularly to elderly people, because pensioners may be unwilling to meet those who have committed crimes—indeed, to be confronted by young offenders may be the last thing they want.

Secondly, will the Home Secretary agree to publish in due course the legal advice that he and the Lord Chancellor have been given on the question whether the proposals in the White Paper—especially those relating to the abolition of doli incapax—will be acceptable in European law? I worry that the Government's proposals to import the European convention on human rights into United Kingdom law may cut across some of the things the right hon. Gentleman is trying to suggest in the White Paper.

Finally, in response to my right hon. Friend the Member for North-West Cambridgeshire, the Home Secretary suggested that Conservative Members had changed their attitude. I should point out that many Conservative Members have been campaigning for many years for tough measures to be taken against young criminals, especially repeat offenders.

Will the right hon. Gentleman accept that, when the Minister of State, Home Office, the hon. Member for Cardiff, South and Penarth (Mr. Michael), who was in the Chamber earlier, was opposing what became the Criminal Justice and Public Order Act 1994 through 180 hours of Committee debate, the Labour party was opposing our tough measures? Does he accept that his change of attitude, which has been so brilliantly satirised on television over the past few days by Messrs. John Bird and John Fortune, shows that it is the Labour party which has been brought to agree with us?

Mr. Straw: I know that there are many more opportunities for watching television in opposition than in government and I am afraid that I missed Mr. Bird and Mr. Fortune; I shall have to get a tape out of the Library.

The Minister of State has done sterling work and no one has been more energetic in fighting crime and trying to shift the policy towards crime prevention. He has left the Chamber because he is addressing the annual general meeting of Victim Support in my place. I hope to go to the meeting after the statement and I shall tell those present that, of course, victims have to have an absolute right to determine whether they are involved in the process. The explicit answer to the hon. Gentleman's question is: yes, we shall issue guidance, as he requests.

The hon. Gentleman will know that, for good reasons, it is never the practice of Ministers to publish legal advice that they have received either from the Attorney-General or from their legal advisers. We are convinced that our proposal to remove the concept of doli incapax is fully consistent with the European convention on human rights. Interestingly, there was a period in the divisional court—when C *v.* the Director of Public Prosecutions set the law—when doli incapax was effectively abolished. That did not lead to injustice for young offenders, but made for a little more efficiency.

Mr. Gerald Bermingham (St. Helens, South): My right hon. Friend mentioned publicity in respect of certain types of juvenile crime, which causes me some concern. Perhaps he will take on board the concerns that I and many others in the profession have that such publicity can create heroes as well as portray villains. Does not any publicity have to be approached with great caution?

Mr. Straw: It does, but I also think that communities have a right to know, particularly about older

young offenders such as 15, 16 and 17-year-olds. Some young offenders who are dealt with by youth courts are over 18 when they come up for sentence, and the public have a right to know the identity of offenders in that age group—as well as that of some of the younger offenders. It would go against the European convention on human rights and the United Nations convention on the rights of the child to require the names of children accused, but not convicted, of offences to be made known—and I do not support that.

In many cases, it is right for the names of the accused who have been convicted to be made known. I do not think that that will make them into heroes, but we must introduce an element of shaming people. There is nothing wrong with that—it is what kept many of us in check when we were at school; it is an important element of social control, which is what we are about.

Another problem is that the youth courts have retreated into what I have described as a secret garden and have become secret and unaccountable; too few people have known about them. That has reinforced their inefficiency and ineffectiveness.

Mrs. Alice Mahon (Halifax): I welcome many of the measures that my right hon. Friend has outlined, particularly the one involving working with parents and having parents at counselling sessions. Does my right hon. Friend accept that a disproportionate number of young offenders have spent a large part of their lives in care? Obviously, they are emotionally damaged; they have often been abused and feel alienated. Will my right hon. Friend work with other Departments to try to introduce special measures to help that group of vulnerable young people, and to try to divert them from crime and show them that the rest of society cares?

Mr. Straw: Yes is the answer to my hon. Friend. She has raised a very important point. The high proportion of youngsters from care who are locked up at 15, 16, 17 or 18 is depressing. It is a serious comment on the nature of residential care provisions for young people. My hon. Friend will know from the Secretary of State for Health's statement following the Utting report that we take the subject extremely seriously. We have to raise the standards of residential care for children, particularly those who are most vulnerable.

Mr. Richard Allan (Sheffield, Hallam): Does the Secretary of State share my view that the tradition of policing by consent is extremely important in this country and that it is a matter of great concern that many young people come into contact with the police only in a crisis when they are already committing crime? Does he have any plans to enhance the police's community role so that they have more contact with young people before those youngsters commit crimes, and, therefore, see them in more co-operative circumstances?

Mr. Straw: The police are doing a great deal in many areas to improve their connections with local communities. These days, being community police officers is no longer seen by police colleagues as a slightly eccentric task for those who have been put out to grass, but as part of police officers' core activities.

I have gathered from visits around the country that police officers are often involved in youth work. For example, in one town in Norfolk, a police constable dealt with a minor epidemic of youth crime by establishing a youth club in the area. That is one of many good examples of community policing. Let us not forget that the police run attendance centres, which are much neglected, but are often as effective as, if not much more cost-effective than, dare one say it, some activities run by social services departments.

Mr. Ronnie Campbell (Blyth Valley): My right hon. Friend has announced that at least 60 per cent. of young offenders are drug takers, which is a worry, particularly in my constituency where young kids on drugs have got into crime. When they are sentenced, get bail or whatever, they have to wait three, four or five months before they are detoxed. All the time that they are still on drugs, they cause havoc. Has my right hon. Friend any answers to the problem of how to get those kids through the detox treatment and back on the right road? I am aware that not all of them go back on the right road and that many of them, having been detoxed, go back on to drugs, so I know that it is not an easy task.

Mr. Straw: First, I pay tribute to my hon. Friend for the work that he is doing in his area and more widely in respect of young drug addicts. I have visited his constituency and seen that work. We are extremely concerned about the problem, and I do not pretend that there is an easy answer, because the demand for detoxification outstrips the supply.

We believe that there could be a more efficient delivery of services and better co-ordination between some of the drug action teams. That is one reason, out of many, why we are beefing up the national drug action strategy with the appointment of Keith Hellawell, the former chief constable of West Yorkshire, as the anti-drugs supremo and Michael Trace as a deputy. He comes to the task with a different experience; Hellawell has the background of a police officer, whereas Trace has the background of someone who has dealt on the front line with drug addicts in prison. Both will be able to advise the Government on some imaginative improvements to the current system.

Mr. Bob Russell (Colchester): When the Home Office ministerial team is considering the causes of crime and being tough on crime, does it have discussions with other parts of government? Does the right hon. Gentleman agree that national youth organisations have a critical part to play in tackling the problems of youth crime? If so, would he care to comment on a written answer that I received this afternoon which says that the cadet forces of this country have had their budgets cut by £2 million in the current financial year? Will that help or hinder the policies that he set out in his earlier remarks?

Mr. Nicholas Soames (Mid-Sussex): Disgraceful.

Mr. Straw: In answer to the hon. Gentleman's first question, we discuss such matters with other Departments. I chaired a ministerial group that dealt with youth justice and provided ministerial input into our proposals. In addition, my senior policy adviser, Norman Warner, a former senior official and director of social services in Kent, has been chairing a youth justice task force which has involved practitioners from everywhere.

As for the written answer that the hon. Gentleman has received, he will know that we are working within the budgets set by the previous Administration, so I suggest

[Mr. Straw]

that he directs his question about those cuts at the hon. Member for Mid-Sussex (Mr. Soames) who is sitting along the Bench from him.

Mr. Ian Cawsey (Brigg and Goole): Does my right hon. Friend agree that major contributions to youth crime include truancy and suspension, particularly the use of indefinite exclusions from schools? What action will he take to deal with those specific issues?

Mr. Straw: My hon. Friend is right. Unquestionably, if a child is truanting—especially if he or she is then permanently excluded from school—there is a very high risk of that child offending.

Some children have to be excluded from school, but unquestionably many schools are permanently excluding too many youngsters, and it is too convenient for them to do so. I join my right hon. Friend the Secretary of State for Education and Employment—with whom I have been discussing this crucial issue—in saying that schools must examine their internal procedures to try to reduce the number of youngsters who are excluded. In the case of the hard core of youngsters who are excluded, local authorities and schools must ensure that good arrangements are made to provide them with education and other interventions during the period when they should have been at school.

Mr. Desmond Turner (Brighton, Kemptown): Nowhere will the Home Secretary's statement be more welcome than in my constituency, where these problems rank very highly. However, I should be grateful if the Home Secretary would be more specific about the way in which he envisages the use of local authority secure accommodation, not only because of the cost implications, which have been mentioned, but because of the scarcity of such accommodation. To the best of my knowledge, Hampshire, Sussex and Kent between them have available 14 such places, which are already being fully used under the present regime. There is a problem not only of cost but of supply.

I should be grateful if the Home Secretary would elucidate the criteria that will be used to determine how places are used, and what measures he would propose to expand them, because obviously more will be needed.

Mr. Straw: Some more local authority secure accommodation is coming on stream. In previous Parliaments, there was agreement between the parties on the principle that more was needed, and a scheme was established in 1991 to bring more on stream. It is now producing about 200 extra places, which is quite a high proportion.

The problem is partly one of supply and cost, but it is also a question of organisation. There is no effective co-ordination of the current arrangements, and the charging regime can cause local authorities not to use secure accommodation when they should do so. That is why we are establishing the national youth justice board and giving it the responsibility for carrying out an audit of accommodation and for ensuring its proper co-ordination and perhaps its management.

Computers (Century Date Change)

4.27 pm

The Chancellor of the Duchy of Lancaster (Dr. David Clark): With permission, Madam Speaker, I should like to make a statement on how Government Departments and their agencies are tackling the millennium compliance problem—sometimes called the "millennium bomb"—within central Government Departments and their agencies.

The problem is widely understood to pose serious and potentially catastrophic hazards in all organisations, in both public and private sectors, in every country worldwide. It affects mainframe and personal computers and any device containing a microprocessor chip that manipulates dates. That includes telephone equipment, lifts, air conditioning, lighting, clocks, timers and control equipment.

Checking and, where necessary, correcting every system is a detailed, laborious process, and there is a fixed deadline for its completion. My right hon. Friend the President of the Board of Trade is leading efforts to raise awareness of that urgent problem throughout the private sector.

The principal responsibility for ensuring that systems are millennium compliant rests with individual Departments. They are also responsible for ensuring that organisations in the wider public service sectors that they sponsor have the necessary guidance and information. My role is to co-ordinate activity in central Government, assess progress and provide guidance. The Central Computer and Telecommunications Agency in my Department has produced comprehensive guidance for Departments on how to deal with the problem. That is available publicly.

Immediately after taking office, I asked to receive, as soon as possible after 1 October, detailed and costed plans, showing how Departments and agencies were tackling the problem. My officials have now analysed those plans. On the basis of those plans, I am now able to confirm that all Departments and agencies have work in hand and scheduled for completion in time—many by December 1998, a majority by March 1999 and a small number later in 1999. Some Departments will in general give priority to correcting business-critical systems, and may leave systems of minor importance until later.

The total estimated cost set out in the plans is just over £370 million. Most of it will be spent in the current and next two financial years. That is less than some estimates, but is based on careful calculation by Departments and their advisers, and I have no reason to believe that it is not of the right order, but that is something that other Ministers and I shall monitor carefully.

The Government's policy is that the cost will be met from within planned allocations, and the evidence from the plans is that almost 97 per cent. is so covered. Many costs will be accommodated in maintenance and system replacement budgets. In some cases, Departments will bring forward investment plans and adjust their priorities.

Guidance published by CCTA asked Departments to consider whether staff shortages would inhibit progress. The plans as a whole do not suggest that that is a serious problem at present, but I shall keep a close watch on that and have already written to Departments asking for further clarification. I shall ensure that that will be covered specifically in subsequent reports.

Overall, my assessment is that we have established the measure of the problem and set in hand plans which are realistic and achievable, but the bulk of the actual remedial or replacement work is yet to be done, the timetable is tight and there is little margin for error. That is the challenge. The programme needs continuous monitoring, and I shall be checking progress regularly and reporting to the House on a quarterly basis, starting this spring.

It is also my intention that we should be open about the scale of the problem and our progress in dealing with it. I am therefore arranging for all the departmental reports to be placed in the Library of the House and published on the internet; and I shall ensure that progress reports are also made available on a regular basis.

Finally, I can announce today that we are reinforcing and strengthening our effort in two significant ways. First, a ministerial group is being set up, under my right hon. Friend the President of the Board of Trade, to drive forward action to tackle the year 2000 problem across the public and private sectors. I shall be a member of that group, chairing a sub-group which will co-ordinate and drive forward the action for which central Government Departments and agencies are responsible.

Secondly, we have asked Don Cruickshank, the chairman of Action 2000, to reinforce this effort across both public and private sectors by keeping in close touch with the ministerial group and advising on best practice from the private sector. I hope that that demonstrates the seriousness with which we take the problem, and the vigour of our approach to it. Those efforts will be maintained.

Mrs. Cheryl Gillan (Chesham and Amersham): I start by welcoming the Chancellor's statement on millennium compliance—it is not before time. However, many listening to his statement today will have been disappointed. There remain many unanswered questions, which I hope the Minister will now cover.

The Minister has done little today to engender confidence in his handling of the matter. He appears once again to have set up yet another committee chaired by a Minister who is rarely in the Chamber; and he appears to have saved a little money.

The timetable that we set when we were in government seems already to have slipped. Our deadline for all Departments to be compliant was December 1998. The right hon. Gentleman tells us that a small number of Departments will not complete the work until later in 1999. Can he tell us when in 1999? Why is he leaving matters until the eleventhth hour? Which part of the Department of Social Security will not become compliant until the end of August 1999? What minor matters can be left until we are right up against the wire?

Will the right hon. Gentleman give us a date by which all Government systems will be compliant? That is most important. A date for all Government systems has not been given today.

The right hon. Gentleman has glossed over the problems by announcing yet another ministerial group. He has not concentrated on the shortages of staff skilled for this exercise. What estimate has he made of the number of IT specialists and workers that will be required? Is he convinced that we have enough IT-skilled personnel available in the United Kingdom? I have talked to some companies that are already finding a shortage of skills in the United Kingdom, and are contracting with companies as far afield as India. Does the right hon. Gentleman have any contingency plans to cover any shortages that he may find?

To what extent are the Government refusing to deal with non-government organisations and suppliers that are not already millennium compliant? If the Government are dealing with non-compliant organisations, will the right hon. Gentleman set a date beyond which they will cease to deal with such companies? That has been the case in the commercial world with companies such as British Telecom.

The right hon. Gentleman has been less than frank on costs. He said that the costs are less than some estimates, but we need to be convinced on the detail. In the schedule attached to the statement, he surprisingly estimates that the compliance costs for the NHS will be only £6 million, whereas the costs for social security will be £45 million and those for defence will be £200 million. The statement on the Department of Health contains the phrase "excluding embedded systems". Will he tell us the cost of bringing into account, for example, the embedded systems, because there will be problems with, among other things, defibrillators and heart monitors in the health service?

There has been no mention of local government. What steps has the right hon. Gentleman taken to ensure that local government systems will be millennium compliant? Will extra grants be available to councils, and what will be the total cost to local government?

Is the right hon. Gentleman convinced that the Government are doing enough with their awareness programme? How does he react to the Cap Gemini survey, which is detailed in early-day motion 497? The survey shows that 29 per cent. of gross domestic product will be at risk, but if the timetable slips by another three months, the figure will be 37 per cent. Does he agree with the Midland bank survey, which estimates that one in five companies could fail?

How will the right hon. Gentleman deal with the problems of the European Commission, particularly in the light of the answer from the Minister in the Department of Trade and Industry that the Commission has produced no guidelines on millennium compliance? Does he know what steps are being taken by European organisations, and how much will it cost? Surely there will be a serious problem if plans in Europe are behind even our own.

Does the right hon. Gentleman agree that millennium compliance is unavoidable, but as it comes at the same time as Euro-compliance, it presents our organisations and businesses with the greatest IT task ever faced by government and industry? Perhaps he will now realise that, although we cannot put off millennium compliance, we could put off joining the single currency. Should not joining the single currency be postponed?

Is the right hon. Gentleman convinced that all computers that are being sold, including those sold to Government Departments, are millennium-compliant? I do not want to put people off buying computers, but how will the Government ensure that suppliers of computer equipment have checked that their stock is millennium-compliant? Does he appreciate that this is not just a technical problem? What steps has he taken to

[Mrs. Cheryl Gillan]

investigate all contracts, licences, stationery and manual processes? How will he ensure that all guarantees on computer equipment are honoured?

If the Government are asking organisations to certify their millennium compliancy, as I presume they are, how will the Chancellor of the Duchy confirm their compliance? What form will that process take? Even if organisations certify, how will the right hon. Gentleman ensure that their critical systems are indeed compliant? Will he set up a testing system, and if so, what form will it take?

What contingencies does the Chancellor have in place in the event of failure in any testing process or any eventual millennium disasters? Will the right hon. Gentleman give us the details now? If not, will he give us a date by which he will have contingency plans in place?

The year 2000 and the century date change probably constitute one of the most complex and threatening problems that we shall ever face. A time bomb is ticking away inside computer systems whether they are the largest mainframe computers or software embedded in domestic appliances. The possible effect of problems may vary from something that is slightly annoying to something that is a major threat to business, people or the environment, especially in the event of failure of critical safety systems. Will the Chancellor please reassure me and the rest of the country that he has understood the magnitude of the problem and commands the detail of the solution? If he does not, I am not sure that the right hon. Gentleman will last in office until the millennium.

Dr. Clark: I agreed with the hon. Lady only when she described the millennium problem as complex and complicated. I wish that she had not trivialised it. By her cavilling and dislocated series of questions, she showed that she does not begin to appreciate the nature of the problem. Before the hon. Lady jumps in and makes such outrageous statements, I advise her to go to the Library of the House to look up the departmental reports that I have deposited there, or she can read them on CD-ROM or turn to the internet.

There are 1,200 pages of reports from the Departments for the hon. Lady to analyse. My officials and I have spent considerable time analysing all those reports, and we are confident that we shall be millennium-compliant at the appropriate date.

Mr. Michael Fallon (Sevenoaks): When?

Dr. Clark: The compliant time and date is midnight on 31 December 1999. It is as clear as that, and there can be no slippage. I am sorry that I had to spell it out to the hon. Gentleman, but I know that he is not as numerate as he could be.

We are keen that we in the public sector and those in business can work together because it is not viable for one sector to be millennium-compliant and the other not. We obviously need an interface.

The hon. Lady talked about skills. I sometimes wonder where she and her colleagues have been over the past 18 years. There is a shortage of people with computer skills, and training takes time. I remind the hon. Lady that we have been in office for only seven months and that it was her Department which failed to match up to training people in computer skills. It was her Government who set a deadline for millennium compliance, but they did nothing else. They did nothing within the Department to prepare for that.

In the same month as I took office, I looked at the books and found that practically nothing had been done. I then wrote to all my ministerial colleagues—this was in May—asking them to prepare reports. That they did, and I have placed the reports in the Library.

Mr. Rhodri Morgan (Cardiff, West): May I express the gratitude of the House to my right hon. Friend the Chancellor for making this statement? It does not underplay the seriousness of the issue, which is beginning to assume the epoch-making significance of the switchover from the Julian to the Gregorian calendar in 1720, or whenever it was. Indeed, if we went back to the Julian calendar, we might avoid the problem altogether. I do not know whether that is really the case.

My right hon. Friend's statement is important because it emphasises that the millennium will affect more than the banking and finance industries, along with the private computer industry. It will have an effect also on things such as life support machines in hospitals, surgical equipment and our own domestic television sets. Would my right hon. Friend welcome a report by a Select Committee—not necessarily the one in which he and I have a special interest—to reassure the House and the public that the Government, including my right hon. Friend's Department, are being kept up to the mark on that important issue?

Dr. Clark: The Government have no plans to go back to the Julian calendar—I am sorry to disappoint my hon. Friend.

We want to be as open as we can with information and, as I have said, we have published all the reports from Government Departments for people to see. If my hon. Friend—he happens to be a Chairman of a Select Committee—and his Committee want to look into those matters, my Department will give him any and every assistance. The House and the country need to be involved in the issue, and the more who are involved, the better.

Mr. Malcolm Bruce (Gordon): I welcome the Chancellor's statement, which is one for which I have been asking. In opposition, the Labour party was critical of the previous Government's timetable, yet their timetable seems to have slipped behind that of their predecessors.

The right hon. Gentleman's answers seem to be inconsistent with the written answers that I have been receiving. Why, for example, did he issue a statement on 12 November stating that no deadline for tackling this serious problem had been missed, when answers to me show clearly that only three of 16 Departments could confirm that they had met the January 1997 target date?

Why did the Chancellor make a claim about receiving costed and privatised plans as soon as possible after 1 October, when the agreed date with the National Audit Office was completion by October? It is clear from parliamentary answers to me that only seven of 16 Departments could say that all their areas had met the October deadline. How can the right hon. Gentleman explain those inconsistencies?

I am puzzled by the Chancellor's claim that he has covered all aspects of Government and public body responsibility. He quotes a figure to which the Conservative Front-Bench spokesperson, the hon. Member for Chesham and Amersham (Mrs. Gillan), alluded—the £6.1 million for the national health service. Labour Members have observed that we are talking about life support systems and every trust in the land. Is the right hon. Gentleman really asking us to believe that £6.1 million will resolve the problem for the NHS? Will the cost not be hundreds of millions of pounds?

Will the Chancellor explain how he will ensure that all the public bodies outside the central Departments are complying? It is difficult to believe that £370 million is the definitive cost. Experts who have commented on those matters will find £370 million a bizarre figure. They are suggesting costs amounting to billions of pounds. The gap is huge. The right hon. Gentleman has said that, of £370 million, £200 million can be identified for the Ministry of Defence alone. Is he suggesting that that Department can absorb that cost without any consequential cuts in its budget?

It is an extraordinary statement if we are led to believe that the Chancellor of the Duchy of Lancaster has everything under control and covered and that there will be delivery on time. Is the right hon. Gentleman's statement not inaccurate on deadlines? Is it not incomplete about costs and is it not insufficient on how costs will be met? In those circumstances, is the right hon. Gentleman not complacent to suggest that the Government have the matter under control? Will that phrase not come home to haunt him?

Dr. Clark: As far as we are aware, no other Government have undertaken the exercise that we have carried out and published all information for their citizens to see. The hon. Gentleman has taken a particular interest in these matters over the years and has a serious contribution to make in trying to solve the millennium problem, which is not party political but one that affects us all, public and private. It is also a global problem. I urge him not to fall into the trap of accepting the words and figures of the hon. Member for Chesham and Amersham (Mrs. Gillan), who leads for the Conservatives on this. She quoted the figure of just over £6 million for the national health service. That is not the figure for the NHS, for which I have no responsibility and for which I am not speaking. I am responsible for central Government Departments, and the figure of £6 million relates to the Department of Health.

The hon. Gentleman questioned me about a general series of figures. He produced his own figures, in which he estimated that the total cost of the Government's millennium computer problem was almost £1 billion. That of course includes local government, the national health service and various other bodies. The £370 million, which I estimate is the cost of central Government's compliance, is in line with his estimate. We do not know whether his figure is right, but we think that his general ballpark figure is probably about right—that the cost for the public services will be about £1 billion.

Dr. Stephen Ladyman (South Thanet): I am grateful to the Minister for his statement. As a former information technology manager with perhaps a little expertise in this sector, I should warn him that, as the systems for which central Government are responsible are so complex, plans to complete the work in time for the end of the millennium should have been drawn up probably in 1995. I wonder whether he could remind me who was in government in 1995 and suggest why they never took responsibility? The hon. Member for Chesham and Amersham (Mrs. Gillan) said that the Conservative Government had plans for completion of all systems by early 1998, but those plans will not be completed until the end of 1999, and that slippage did not take place in the past six months. I wonder why they did not deal with the slippage at the time.

My main point is this. Will the Minister clarify his statement on auditing plans and how they progress? What plans does he have to ensure that progress is constantly audited and that there is no further slippage?

Dr. Clark: My hon. Friend is right to remind the House of the complexity of this issue and of the many factors that are unknown to the best brains worldwide. He also makes a fair point when he asks what the previous Government did on this issue over the years. On attaining office, I came to the conclusion that they did very little. That is why we are faced with the problem today.

I am aware of the need constantly to monitor and to audit the problem. That is why I have asked each Government Department to send me, every quarter, detailed plans of how they aim to meet their proposals. I have assured the House that those detailed plans will be reported to the House, so that all hon. Members can see them in detail, monitor the position and check that no Departments are slipping. I am in the game of trying not to contrast Department A with Department B, but to ensure that the governing of this country can continue normally after 2000.

Mr. Ian Taylor (Esher and Walton): The Chancellor was unnecessarily touchy about the genuinely important questions that my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) asked. He is also slightly ill informed. I am sure that his officials did not mean to ill inform him, but the previous Government did much on this issue, often with considerable criticism from people who thought that it was all hype.

I am delighted that the figures that he has come up with—which the previous Government started in order to meet the October deadline—show that the costs and the problem are serious. Will he confirm what I think he has just said to the hon. Member for Gordon (Mr. Bruce), the Liberal Democrat spokesman: the £370 million figure is only for central Government services, and the likely cost for the public services will be well over £1 billion? I think that he said at least £1 billion. In my judgment, it will be well over £1 billion because of the extensive problems of the Ministry of Defence, the Department of Social Security and the national health service.

Will the Minister say what he implied in his statement about prioritisation? Does that mean that some public service functions may not be able to continue? Will he answer the important point of what the cut-off date will be for testing, because half the cost is likely to be in the testing, not in the analysis, of the problem? Will he lay down to private sector companies a date beyond which

[Mr. Ian Taylor]

the public sector will not deal with them electronically—unless they have computer compliance that is acceptable to the Government?

Dr. Clark: The short answer to the hon. Gentleman's first question is yes. I am talking only about central Government Departments, and the estimate for them is £370 million.

No one has an accurate estimate of the ballpark figure for public services. I do not demur greatly from the figure proffered by the hon. Member for Gordon (Mr. Bruce) of about £1 billion.

As to our contracts with electronic and IT companies, we now have an agreement that all contracts must be for millennium-compliant machines and equipment. I have today asked the various Departments to do random tests on the equipment that they receive to ensure that those terms are adhered to.

Mr. Brian White (Milton Keynes, North-East): The Minister's statement will be greatly welcomed. Until 1 May, I was working in information technology and, had the good people of Milton Keynes not elected me, I would be working on the millennium problem. One of my concerns is that the debate is mostly about computers, not embedded software. Most people seem to ignore that. Will the Minister assure me that that will be given greater priority in the publicity he issues, and that the testing programmes, which are always the things to be cut in every computer system development programme, will not be cut in this case?

Dr. Clark: My hon. Friend is right to remind us that we are talking about not only IT systems, but the embedded chip issue, although we are not sure of the extent of that problem. It involves not only mainstream and personal computers but things involving dates, such as lifts. Many digital watches may also be affected. Some Departments may not have taken it completely on board, so I have written to all Departments to ensure that they are aware of it.

I heard what my hon. Friend said about testing. Those were very wise words. We shall try to adhere to that because, to ensure that our programme works on the critical day, testing must be done in the lead-up to that period.

Mr. David Atkinson (Bournemouth, East): It is nearly two years to the week since I was the first to raise this issue on the Floor of the House, and was widely ridiculed for doing so.

I warmly welcome this overdue statement, but will the right hon. Gentleman confirm that it will not be enough to ensure that the computer systems for which the Government are responsible are millennium compliant because, if those with which they are linked in the private sector are not, they will all crash together? Will he therefore acknowledge the value of my private Member's Bill, the Companies (Millennium Computer Compliance) Bill, which is listed for its Second Reading tomorrow and which will do a great deal to ensure that this country will avoid much of the chaos that is predicted for two years' time?

Dr. Clark: I acknowledge the hon. Gentleman's interest and expertise in this subject. For obvious reasons, I was aware of his Adjournment debate. Over the years, he has taken a sustained and real interest in this subject. His foresight at that time has been appreciated.

The House will decide on the hon. Gentleman's Bill, but he is absolutely right to say that it is no use us being compliant at the centre if other organisations—both public and private—with which we interface are not compliant. For that reason, we have asked Don Cruickshank to take this forward and to ensure that there are arrangements and co-ordination between the public and private sectors.

Fiona Mactaggart (Slough): I thank my right hon. Friend for the openness that was involved in the publication of the reports about how Departments will proceed. It will make discussions of this kind much more fruitful.

Is my right hon. Friend aware of the depth of the concern that is felt in the business community? First, there is concern about the continued sale of non-compliant equipment. I know that my right hon. Friend is not responsible for that, but I noticed that my hon. Friend the Minister for Small Firms, Trade and Industry was present earlier, and I hoped that my right hon. Friend would have conversations with the DTI.

Secondly, there is what could be described as a mirror image of the issue that has just been discussed. Private companies that have made progress with compliance are concerned about their relationship with Government, and feel that Government are progressing more slowly than some of them.

I spoke at a meeting of the southern region of the Confederation of British Industry, at which both those issues were raised. CBI representatives said in terms that they did not want petty bickering between parties; they wanted collaboration, seriousness and progress. That was stated at the meeting by the right hon. Member for Wokingham (Mr. Redwood).

Dr. Clark: My hon. Friend is right to draw attention to the fact that the Government are prepared to make the information available, not only to Members of Parliament but to anyone who cares to use the internet to find the detailed information supplied by the Department. That process will be on-going.

I take on board the message that my hon. Friend has passed on from the regional CBI that business does not want the issue to be bogged down in inter-party bickering. I am reassured by the fact that Opposition Back Benchers did not follow the lead of their Front-Bench spokesman, and have realised the seriousness of the issue. Along with my right hon. and hon. Friends, I shall try to ensure that they have as much information as possible, so that they can help us to make the balanced judgments that will need to be made.

Mr. Ian Bruce (South Dorset): May I follow what was said by the hon. Member for Slough (Fiona Mactaggart)? I believe that answers are needed to the list of questions that the Minister was given by my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan). I should be grateful if he would answer those questions and publish his answers, because all the issues are relevant.

Will the Minister assure the House that the all-party European informatics market group—of which I am vice-chairman—has been considering the subject for some

time? There have been a number of draft reports, and the group is now about to produce its final report. I hope that the Minister will meet officers and experts from industry so that we can discuss our findings.

The Minister may be interested to know that, in an early draft of the report, it was suggested that we could not have both the year 2000 and economic and monetary union. Clearly, having discovered that, the Chancellor decided to postpone EMU. We recommend that all new Bills should be considered in terms of their implications not just for manpower and cost but for information technology. The right hon. Gentleman has said that Departments' current budgets are sufficient to provide the £370 million that is needed. I do not agree with that, but, if we assume that it is correct, the cost of staff will rise enormously because of demand and the fact that their salaries will be increased.

Experts say that the problem will have to be cured by the end of 1998, because the year 99, put into certain codes, means something completely different from the year 1999. That is not just a millennium problem; it is also a year 99 problem.

Dr. Clark: Having participated in debates on the issue with the hon. Gentleman, I know that he takes a considerable interest in it, and knows a good deal about it. I think that, when he has time to read the detailed reports that are in the Library, he will see that Departments are aware of the problems. The various departmental budgets cover 97 per cent. of the £370 million that I mentioned earlier.

As the hon. Gentleman will know, the obsolescence factor in IT is very great, and there is a very short period for the upgrading and refurbishment of equipment and of IT generally. As we advance with the refurbishment, all the equipment involved is 2000-compliant. The problem is not quite as great as it might at first appear, but I listened to what the hon. Gentleman said, and I shall write to him if there is anything that I feel I have not covered.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. This is a complex matter, but I appeal for concise questions and answers.

Mr. Andrew Miller (Ellesmere Port and Neston): Pursuant to his last reply, does my right hon. Friend agree that the millennium presents us with an opportunity, as well as a serious challenge? In the process of ensuring that Departments purchase millennium-compliant equipment, will advice go downstream to purchasing departments at the levels of, for instance, schools and local government? Will the same advice go to the private sector, particularly the small and medium business sector, through the DTI?

Dr. Clark: I have today stated the Government's position vis-a-vis our own Departments. We have also announced that we are establishing a ministerial group, and that we are asking Don Cruickshank to ensure that the very points raised by my hon. Friend are met. Those points are indeed very serious.

Rev. Martin Smyth (Belfast, South): May I press the Minister? I recognise that he is speaking on behalf of the central Department, and that he has also referred to other Departments, but is the Northern Ireland Office abreast of what is happening? At times, it seems to be in another orbit, and regularly behind developments.

Dr. Clark: The information that I have does not relate to the Northern Ireland Office, but we have made inquiries of the NIO. It is well aware of developments, and is in line with the other Departments.

Mr. Gordon Prentice (Pendle): Does my right hon. Friend understand Labour Members' irritation at the way in which the issue was addressed by the hon. Member for Chesham and Amersham (Mrs. Gillan)? When did the last Government decide not to continue buying computer equipment and computer systems that were millennium-compliant? Has my right hon. Friend that date?

Dr. Clark: I do not have the date, but I think that the whole House will share my hon. Friend's disappointment at the cavalier and cavilling way in which the hon. Member for Chesham and Amersham (Mrs. Gillan) addressed the problem.

Mr. Keith Simpson (Mid-Norfolk): We have had a revelation this afternoon. Whenever the Opposition are on weak ground—*[Interruption.]* I am sorry, Mr. Deputy Speaker. I automatically think of the Labour party as being in opposition.

Whenever Labour Members are on weak ground, they suggest that party politics has somehow come into the issue. I think it right that my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) should ask questions, and should receive answers from the Chancellor of the Duchy. After all, this is a serious issue.

May I bring a specific Government aspect to the right hon. Gentleman's attention? Many hon. Members would be amazed if the Ministry of Defence's compliance costs were only £200 million. I suspect that that figure will go up and up.

I am sure that the right hon. Gentleman understands that we are talking about a vital element of national security, ranging from our Trident nuclear deterrent to command and control systems that are now being operated by our military personnel in Bosnia and elsewhere. It has an international and a multinational dimension. In future, when we wish to question the Government, will we be able to question the right hon. Gentleman on specific departmental issues, or will we have to go from Department to Department to obtain answers?

Dr. Clark: The MOD estimate is accurate, I think. The MOD purchases about half of all the IT purchased by Government Departments. I agree with the hon. Gentleman that the Opposition are on weak ground, not because they are bringing in party politics, but because the hon. Member for Chesham and Amersham tries to rewrite history, which I find strange.

Mr. Tam Dalyell (Linlithgow): On 13 March, I had an answer from Mrs. Angela Knight, then a Treasury Minister, which stated:

[Mr. Tam Dalyell]

"The Treasury has work in progress to identify and test its computer systems to ensure that they will operate correctly at the turn of the century. It has not proved necessary to commission any additional research."—[*Official Report*, 13 March 1997; Vol. 292, c. *323*.]

Has my right hon. Friend resorted to any additional research, particularly in relation to the local authorities? The matter was raised in a Standing Committee on which I served with the hon. Member for Bournemouth, East (Mr. Atkinson).

Dr. Clark: The CCTA and the central IT unit in my Department have conducted considerable research into the matter. On the specific narrow issue, I shall make inquiries and write to my hon. Friend.

Mr. Christopher Chope (Christchurch): Following on from the previous question, can the right hon. Gentleman assure us that local authority systems and police command and control systems will be millennium compliant? Can he estimate the cost of putting those right?

Dr. Clark: As I said before, I cannot put a precise figure on it. I gave the ballpark figure that I estimated was the cost for the entire public sector. We had to take the new initiative because we found that the work had not been done previously by the Conservative Government. That is why we established the Cruickshank Action 2000, so that we could address the problems that he has brought to the attention of the House.

Dr. George Turner (North-West Norfolk): As I have a background in information technology in a university environment, one aspect that disturbs me is that the millennium problem seems to be giving higher rewards to those with long memories than to those with recently trained skills. I suspect that, all too often, we are looking to botch and fix what should be replaced. One of the disadvantages of not starting early enough on a project is that that leads to a waste of money. Is that proving to be the case? If so, will my right hon. Friend give me an assurance that he will seek to minimise it? In the interests of those in the private sector, will he ask my right hon. Friend the Chancellor to investigate whether we can use the millennium as an opportunity for investment in new technology, rather than trying to fix the technology of the past decade?

Dr. Clark: My hon. Friend is right to draw to our attention the temptation to botch when one is faced with a short-term problem. According to the figures that I have, between 50 and 80 per cent. of reinvestment in IT is coping with that problem. It is important that we use the millennium as an opportunity to re-equip and refurbish our industry, so that we can compete more effectively in the new millennium.

Mr. John Hayes (South Holland and The Deepings): Given the right hon. Gentleman's answer to the previous question, and the comprehensive audit that has been carried out, perhaps he will answer a few specific questions—

Mr. Deputy Speaker: Order. Only one.

Mr. Hayes: One specific question, then. Will the right hon. Gentleman tell us how many older turnkey systems are in use in central Government Departments? The problem is more profound with older line of business turnkey systems, rather than with office productivity systems or hardware. How many of the turnkey systems in existence in Government Departments are more than five years old? Any that are more than five years old are bound to be non-compliant.

Dr. Clark: I do not know the answer. I shall find out, if possible, and write to the hon. Gentleman.

Mr. Fraser Kemp (Houghton and Washington, East): I thank my right hon. Friend for his statement. I accept that, as he says, some of the costs associated with the problem can be met from existing IT budgets through the purchase of new equipment. What steps has he taken to ensure that all new materials, equipment and systems purchased now will be compliant and that we shall not have a problem with new equipment in a little more than two and a half years?

Dr. Clark: All the contracts that we have with companies supplying IT and similar equipment to us insist that the new equipment is millennium compliant. As from today, we are carrying out random tests of the equipment received, to make sure that that is the case.

Mr. Nicholas Soames (Mid-Sussex): Is the right hon. Gentleman aware that I, my personal equipment and all my systems are entirely millennium compliant? More seriously, will he take on board the point made by my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) in relation to the Ministry of Defence?

First, having been a Minister there, I believe that the figures being quoted are way under the actual cost. Secondly, my hon. Friend's point about security applies not only to weapons systems and command and control systems, but to intelligence systems. Thirdly, will the right hon. Gentleman ensure that the Foreign Office and the Ministry of Defence inform the House of the representations that they have made to the former Soviet Union, in particular, and other countries holding nuclear weapons and other global weapons systems, and of whether Ministers are satisfied with the security of those systems, given the changes that are taking place in IT?

Dr. Clark: The House will be reassured to know that all the hon. Gentleman's personal equipment is millennium compliant. I am reassured that his clock chip is okay, and that his bios firmware is above the mark.

On the serious issue, the hon. Gentleman certainly has a knowledge of the Ministry of Defence, as I have. I have examined the figures carefully and I have heard what he said. We shall be able to see on a quarterly basis what the position is. He has drawn attention to a serious problem with some of the former Warsaw pact countries, which I shall draw to the attention of my right hon. Friends.

Business of the House

5.15 pm

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): With permission, Madam Speaker, I shall make a statement about the business for next week.

MONDAY 1 DECEMBER—Opposition Day [5th allotted day].

Until about 7 pm, there will be a debate on Government policies on welfare, pensions and disabled people, followed by a debate entitled "The Government's new burdens on business". Both debates will arise on Opposition motions.

TUESDAY 2 DECEMBER—Consideration in Committee of the European Communities (Amendment) Bill [second day].

WEDNESDAY 3 DECEMBER—Until 2 pm, there will be the usual debates on the motion for the Adjournment of the House.

Consideration in Committee of the European Communities (Amendment) Bill [third day].

THURSDAY 4 DECEMBER—Debate on the European Union on a motion for the Adjournment of the House. Details of the relevant documents will be given in the *Official Report*.

FRIDAY 5 DECEMBER—Debate on special educational needs in schools on a motion for the Adjournment of the House.

The provisional business for the following week will be as follows.

MONDAY 8 DECEMBER—Second Reading of the Government of Wales Bill.

TUESDAY 9 DECEMBER—Consideration in Committee of the European Parliamentary Elections Bill.

At 10 pm, the House will be asked to agree the winter supplementary estimates, the votes on account and supplementary defence vote A.

Proceedings on the Consolidated Fund Bill.

WEDNESDAY 10 DECEMBER—Until 2 pm, there will be the usual debates on the motion for the Adjournment of the House.

Remaining stages of the Social Security Bill.

THURSDAY 11 DECEMBER—Remaining stages of the Northern Ireland (Emergency Provisions) Bill.

FRIDAY 12 DECEMBER—Private Members' Bills.

The House may wish to be reminded that on Tuesday 2 December there will be a debate on tobacco advertising in European Standing Committee B, and on Wednesday 3 December there will be a debate on part-time work, European works councils and parental leave in European Standing Committee B.

It is also proposed that, on Tuesday 9 December, there will be a debate on Agenda 2000: structural and cohesion policy, in European Standing Committee B. On Wednesday 10 December, there will be a debate on Agenda 2000: reform of the common agricultural policy, in European Standing Committee A, and a debate on Agenda 2000: a new financial framework, in European Standing Committee B.

Details of the relevant documents will be given in the *Official Report*.

It may be for the convenience of the House to know that, subject to the progress of business, it will be proposed that the House should rise for the Christmas Adjournment on Monday 22 December, and return on Monday 12 January. That means that the open three-hour Adjournment debate held before each Recess will be on the morning of Wednesday 17 December.

[Tuesday 2 December:

European Standing Committee B—Relevant European Community documents: 6294/97 and unnumbered, Tobacco Advertising. Relevant European Legislation Committee report: HC 155-vii (1997–98)..

Wednesday 3 December:

European Standing Committee B—Relevant European Community documents: 10230/97, Part-Time Work; 10975/97, European Works Councils; 10975/97, Parental Leave. Relevant European Legislation Committee report: HC 155-vi.

Thursday 4 December:

Relevant documents: White Paper on Developments in the European Union, January—June 1997 (Cm 3802); The Commission's Work Programme for 1998. Political Priorities (COM (97) 517); The Commission's Work Programme for 1998. New Legislative Initiatives (SEC (97) 1852; European Community Document No 9984/97 on "Agenda 2000".

Tuesday 9 December:

European Standing Committee B—Relevant European Community document: 9984/97, Agenda 2000: Structural and Cohesion Policy. Relevant European Legislation Committee report: HC 155-vi (1997–98).

Wednesday 10 December:

European Standing Committee A—Relevant European Community document: 9984/97, Agenda 2000: Reform of the CAP. Relevant European Legislation Committee report: HC 155-vi (1997–98).

European Standing Committee B—Relevant European Community document: 9984/97, Agenda 2000: New Financial Framework. Relevant European Legislation Committee Report: HC 155-vi (1997–98).]

Sir Patrick Cormack (South Staffordshire): I once again thank the Leader of the House for announcing two weeks' business. That is very helpful, and much appreciated. I thank her also for providing the dates of the Christmas recess, but I ask her to think again.

The right hon. Lady must be aware that there are many working mothers—she is one herself—within the Palace of Westminster; and I do not refer only to elected Members. Would it not be more sensible to forgo a non-sitting Friday so that the House may rise on 19 December, rather than returning for one day and causing great inconvenience to hon. Members, and to members of staff—who are often neglected and who serve us so well in this place?

Will the Leader of the House kindly assure us that there will be no Government statement—we have seen this afternoon how long they can take—on Monday, which is a Supply day? Will she do her best to ensure that, unless there is an emergency, she will never schedule statements for Supply days?

[Sir Patrick Cormack]

The right hon. Lady may recall that there was always at least one day's debate on autumn financial statements in the past. A major financial statement was delivered this week: can the Leader of the House promise that we shall be able to debate it for at least one day?

The House will spend a number of days debating the European Communities (Amendment) Bill. Will the right hon. Lady provide an assurance that she has no intention of imposing a guillotine on that measure? In that context, as the House has now approved the Modernisation Committee's first report, will she say when she proposes to begin implementing the report's recommendations with respect to future Government legislation?

A statement this afternoon revealed the enormous potential danger posed by the millennium time bomb. Can we please have a full debate on that issue in the fairly near future?

Finally, I have received several very disturbing accounts from hon. Members—and not just those in my party—about the length of time that Ministers are taking to reply to letters. I refer not to letters on what might be called contentious topics, but to letters that often forward requests and inquiries from constituents and organisations. It is unacceptable that Members should have to wait from 1 September until 27 November, for example, for replies. Will the right hon. Lady, in her capacity as Leader of the House, deliver an early statement about that matter?

Mrs. Taylor: As to the first point, about the late sitting of the House until 22 December, it is not a matter of personal choice. Like the hon. Gentleman, I could do other things on that day, in both a personal and a constituency capacity. I know that many hon. Members try to attend constituency functions, sorting offices and things of that kind. However, the House has a heavy programme. I think that the hon. Gentleman is well aware of the reasons why Parliament cannot return any earlier, so we must sit on 22 December.

The hon. Gentleman asked for a guarantee that there would be no statement on Monday, or on Supply days generally. We try to avoid scheduling statements on such days. I can never say never, but we shall use our best endeavours to ensure that there are no statements on Monday. That is one reason why we had two statements today.

The hon. Gentleman asked for a debate on Tuesday's statement by the Chancellor of the Exchequer. I was somewhat surprised that there were no requests for such a debate during the question-and-answer session on Tuesday. Perhaps hon. Members have thought about it since then. Hon. Members had a good opportunity to question the Chancellor on Tuesday, but I will not rule out a debate. Perhaps we can discuss it through the usual channels: I am happy to enter into discussions on that point.

As to the European Communities (Amendment) Bill, we are allowing two days for further discussions next week, and we shall see what kind of progress is made then. We have just had a statement on the "millennium time bomb", as the hon. Gentleman called it. My right hon. Friend the Chancellor of the Duchy of Lancaster said that he would keep the House informed about the issue, and that he intended to place significant information in the Library. We shall monitor the situation, and, if it proves necessary, my right hon. Friend will return to the House and update hon. Members.

The hon. Member for South Staffordshire referred to the delay in ministerial replies to hon. Members. I am aware of that problem, because it was raised in the House a few weeks ago. I said then that, if any hon. Member had particular difficulties, I would try to check on the situation. One or two examples were provided, but there have been few representations.

I know from my own inquiries that Ministers are receiving far more letters than their predecessors did in the previous Administration. Expectations of Ministers are higher this time, so replies sometimes take longer. I repeat that, although I offered to try to help, very few hon. Members have taken up that offer of assistance.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I welcome the fact that the Government of Wales Bill is to have a Second Reading. If the Government intend to split the Bill between the Floor of the House and Standing Committee, will hon. Members who represent Welsh constituencies be fully consulted about such a split? Will my right hon. Friend give considerable thought to how the Committee stage will be dealt with? She may remember that there were many protests about the handling of Welsh legislation in the last Parliament. Will she ensure that all Welsh Members who are interested in serving on such a Committee will be able to do so?

Mrs. Taylor: I know that my hon. Friend has very strong views on this matter, as do other hon. Members on both sides of the House. There is no simple party divide as to how we should handle legislation of that kind.

As I said in my statement, I have announced the business for the second week on a provisional basis. Discussions have begun through the usual channels about the handling of the Government of Wales Bill—and, later, of the Scotland Bill. We want to try to agree a way forward with all parties in the House. I hope that hon. Members will make their views known and will feel able to make representations in the way that my hon. Friend has done. When we have had further discussions, I hope to be in a position to make a more definitive statement about how the Bills will be dealt with.

Mr. Paul Tyler (North Cornwall): I reiterate the concern felt by many hon. Members about the delays in ministerial correspondence. There is equal concern about the apparent increase in the number of delayed replies to written questions.

I reinforce the concern that I think will be expressed by hon. Members and members of staff about the business on Monday 22 December. Perhaps the Leader of the House can examine carefully the business for that day to see whether she may ease the strain and stress.

I thank the Leader of the House for listening to representations about the timing of the debate on welfare to work. Many hon. Members—particularly those who serve on the Social Security Select Committee—would have been at a considerable disadvantage and would have been unable to participate in the debate as they will be on a special study tour on the day specified. Will the Leader of the House announce an exact date for the usual

statement on social security benefits upgrading, which we expect at this time of year and which is of considerable importance to our constituents?

We were anticipating the arrival of several measures—both Bills and White Papers—from the Department of Health, perhaps in conjunction with other Departments. However, they seem to have been pushed into a backwater or up a branch line in Downing street—to either No. 10 or the Cabinet Office—with the intervention of yet more Ministers and consequent delays. We expected to see three Bills in the next few days, as well as a White Paper on food safety, and we now do not know when they will arrive. Will the Leader of the House assure us that that is not a sign that the position of the Secretary of State for Health is now unassailable?

Mrs. Taylor: I take the point that the hon. Gentleman made about delays in letters and written answers. If he has specific information on such delays, I should be happy to deal with any queries that he may wish to raise with me.

I appreciate the problems that the 22 December sitting will cause for some hon. Members, but we have a very packed legislative programme, and there are some Second Readings that we wish to progress.

In his last point, the hon. Gentleman complained that the House is not making enough progress, yet he complains that we will sit on 22 December. These are difficult judgments, but we want to go ahead with as much of the programme as possible.

I appreciate the hon. Gentleman's comments on changing the date of the welfare-to-work debate, which is provisionally scheduled for 19 December. I hope that that date will be for the convenience of hon. Members who, for very good reasons, requested a change of date. We will try to accommodate such changes if they are necessary. That is one reason why I say that business for the second week is provisional.

My right hon. Friend the Secretary of State for Health is happy with progress on the various very large issues that are facing his Department. We will have a White Paper on health in the very near future, and it is important that such a White Paper is launched by a statement in the House. We need to make statements to the House on a series of issues. Therefore, it will be better if we try to pace them, and ensure that each gets proper consideration.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my right hon. Friend try to find time for an urgent debate on maintaining jobs in manufacturing industry? My constituency might serve as an example. We are facing pressure on jobs in train repairing, in Rolls-Royce motor cars, and even in a tea factory. Will she also seriously examine the business of retaining the absurd system of having Fridays off—which effectively means that Thursdays, too, are a dead day? Ministers and hon. Members would really much prefer to work solidly through the week, right up to Christmas, rather than to have extra days, such as 22 December.

Mrs. Taylor: The House will be sitting every Friday this month. Two of the Fridays will be used for debates on the Adjournment, in Government time, and two of them will be used as private Members' days. We currently have a good mix in the use of Fridays. I think that most hon. Members appreciate constituency Fridays, because we can plan some time in advance what we will do in our constituencies.

I appreciate and understand my hon. Friend's long-term concern about jobs in the manufacturing sector. I hope that my right hon. Friend the Chancellor of the Exchequer's statement on Tuesday and the Government's welfare to work programme will help to improve skills in this country, with a consequential beneficial impact on jobs in manufacturing. Perhaps that matter could be raised in the debate that I said should be held on 19 December.

Sir David Madel (South-West Bedfordshire): Will the right hon. Lady look again at the business on Friday, 5 December? Yesterday, the Prime Minister said that he could not answer questions about disability benefits, because a consultation process was going on. There is, of course, also a consultation process going on about special educational needs in schools, and it is not due to finish until 9 January 1998.

Therefore, it would be much better to hold the debate scheduled for Friday, 5 December after the consultation process has ended—in the middle of January. If that were done, she could move the programme for Monday, 22 December to Friday, 5 December, perfectly dealing with the point made by my hon. Friend the Member for South Staffordshire (Sir P. Cormack) on the organisation of business in the House.

Mrs. Taylor: It is very easy to shuffle all those cards around. Ultimately, however, we have to provide, for example, for two weekends after Second Readings. If we did not, Conservative Members, including the hon. Gentleman, might well complain. The matter is therefore not quite as simple as shuffling the cards, as he suggests.

It is a very good idea to have a debate on special educational needs. Many hon. Members feel that it would be beneficial if the Green Paper itself were discussed. It would be a good opportunity for hon. Members to report on the consultations that have already taken place, and for Ministers in that Department to open the debate and to give the paper further publicity, so that more people can participate in the consultation exercise.

Mr. David Winnick (Walsall, North): If, as we hope, tomorrow's private Member's Bill will be passed by a large majority, will my right hon. Friend tell us whether, next week, there will be a statement of the Government's intention? Has she seen the latest opinion poll, in today's edition of *The Times*, which shows that more than two thirds of the public support the measure? It seems to me that the Government should give either time or a definite commitment that such a measure will be added later—for example, to a Criminal Justice Bill. The House should be told. The public want such a measure, and they have a right to expect progress towards proper legislation.

Mrs. Taylor: There is a great deal of interest, both inside and outside the House, about tomorrow's debate on the Wild Mammals (Hunting with Dogs) Bill. I myself will be voting for it. If the House supports the Bill tomorrow, I hope that the Bill's opponents will respect that support, and not attempt to frustrate its passage.

[Mrs. Taylor]

We should not anticipate problems before they occur, but we have made it clear that we cannot provide Government time for any private Member's Bill.

Dr. Liam Fox (Woodspring): Will the Leader of the House make time for a debate on Members' privilege? She will be aware that, last week, I raised the issue of the M5 contract irregularities. I am restricted in making the case on that matter directly to the Secretary of State, because an hon. Member is not covered by the same privilege when making a case to the Secretary of State as he or she is when speaking in the House.

It seems to be a ridiculous compartmentalisation of our work that we can raise an issue orally in the House to deal with something that we regard as a wrongdoing in our constituency, but that we cannot put the matter to the Secretary of State in writing. If we are to work effectively, does not that anomaly have to end?

Mrs. Taylor: The hon. Gentleman raises a significant point that affects all hon. Members trying to perform their job on behalf of their constituents. I cannot promise a debate, as he requested, but I will draw his comments to the attention of the Joint Committee on Parliamentary Privilege. Perhaps I should remind hon. Members of the existence of that Committee. We will be inviting anyone with an interest in the matter or who wishes to comment on changes to submit evidence to the Committee. Examples of the type that he gave will help the Committee in its work.

Mr. Dennis Canavan (Falkirk, West): Before the Christmas recess, can we have a statement from the Secretary of State for Social Security that will end, once and for all, the social insecurity being caused by her proposals to cut benefits for single parents and their children? More than 100 Labour Members have signed a letter of protest, and more than 90 hon. Members have signed early-day motion 333, deploring such an attack on the living standards of single parents and their children.

[*That this House notes that a major impact of any cut in lone parent child benefit will be on parents who obtain work and that this appears to be contrary to the Government's strategic objective of encouraging lone parents to get jobs; therefore considers that before proceeding with this proposal a full assessment of its impact on the living standards of the children should be undertaken, including reference to the Social Security Advisory Committee and consultation especially with women's organisations and those campaigning against child poverty, so that these can be taken fully into account by both the Government and the House.*]

Mrs. Taylor: On other occasions, Ministers have explained not only the position and the difficulties that we have inherited, but the significant initiatives that have been taken to help lone parents back into work. The points raised by my hon. Friend can, of course, be raised in other debates that will be held in the near future.

Mrs. Margaret Ewing (Moray): What liaison has the Leader of the House had with the Scottish Office and with Scottish Members in determining the pattern of business in the House? Why, for example, will we not have before Christmas the publication or a Second Reading debate on a Scottish Parliament Bill—although we welcome the debate on the Welsh Assembly?

May I point out also that, next week, the Scottish Grand Committee will meet on Wednesday afternoon. Hon. Members who serve on the highlands and islands convention will have to leave on the Thursday afternoon to attend a meeting, on Friday, in the Orkneys. That will deprive us of the opportunity to participate in a debate on the European Union, although the European Union is very important to the highlands and islands of Scotland. There needs to be a recognition of the pressures that are placed on hon. Members who come from the far-flung corners of the United Kingdom.

Mrs. Taylor: All hon. Members find it very difficult to do all the things that they would like to do. Very often, choices have to be made between constituency work, attending Committees and being in the Chamber. It is an inevitable difficulty, which always arises. As for the Scotland Bill, I have not announced all the business up to the Christmas recess or all the Bills that will be published.

Mr. Tam Dalyell (Linlithgow): Does that mean that the Scotland Bill is likely to be debated on 22 December?

I have given the Leader of the House notice of my next question: given the widespread feeling among Arab countries that Britain is acting as the poodle of the United States, is there any possibility of some proper discussion of our relations with the Arab world?

Mrs. Taylor: In response to my hon. Friend's suggestion that I am simply keeping the House sitting on 22 December to debate the Scotland Bill, I have to say that other Bills are awaiting their Second Reading as well as the Scotland Bill. As for his request for a debate on our relations with the Arab world, I am grateful to him for giving me notice of it. My hon. Friend is always heard with great respect on these issues. During the recent crisis, we tried to keep the House as informed as possible, but I am sorry that I cannot find time for the debate that my hon. Friend wants. He could perhaps raise such issues in the Adjournment debate before the Christmas recess.

Mr. Graham Brady (Altrincham and Sale, West): I am sure that the right hon. Lady will be as concerned as I am that I received a telephone call in my office only at 11 am today, informing me that the Secretary of State for Education and Employment was opening a new building at a college of further education in Altrincham at lunchtime today. I gather from the point of order raised yesterday by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) that this lack of notice is an increasing trend. Will the right hon. Lady arrange a seminar on procedure for her ministerial colleagues?

Mrs. Taylor: I will certainly investigate what the hon. Gentleman has said, although, if my right hon. Friend the Secretary of State for Education and Employment was to be in Altrincham at lunchtime, he must have done very well, because he was certainly in London at 11.30 am.

Mr. Peter L. Pike (Burnley): My right hon. Friend will be aware of press rumours that there might be a change in Government policy with regard to freemasonry and the

appointment of the judiciary. Will she find time for a statement to be made to the House next week to clarify the Government's position in that respect?

Mrs. Taylor: The Government have not changed their mind on freemasonry. We remain of the view that the public interest is served by having a register of membership of the freemasons for police officers, magistrates, Crown prosecutors and judges. We are considering the detail of how to implement that approach, and we will be responding as soon as possible to the Home Affairs Select Committee, which has commented on this matter.

Mr. Bernard Jenkin (North Essex): Will the Leader of the House stand by the assurance given by the Secretary of State for Wales in a press release issued this morning on the publication of the Government of Wales Bill:

"During the Bill's parliamentary progress, it is, of course, open to any hon. Member to pur forward changes to the Bill and to have these explored in detail through open debate."?

Mrs. Taylor: I am sure that the Bill will get the full attention of all hon. Members, which it deserves. As I said, we are discussing through the usual channels and with other hon. Members the detailed handling of the Bill.

Mr. Desmond Turner (Brighton, Kemptown): Will the Leader of the House find time for a short debate on industrial relations, particularly in light of the extensive lobby of the House this afternoon by members of staff from Barclays bank, who have been involved in a long-running dispute, which I regret has not been the subject of conciliation and arbitration by the Advisory, Conciliation and Arbitration Service, as the Government would wish?

Mrs. Taylor: I am afraid that I cannot arrange for such a debate. My hon. Friend will be aware that the Government would not wish to intervene in or comment on disputes of this kind. If he has a particular constituency interest, he might find other ways—perhaps by applying for an Adjournment debate—to raise the issue in the House.

Mr. John Bercow (Buckingham): Will the Leader of the House find time for a debate next week on the national minimum wage, as that would enable the House to explore the deep and worrying split between the President of the Board of Trade, who believes that widespread exemptions from it are impracticable, and the Minister without Portfolio, who believes that they are essential? Does the right hon. Lady understand that, if her answer is the usual niggardly no, people will start to inquire what exactly this shabby and unprincipled Government are afraid of?

Mrs. Taylor: The hon. Gentleman does not seem to be aware that the National Minimum Wage Bill was published today, and will be discussed in the House in the near future.

Rev. Martin Smyth (Belfast, South): The Leader of the House referred to the fact that hon. Members like to have two weekends between Second Reading and the Committee stage of a Bill. I understand that my colleagues were not able to table amendments to the Northern Ireland (Emergency Provisions) Bill because of pressures placed on them by the Stormont talks. Would it be possible for amendments to be taken on Third Reading?

Mrs. Taylor: If hon. Members face any particular difficulties, we will always consider them, but we have given as much notice as possible of all stages of the Bills that have been introduced.

Mr. Nicholas Soames (Mid-Sussex): I join my hon. Friend the Member for South Staffordshire (Sir P. Cormack) in thanking the Leader of the House for giving two weeks' notice of business. It is extraordinarily helpful to colleagues to be able to plan further ahead. It is very good of her to make the effort, and I am sure that it is a practice that she will continue.

I respectfully draw to the right hon. Lady's attention a point made by several colleagues about the lateness of ministerial replies to constituents' letters. Not only are they consistently late—it is not true that the burden of letters is greater now: I have checked with my former Department and the burden is about the same, although it is still onerous—but many are not signed by Ministers, and this is happening regularly.

Of course, Ministers often have to go abroad and letters have to be signed in their absence perfectly straightforwardly, but the number of instances of this happening is unacceptable. Does the right hon. Lady accept that such a practice is not only impertinent to hon. Members who are writing to Ministers in an official capacity, but extremely rude to their constituents who have a right to expect a Minister to take the trouble to sign a reply which has, in any event, been drafted for him by someone else?

Mrs. Taylor: I am grateful to the hon. Gentleman for his opening comments. I will try to sustain the practice of giving two weeks' notice, but, as I said, it might not always be possible and such business will be provisional.

As for ministerial replies, I have said that I am concerned if there is a problem. I would welcome evidence from individual Members. The burden of letters is greater—I have checked with one or two Departments where that is clearly the case. The hon. Gentleman referred to Ministers not signing letters personally. There are always occasions, under any Government, when Ministers are not available, and I am glad that some hon. Members recognise that. It is of course desirable that Ministers should sign letters to hon. Members wherever possible, but that cannot always be the case.

Mr. Oliver Letwin (West Dorset): Will the Leader of the House clarify her views on the conduct of European Standing Committee B? There have been a number of occasions—indeed, this has happened at every sitting so far—when papers have been delivered extraordinarily late, sometimes with only 12 hours' notice. There have also been times when Ministers have steadfastly refused to answer serious questions, and the Liberal Democrats have been utterly absent from the previous three sittings, thereby illustrating their contempt for the Committee proceedings.

[Mr. Oliver Letwin]

Will the Leader of the House tell us why the most recent papers for the tobacco debate to which she referred fail to contain any reference to compliance costs or risk assessment, despite the relevance of those issues to that debate?

Mrs. Taylor: If the hon. Gentleman has some queries about any of the factors he mentioned at the end of his question, he will be able to raise them in that Committee. I take this opportunity to remind all hon. Members that they can attend the European Standing Committees—and, indeed, some do. I know that there was a difficulty this week—on Tuesday, I think—in the sense that one of the documents that was tagged as relevant to the debate was not available until the evening before. However, it was not the document that was to be approved. It was an incidental document, which was useful but not vital to the work of the Committee.

As for the absence of Liberal Members, it is not for me to answer for them, although I suspect that some may have spent some time in Winchester.

Mr. Andrew Lansley (South Cambridgeshire): Will the Leader of the House find an early opportunity for a debate on local government finance, or allow for a debate shortly after any statement on the revenue support grant settlement? Is she aware that that will present an opportunity for a matter of serious concern in Cambridgeshire to be aired? Less than a month before the general election, the Prime Minister promised that the recommendations of the Elliott review into the area cost adjustment would be implemented for 1998–99, but her hon. Friend the Minister for Local Government and Housing says that that is not to happen, so that promise is to be broken.

Mrs. Taylor: I can confirm that the Department is considering a fairer system for the working of local government finance, and that there is much discussion on that matter. A statement on this year's settlement will be made in the near future.

Mr. Laurence Robertson (Tewkesbury): Can the Leader of the House be a little more specific about the Committee stage of the Government of Wales Bill, following the point raised by my hon. Friend the Member for North Essex (Mr. Jenkin) and also the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who sits on the Government Benches? Will she take into account the fact that, although hon. Members from Wales have a great deal to contribute to such a Bill, so do hon. Members on both sides of the House?

Mrs. Taylor: I am sure that hon. Members from Wales have a great deal to say, although none of them will be representatives of the Conservative party, because it has no Members for Wales. I have been as fair as possible. The usual channels are discussing the handling of the Bills, and my colleagues and I in the usual channels are happy to receive any representations from any quarter of the House.

Mr. David Chidgey (Eastleigh): Is the right hon. Lady aware of the growing public concern at the aggressive and predatory marketing of pre-paid funeral services targeted particularly at the elderly and the vulnerable, as set out in some detail in early-day motion 504.

[*That this House notes the growing concern over allegations of widespread aggressive and predatory marketing of prepaid and at need funeral and burial services targeted at the elderly and bereaved, the lack of transparency in the ownership of seemingly family run funeral parlours and in the prices charged for their services; the lack of control over the use and management of investments into prepaid funeral plans, now exceeding £10 million and growing rapidly and over the endorsement of these products by registered charities whose subsidiary trading companies are in receipt of commissions on sales; further notes that recommendations made by the Office of Fair Trading in 1995 to curb anti-competitive practices in the supply of funeral services have yet to be acted upon; and calls on the Government to bring forward legislation without further delay to regulate the selling and management of prepaid funeral investment plans, require total transparency in the declaration and display of ownership of funeral businesses and their charges, control the commercial activities of registered charities and their trading subsidiaries in the context of their charitable status and prohibit anti-competitive and predatory trading practices through direct selling techniques, through monopoly positions, and through exclusive commercial arrangements with nursing homes, hospices and NHS hospitals bereavement services.*]

May I remind the right hon. Lady and the House that, in 1995, the Office of Fair Trading reported in some detail on the unregulated nature of those services, and made several recommendations on introducing regulatory legislation? Please will she find time to debate that issue fully in the House to try to stamp out the unfair practices and predatory behaviour of those organisations?

Mrs. Taylor: I can understand the hon. Gentleman's concern, which may be shared by hon. Members on both sides of the House. There have been difficulties, which have been reported to many of us as constituency Members. Presumably that is why that early-day motion was tabled. My hon. Friend the Minister responsible for consumer affairs is studying that matter and consulting. Perhaps that issue would be suitable for an Adjournment debate.

Orders of the Day

European Communities (Amendment) Bill

Considered in Committee

[SIR ALAN HASELHURST *in the Chair*]

Clause 1

MEANING OF "THE TREATIES" AND "THE COMMUNITY TREATIES"

5.55 pm

Mr. Michael Howard (Folkestone and Hythe): I beg to move amendment No. 65 in page 1, line 12, at end insert—

'but (for the avoidance of doubt) not Article 1 of the said Treaty.'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 13, in page 1, line 13, after '(i)', insert

'Article 1 (other than paragraph 1)'.

No. 14, in page 1, line 13, after '(i)', insert

'Article 1 (other than paragraph 3)'.

No. 15, in page 1, line 13, after '(i)', insert

'Article 1 (other than paragraph 5)'.

No. 17, in page 1, line 13, after '(i)', insert

'Article 1 (other than paragraph 10)'.

No. 18, in page 1, line 13, after '(i)', insert

'Article 1 (other than paragraph 11)'.

No. 19, in page 1, line 13, after '(i)', insert

'Article 1 (other than paragraph 12)'.

No. 20, in page 1, line 13, after '(i)', insert

'Article 1 (other than paragraph 13)'.

No. 21, in page 1, line 13, after '(i)', insert

'Article 1 (other than paragraph 14)'.

No. 1, in page 1, line 13, after 'Articles', insert

'1, other than the words in paragraph 5, (Cm. 3780, page 9) "and through the establishment of economic and monetary union, ultimately including a single currency in accordance with the provisions of this Treaty".'.

New clause 30—*Extension of jurisdiction of European Court of Justice: legal advice*—

'.—This Act shall not come into force until Her Majesty's Government has obtained specific legal advice from the Attorney General setting out the extent to which the provisions on police and judicial co-operation in criminal matters in Article 1 para 11 of the Treaty of Amsterdam extend the jurisdiction of the European Court of Justice in the United Kingdom, such advice to form the basis of a report to each House of Parliament and to be subject to an affirmative resolution.'.

New clause 37—*Relations between European Union and WEU*—

'—The Government will not take any steps to foster relations between the European Union the WEU with the view to the possibility of the integration of the WEU into the Union, as contemplated by Article 1, paragraph 10 [Article J.7] of the Treaty of Amsterdam, without first tabling a motion in each House of Parliament which shall be subject to affirmative resolution.'.

New clause 38—*Common foreign and security policy*—

'—The Government shall not take any steps to participate in the decision making arrangements as set out in Article 1 paragraph 10 [Article J.13 1 and 2] of the Treaty of Amsterdam, without first tabling a motion in each House of Parliament which shall be subject to affirmative resolution.'.

Mr. Howard: Today, we begin our detailed examination of the treaty of Amsterdam. That treaty was the first major test of the Government's attitude to important international negotiations. We can assess their performance by reference to a number of criteria. How successful were they in achieving their declared objectives? Did they press and persuade our partners in the European Union to come round to Britain's way of thinking when they might initially have been disposed to take another view? Were they steadfast in resisting the views of our partners when those views did not reflect this country's interests or represent the best way forward for Europe as a whole?

On all those criteria, the previous Government's record was impressive. We demonstrated that it was possible to take a leading role in Europe—hon. Members need look no further than the single market for an outstanding example of that—while successfully safeguarding Britain's interests.

I hope that, after the Foreign Secretary's extraordinary revelations on Tuesday we shall hear no more about the wonderful spirit of co-operation that has supposedly been brought about by the Government's attitude to Europe. Last Tuesday, we were told that, after the summit had ended, Spain and the Dutch presidency had reached a bilateral agreement. That deal made a significant change in the treaty and one that was detrimental to Britain's interests. Moreover, it is in direct contradiction with what the Prime Minister told the House on his return from Amsterdam on 18 June. It is an extraordinary allegation to have made. If true, it gives the lie in the clearest possible way to the Government's pretensions and so-called achievements in Europe.

Let us examine the present Government's performance against those criteria.

Mr. Mike Gapes (Ilford, South): Is the right hon. and learned Gentleman saying that the previous Government, with their policy of stopping the show at the negotiations, would have got a successful agreement with all the other European Union countries? Or is he saying that he disagrees with the policy of the former right hon. and learned Member for Edinburgh, Pentlands and would not have adopted that approach if he had been Foreign Secretary at that time?

Mr. Howard: I have no doubt that the previous Government would have obtained a successful outcome at Amsterdam and one that would have differed significantly from that obtained by the present Government.

Some of the most important aspects of the Amsterdam treaty are dealt with in the amendments and new clauses that we are considering today. Hon. Members will be aware that not all parts of the treaty are amendments to the European Communities Act. Those parts which do not need to be incorporated in our legal system can be agreed by the Government without the approval of the House. Treaty articles which are held to be intergovernmental in

[Mr. Howard]

structure come into that category. Yet, although nominally intergovernmental—I shall come to that shortly—those provisions will have a significant impact on the sovereignty of this House and Britain's place within the European Union.

The amendments and new clauses tabled in my name and those of my right hon. and hon. Friends would, if accepted, make it clear that, although the House cannot override the Government's right to use the Crown's treaty-making prerogative, it does not accept the principle set out in article 1 of the Amsterdam treaty. That article contains measures which give rise to serious concerns about the treaty among Conservative Members. Many were measures that the Conservative party promised to oppose in its manifesto, and many were measures that Labour, too, claimed it would resist.

Three main aspects of the article concern us. The first is the role and powers of the European Court of Justice, the second the measures on human rights and the third, the moves towards further integration in foreign policy and defence. I will deal with each in turn, but I shall begin by exploring a little further the supposed division of the Amsterdam treaty into supranational and intergovernmental sections—the distinction which limits the extent to which the House has any real say over the ratification of that part of the treaty.

At Maastricht, foreign and security policy and justice and home affairs policy were hived off into the so-called second and third pillars. They were to be intergovernmental matters, with the question of the jurisdiction of the European Court of Justice left open. The Amsterdam treaty does much to undermine that pillared structure. Article K.7, for example, explicitly involves the European Court of Justice in the third pillar, seriously undermining the valuable distinction that we had agreed at Maastricht. I apologise to hon. Members if this seems abstruse and esoteric, but it is important.

The involvement of the European Court of Justice in that area of policy represents the difference between collaboration among nations and supranational authority. It is the difference between co-operation and integration. Since neither the Prime Minister nor the Foreign Secretary made any mention whatever of that article, I can only conclude that its importance has eluded them. However, I cannot believe that even they can have missed the significance of article K.2 on policing. The previous Government were proud to have agreed measures on common action against international terrorism. We played a key role in the establishment of Europol. At a time when Germany and France held completely different views about its nature—they were at an impasse—I helped to bridge the differences and bring them together.

6 pm

We were always aware that some of our European partners had ambitions to create a European army and a European police force. Some members wanted Europol to be a superior federal force, a sort of European FBI. Article K.2 is a step in that direction. It empowers Europol personnel to join in national policing operations in a support capacity. That is a significant change. What status will those personnel have? Will they have diplomatic immunity? How, and to whom, will they be accountable? Those are serious questions to which I hope the Minister will respond.

Our reservations are reinforced by the provisions in the treaty that relate to the European Court of Justice. All parties should be able to agree on reform of the court. All parties should cherish the impartiality and efficiency of judicial institutions. This debate has nothing to do with whether one believes in a Europe of nations, as we do, or wants to hand over yet more powers to Brussels, as the Government do. The Conservative party believes that the European Court of Justice must remain the guarantor of the single market. Common rules require a supreme authority to interpret them. Without a strong, independent court, we could neither ensure the even application of Community law nor prevent the abuse of power by other EU institutions.

It is equally important that the European Court of Justice remains within the remit given it by member states. That much is, or ought to be, common ground to left and right, federalists and non-federalists. There is concern across the EU that the European Court of Justice has taken to exceeding its competence and to adopting its own political agenda. Several judgments, such as that in the Francovich case, have gone beyond what is provided for in the text of the treaties. Some have had serious consequences for national exchequers. In a series of controversial judgments, the court has extended its jurisdiction beyond what was specifically bestowed on it by member states. That should worry all democrats, especially as there is no right of appeal beyond the court.

The court's recent ruling on the 48-hour week is a clear example of the treaty being interpreted in a way that was not intended. Of course, there is an argument to be had about such measures. We believe that such labour market regulations can destroy jobs, and that Britain's employment record backs that up. The Labour party takes a different view, as it is entitled to. The argument in this case is clearly about social policy. For the European Court of Justice to rule that it is a health and safety issue stretches legal credibility.

Dr. Nick Palmer (Broxtowe): The right hon. and learned Gentleman said that there was widespread concern across Europe about the alleged extension of the powers of the European Court of Justice, and mentioned the 48-hour week. Can he name a country whose Government have expressed concern about preventing their citizens from being forced to work more than 48 hours a week?

Mr. Howard: Many employer organisations and other people in Europe recognise the damage that arbitrary provisions of this nature can do to job creation.

To take another example—on which I hope there will be some cross-party consensus—the European Court of Justice recently ruled that Britain could not reserve its fishing quota for its own fishermen. Again, that ruling violated the clear intention of the treaties. When Britain gave up its exclusive right to fish its waters, it did so in return for a guaranteed quota of the total stocks. For that remaining quota to be fished by foreign vessels flying British flags of convenience undermines the basis of the fishing agreement; but the court ruled that the Merchant Shipping Act 1988, designed to return to the intention of the treaties by requiring British-registered vessels to be

largely British, was illegal. If, like us, the Labour party believed that such decisions were wrong, why did it not join us in pressing for reform of the institution that gave rise to them?

It was precisely to tackle such problems that the previous Government placed such emphasis on reforming the workings of the court. At the intergovernmental negotiations, we tabled a package of measures aimed at improving its effectiveness and curtailing any possibility of political bias. We wanted to limit the retrospective application of its judgments; to introduce the principle that member states should be liable for damages only in cases of serious and manifest breaches of their obligations; national time limits in cases based on EC law; and streamlined procedures for the rapid amendment of EC laws that have been interpreted in ways in which member states had never intended. Those comprehensive, sensible proposals would have streamlined the court and eliminated many of its most egregious flaws, without affecting its position as supreme guarantor of the treaties.

Mr. Denzil Davies (Llanelli): Does the right hon. and learned Gentleman agree that one reform that could hardly be described as revolutionary would be to allow one dissenting judgment? It must be the only supreme court in the world, outside the old Soviet Union, where dissenting judgments are not allowed.

Mr. Howard: The right hon. Gentleman has long studied the matter in detail, and his views are always expressed with force and heard with respect.

Mr. Bernard Jenkin (North Essex): Is not the real difficulty the fact that the court has to choose between such a variety of different bits of treaties in arriving at judgments? There is no logical reason why, for example, in the Factortame case, the single market provisions should have overruled other treaty provisions which allow member states to allocate their fish stocks. Until we resolve that ambiguity, the court will be able to choose which part of the treaty to interpret as supreme for the political convenience of the majority to continue to pursue the federalist agenda.

Mr. Howard: My hon. Friend touches on a fundamental matter, but all courts often have to deal with such difficult decisions.

The reforms that the previous Government put on the agenda were a serious attempt to deal with the gravest flaws in the workings of the European Court of Justice and had the support of some other Governments, including some who wanted much deeper European integration but who wanted it on the basis of sound legal principles.

What happened when the Labour party took over from us at the negotiations? It abandoned every one of those suggestions—and why? Because in the words of the Minister, there was little support for such reform in the intergovernmental conference. That explanation goes to the root of Labour's approach to Europe: its fear of isolation, its readiness to pursue the line of least resistance, and its unwillingness to win our partners round by argument. Sometimes it is necessary to be isolated—not for its own sake, but because without being prepared to stand alone we would never have secured our opt-out from the single currency, won the budget rebate or been able to opt out of common policies on integration and frontiers. The present Government are happy to reap the rewards of the previous Government's readiness to be isolated when the occasion demanded, but lack the courage and conviction to stand alone themselves. That bodes ill for our long-term national interests in the EU.

Not only did the Government abandon our sensible proposals for reform, they agreed to further extensions of the court's jurisdiction. I hope that the Minister will give us details and say how they will affect our law, both civil and criminal. That is the subject of new clause 30, in which we ask for a report to the House from the Attorney-General on those matters.

We also have reservations about article F.1 of the Amsterdam treaty, which is to become article 7 of the renumbered treaty on European Union. As hon. Members will be aware, this is the article that empowers the Council of Ministers to remove the voting rights or, indeed, any other rights, from the country which it claims is breaching human rights.

It should go without saying in a democracy such as ours that every Member of Parliament supports the principles of human rights, individual freedom and the rule of law. The attempts by the Foreign Secretary to caricature our opposition to article F.1 of the treaty have not become him. In the 1980s, a unilateralist pressure group calling itself the Movement for the Preservation of Life on Earth—something that the rest of us, it implied, were supposed to be against—was in alliance with the now Foreign Secretary in its pursuit of unilateral nuclear disarmament. To present the issue as a disagreement about basic human rights is a childish tactic worthy of those 1980s peace activists who were his allies in those days.

Let me run through our concerns about clause 1. They are widely shared. First, the rights in question are vaguely defined. All of us believe in human rights, as they are traditionally understood in Britain—the right to free assembly, the right to free speech, habeas corpus and so on—but is there a basic human right to a minimum wage or to abortion on demand? Under the Amsterdam treaty, those questions will be dealt with not by any judicial body but by other politicians sitting in the Council of Ministers. I know of no precedent in diplomacy or in law for the signatory to a treaty losing its rights but not its obligations at the behest of its fellow signatories.

Mr. Roger Casale (Wimbledon): The right hon. and learned Gentleman makes the point that countries such as Britain will lose their veto under clause F.1, but he knows very well that that is not the case. The decision about whether a breach of human rights has occurred has still to be unanimous within the Council of Ministers. Only once a persistent breach of human rights has been ascertained by unanimity can sanctions be triggered. Only at that stage does qualified majority voting come into play. So the points that the right hon. and learned Gentleman lays before the Committee apply not to the triggering of sanctions but to identification of the breach, which is subject to unanimity.

Mr. Howard: I am afraid that the hon. Gentleman has overlooked one fundamental provision in the article. The initial decision is taken on the basis of unanimity, but not including the country against which the complaint is

[Mr. Howard]

made. So that country would be at the mercy of all the other countries. That is the point. Nor will it do to claim that article F.1 is simply a precaution against the sudden collapse of democracy in a member state. If one of our fellow members were to fall into dictatorship, surely the logical response would be to end its membership of the EU. Article F.1 provides no mechanism for doing that. On the contrary, it specifies that the state in question would remain bound by all treaty obligations, while losing its rights. That is not the right way to deal with an undemocratic regime. So we are forced back to the conclusion that article F.1 could be used to disarm the national veto of any country that was holding up a measure that the other countries wanted.

I invite hon. Members to play through logically a scenario in which article F.1 would be put to the purposes for which Ministers claim that it was designed. Let us imagine that a new member state with a short tradition of democracy fell into dictatorship and took to persecuting its national minorities, arbitrarily confiscating private property or suspending the due process of law. Can anyone imagine that in those circumstances the other member states would want that state to remain within the Union? When we come across serious and persistent abuses of human rights in non-member states, as we did tragically in the former Yugoslavia, our response is not to invite the perpetrators of abuses to join the European Union, but without voting rights. Our response is to apply a series of sanctions and to make it clear that such behaviour is incompatible with an ambition to join the European Union.

6.15 pm

When the Commission delivered its opinion on the various pending applications for membership of the EU, a proven record of respect for human rights was rightly one of the prerequisites. So how do we imagine that, in a scenario such as I have outlined, article F.1 would be of the slightest use?

It is instructive to contrast the Government's attitude to article F.1 with their attitude to incorporation of the European convention on human rights. In their White Paper, the Government make much of their refusal to give judges the direct power to strike down Acts of Parliament. Such a power, they say, would be incompatible with parliamentary sovereignty. Yet in the Bill now before the Committee the power to interpret human rights is transferred from Parliament not to British judges but to European politicians. So much for the Government's supposed attachment to the sovereignty of the House of Commons and those who send us here.

Mr. Gapes: Does the right hon. and learned Gentleman agree that, if the EU is to be enlarged, it will need safeguards to ensure that all member states remain democratic? If so, should he not be a little more circumspect about his condemnation of the new articles which relate to human rights? They were introduced to ensure that the EU maintained a membership composed entirely of democratic states which respect human rights.

Mr. Howard: I have just indicated to the hon. Gentleman the way in which that is to be achieved. Of course he is right. Of course we have to ensure that the EU continues to be composed of fully democratic states. The way to do that is, first, to require a track record of respect for human rights before a country's application is accepted and, secondly, if—alas, and against our expectations—a country falls into dictatorship, to say that that is incompatible with continued membership and that it will have to leave the Union. That is the way to do it—not by depriving a country of its rights while holding it to obligations.

Article F.1 therefore flies in the face of precedent, and especially of our constitutional tradition. It provides a mechanism whereby the national veto could be decommissioned by other politicians without the possibility of appeal to any judicial body. With all those constitutional objections, the Government have not been able to point to a single scenario in which the power could properly be used. In agreeing to article F.1, the Government showed themselves either ignorant or disdainful of the fundamental principle of our constitution.

The Labour Government were elected on a specific promise that they would resist any dilution of the British veto in foreign affairs and defence. When the Prime Minister returned from the Amsterdam summit he claimed to have forestalled any moves towards deeper integration in those areas, but hardly were the words out of his mouth than the Dutch Government, who then held the presidency, put precisely the opposite construction on the summit, hailing it as a positive step towards a common defence policy. Who is right? One does not have to be a lawyer to see that the text of the new treaty brings an integrated European defence policy closer than before. The treaty refers explicitly to the

"progressive framing of a common defence policy."

It goes on to deal with integration of the Western European Union into the European Union.

Mr. Desmond Swayne (New Forest, West): May I draw my right hon. and learned Friend's attention to the fact that article J.7 of the Maastricht treaty, which becomes new article J.4, refers to the "eventual" framing of a common defence policy, whereas the Amsterdam treaty refers to "progressive" framing. The clear intention is that, from ratification of the treaty, the common defence policy begins.

Mr. Howard: My hon. Friend is right to identify that important difference between the two treaties.

The treaty of Amsterdam declares that

"the WEU is an integral part of the defence component of the Union"

and provides that

"the Union should accordingly foster closer institutional relations with the WEU with a view to the possibility of the integration of the WEU into the Union."

Again, that suggests that Amsterdam brings us closer to a common defence than before. The Prime Minister claimed to have ensured that NATO would remain the basis of Europe's defence. He has ensured nothing of the kind. The reference to NATO under the second pillar was inserted not at Amsterdam but at Maastricht.

Let us take a step back and consider what role the European Union ought to have in the field of foreign and security policy. Of course, the member states of the

European Union will have many interests in common. There is a role for a common foreign and security policy in safeguarding and advancing those interests, and that is a role in which this country can play a prominent part; but for half a century the peace and security of Europe have been guaranteed by NATO—perhaps the most successful alliance in history. NATO is founded on the democratic and liberal values that are common to its members. Those are not exclusively European values: they unite the whole of the western world.

The importance of NATO is not only political, but military. The European allies alone lack the air and sea capacity, the missile defence, the advanced communications satellites and the military computers provided by the United States. There can be no more harrowing demonstration of the danger of seeking to exclude the United States from allied action or taking such action without the United States than the conflict in the former Yugoslavia. It is therefore essential that any development of a common security policy should not in any way impair the effectiveness of NATO, nor should it seek to duplicate what NATO does so effectively.

The common foreign and security policy of the European Union should strengthen the European pillar of NATO. It should allow Europe to take on a more equitable share of the costs of its own defence, and it should provide a forum in which common interests can be discussed. During the course of this debate, I hope to get from the Government a clear statement of their vision of the role of the common foreign and security policy. How do they see its relationship with NATO? How can duplication of NATO's work be avoided? How can they justify the remarks made by the Prime Minister on his return from Amsterdam? I hope that the Minister will cover those points fully in his response to the debate.

Mr. Menzies Campbell (North-East Fife): The implication running through what the right hon. and learned Gentleman has been saying for the past minute or two seems to be that there are no circumstances in which Europe should act alone. Was not the concept of combined joint task forces a recognition by the whole of NATO that there were circumstances in which the European nations would act alone and would be provided by the United States with the very resources to which the right hon. and learned Gentleman referred, without the United States taking an operational role?

Mr. Howard: That can all be done within the context of NATO. The implication that the hon. and learned Gentleman identified was not intended. It is true that there might be operations such as those to which he referred, but they can take place perfectly well within the context of NATO.

It is also important to bear in mind that the implementation of decisions under the common foreign and security policy is to be decided by qualified majority vote. Given the new structure of decision making set out in the Amsterdam treaty, how does the Minister envisage the operation of qualified majority voting?

Suppose, for example, that a general resolution was passed by unanimity calling for action to be taken in certain circumstances against Iraq. Suppose that that was followed up by a resolution passed by qualified majority vote calling for the implementation of the resolution by all measures short of the use of force. Suppose that the United Kingdom considered that the use of force was justified. Would it be precluded from using force in those circumstances? Those are vital questions, and I hope that we will hear some answers from the Minister this evening. It is because of our concerns about those issues that we have tabled new clauses 37 and 38, which seek to give Parliament an enhanced role in the consideration of such matters.

The Minister also has questions to answer in relation to articles K.12 and K.15. They contain the provisions on closer co-operation between member states when not all 15 wish to proceed. In principle, I welcome those provisions: they provide a basis for a different approach by different member states that reflects the differences which inevitably arise as a result of different national circumstances. However, as the Minister will be aware, the previous Government always insisted that the decision as to whether such actions could proceed should be taken on the basis of unanimity. The provisions in the treaty on this question are not straightforward: they might appear to provide for a kind of unanimity, but it is not at all clear whether they in fact do so. They are to be found in Article K.12.

I have a number of questions to put to the Minister on the provisions of that article. First, was it indeed the intention that decisions on that subject should be taken on the basis of unanimity? If so, why was there not a straightforward provision to that effect rather than the circuitous route we find in article K.12? That article provides that the decision should in fact be taken by qualified majority, except where a member of the Council declares that,

"for important and stated reasons of national policy",

it intends to oppose the granting of an authorisation by qualified majority.

Is the action of a member state in that position subject to the jurisdiction of the European Court of Justice? Could the court rule that the reason relied on by the member state in question was not in fact "important"? If so, does that not mean that any appearance of unanimity would in fact be illusory? Those are crucial questions, and I hope that we can receive clear assurances from the Minister today.

Mr. William Cash (Stone): Does my right hon. and learned Friend agree that there is absolute absurdity in the idea that a common foreign and security policy should be subject in any way to the jurisdiction of the European Court of Justice? Imagine a situation in which we are moving towards a crisis such as the Gulf conflict. The court should have no role whatsoever in determining questions relating to control and command in such an emergency.

Mr. Howard: Were it the case that the European Court of Justice had jurisdiction in such matters, my hon. Friend's strictures would be entirely justified. He will no doubt put that question to the Minister himself.

Article 1 of the treaty of Amsterdam represents an unnecessary move towards further integration of the European Union. It contains a series of measures that transfer powers to Brussels from the national Parliaments of the member states of the European Union. I have touched on some of those points and my hon. Friends will

[Mr. Howard]

touch on more of them during the debate. Perhaps, more than anything, the treaty reflects a failure on the part of the Government of the United Kingdom.

On measure after measure, the Government failed to press their case, failed to persuade our European partners of the merits of the argument and failed even to try. Why? Because they feared isolation. That attitude goes back to that phrase used by the Prime Minister in his first speech to the Labour party conference as leader of the party, when he promised that he would never be isolated in Europe. In the Government's view, the fact that there was no support for their proposals from other member states meant that the points were not worth pursuing. That approach augurs badly for the future—badly for Britain and badly for Europe.

The truth is that the only real achievement to come out of Amsterdam was our opt-out on common immigration and frontier policies—and that was all thanks to the efforts of a Conservative Government. We shall not hesitate to press our reservations about article 1 of the treaty in the Division Lobby at the end of the debate.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): It is tempting to follow up on the host of issues raised by the right hon. and learned Member for Folkestone and Hythe (Mr. Howard). It was a little like hearing the speech that he would have made if there was to be a referendum on the treaty. It is noticeable that the referendum on the treaty has disappeared—perhaps it will reappear in a new clause to the Bill. Assuming that it does not, at least we have heard a rehearsal of what might have been said.

I shall confine my observations to a single paragraph of the revised article 1, which lists the objectives of the European Union, including the achievement of "a high level of employment". I welcome that assertion and the consequential employment chapter of the treaty, but I would examine more closely the objective and the revised wording to find out how much substance they contain.

Much emphasis has been placed on that wording by Ministers and by those who feel that they have achieved a great deal in the revised version of article 1, paragraph 9. It has been described as a vital re-balancing of the Union's objectives and priorities. It is claimed that the Amsterdam treaty remedies the omissions relating to employment in the Maastricht treaty.

I believe that that was the claim made by my right hon. Friend the Foreign Secretary when he came before the Foreign Affairs Select Committee to discuss the Amsterdam treaty—I do not think that I bowdlerise his views. In his evidence to us, he said:

"it would be rather odd if we ended up with a Treaty of the European Union which gives specific tough targets on deficits, on inflation or on interest rates . . . but made no reference and offered no commitment to employment".

That statement was supported by later remarks by my right hon. Friend. It is clear that the provisions in the article and the references to high employment, followed by the employment chapter, are meant to balance the Maastricht treaty in terms of employment.

6.30 pm

My right hon. Friend the Foreign Secretary also said that the commitment to a high level of employment seemed to be

"a very necessary corrective balance."

Ministers regard the employment provisions in the Amsterdam treaty, including the wording in the revised article, as balancing the Maastricht treaty.

One of my hon. Friends on the Committee questioned my right hon. Friend the Foreign Secretary on the significance of those words and the value of the employment chapter. He wondered whether they might be window dressing or a means of fobbing off. My right hon. Friend rightly said that putting in the same context as Maastricht the commitment to a high level of employment constituted a

"very valuable and very important step".

Anybody reading the evidence seems to be invited to compare the strength of the employment provisions in the treaty of Amsterdam and the monetary union provisions in the treaty of Maastricht. If one reads all the evidence given to the Select Committee, one can only draw the conclusion that significance is attached to the words "a high level of employment".

An official added to my right hon. Friend the Foreign Secretary's observations and drew a specific comparison between the employment provisions in the treaty of Amsterdam and the monetary provisions in the treaty of Maastricht. Mr. Gass at the Foreign Office said in evidence:

"Could I add one point . . . of course, the arrangements under the employment chapter in relation to employment guidelines follow quite similarly the arrangements under the economic and monetary union chapter of the Treaty of Maastricht for economic guidelines. There is a similarity of method behind those two things, they are not binding."

We are invited to compare the strength and significance of the employment provisions in the treaty of Amsterdam with the monetary union provisions in the treaty of Maastricht. It is exactly that point that I am seeking to draw to the Committee's attention this evening. I want the Committee to make such a comparison. The only trouble is that, when I make the comparison, I find the contrast, not the similarity, between the two provisions most striking.

Those of us who are veterans of the Maastricht treaty debates of the last Parliament will vividly recall the treaty's monetary union provisions. They define criteria, describe the processes and establish means of enforcement. As my right hon. Friend the Foreign Secretary said, "specific, tough targets" were established to achieve the monetary union.

I studied the employment provisions, particularly the account in article 1 of the term "high employment". I looked in vain for anything like the equivalent of the monetary union provisions, or even for any definition or any criteria by which I could assess whether high employment had been or would be achieved in the time scale envisaged by the treaty.

Having been invited to compare the two sets of provisions in the two treaties—as we were by all the evidence given to us and by the presentation of the employment provisions in the treaty of Amsterdam and the monetary union provisions of the Maastricht treaty—I should at least have hoped to find a definition of high employment or a target or criteria to balance the monetary union provisions in the Maastricht treaty. Sadly, although I hunted high and low, I did not find a definition, a target or a criterion.

We included in the new provisions of the treaty of Amsterdam the reference to high employment—I believe that the Maastricht treaty also contains such a reference, although my right hon. Friend the Foreign Secretary challenged me on that, and I have not had a chance to do my homework.

What will the definition of high employment be? The present employment levels in the European Union are nothing to cheer about. One striking feature of our debates is that we have so often been told about the economic performance of the European Common Market, Community, through to Union. When I consider its performance over the past quarter of a century, I do not find much to give me comfort—that is certainly true when I compare its performance with that of countries that have been more successful.

What about the employment success of the European Union? I understand that, at present, only 60 per cent. of those of working age in the European Union are in employment; less than 40 per cent. of those between 16 and 24 are in employment; only 35 per cent. of those of working age between 55 and 64 are in employment. Are those figures defined, under the terms of the treaty, as high employment or do we have to achieve higher employment? If so, how much further do we have to go? What is the objective? What is the definition? What are the criteria? Having decided to include an objective of high employment, by which criteria do we judge it?

Mr. Llew Smith (Blaenau Gwent): Let us assume that we join the single currency, hand over many of our powers to the European central bank and, instead of achieving high levels of employment, face high levels of unemployment: what powers would we have as a democratically elected Parliament to alter that situation? Would my hon. Friend care to comment on article 107 or article 109 of the Maastricht treaty, which makes it illegal for democratically elected institutions—whether they be councils, assemblies or Parliaments—to try to influence the undemocratic and unelected European central bank?

Mr. Rowlands: On the latter point, I think that when I was in opposition I often expressed my feelings on the monetary union provisions in the treaty of Maastricht. I was one of the hon. Members who did not vote for the Bill that implemented the Maastricht treaty. I share some of the considerable concerns expressed by my hon. Friend about the employment consequences of monetary union.

The employment chapter remains the responsibility of national Governments in many respects; but, as my hon. Friend suggested, what if one of the consequences of monetary union were to be a rise in unemployment in many parts of the European Union? Which would take precedence—the monetary union provisions or the high employment objective?

Mr. Cash: Has the hon. Gentleman had the opportunity to read the paper on foreign affairs presented by Martin Feldstein, professor of economics at Harvard and president of the National Bureau of Economic Research? We should not forget that the United States is an important part of the problems that face the future of the European Union. In that paper he states:

"a political union of European nations is conceived of as a way of reducing the risk of another intra-European war among the individual nation-states. But the attempt to manage a monetary union and the subsequent development of a political union are more likely to have the opposite effect. Instead of increasing intra-European harmony and global peace, the shift to EMU and the political integration that would follow it would be more likely to lead to increased conflicts within Europe and between Europe and the United States."

Mr. Rowlands: As in previous debates, the hon. Gentleman tempts me to wander. I do not have the information from that article at my fingertips, and I should like to limit my observations to one paragraph in article 1, but I am sure that the wider issues raised by the hon. Gentleman will be discussed later.

We need to know what the definition of high employment is if its attainment has now been inserted as an objective in the revived article 1 of the treaty. I have quoted the latest employment figures in the European Union which reveal that just 60 per cent. of the working age population is in employment. Contrast that with the same figure for the United States or Japan, where it approaches 75 per cent. Is that figure a proper and reasonable definition of high employment for the purposes of the treaty? If so, it shows how much of a mountain we have to climb and how divorced reality is from the objective as stated in article 1.

The words are in the Amsterdam treaty, but what do they mean and how will we measure progress towards the stated objective? We know about the criteria, objectives and endgame associated with monetary union—they were laid down as specific tough targets in the treaty—but the opposite applies when it comes to the commitment to high employment in the treaty.

I have quoted the figures on general employment levels in the European Union, but the regional disparities in unemployment levels in the existing membership of the union are enormous and astonishing. Article 1 refers to the need for social and economic cohesion, but consider what is happening in reality. I accept that the gap between gross domestic product per capita and employment levels is closing when one compares nation states, but the interesting graph is that which reveals that disparities among regions in each nation state are growing alarmingly. I happen to represent one part of one of those so-called peripheral communities in the European Union which vividly illustrates the existence of such disparities.

Mr. Christopher Gill (Ludlow): Surely what we need to understand about unemployment is that, every time this country has had fixed exchange rates, unemployment has gone up exponentially. It increased from 1.67 million in 1990 to 2.85 million in 1992, and from 1.25 million in 1925 to 2.9 million in 1931. I should have thought that that was something that everyone could understand. I cannot understand why Labour Members sitting alongside the hon. Gentleman are not as concerned as I am about that precedent, which is so clear for all to see.

Mr. Rowlands: I represent a community that understands exactly the impact of fixed exchange rates and gold standards on the economy and jobs. I shall refer to that in greater detail later. We know what impact such policies can have on peripheral communities that face structural difficulties, as my community did in the period between the wars and again in the 1980s and the early 1990s.

I am not seeking to make a Welsh point, let alone a Merthyr Tydfil and Rhymney point; I am talking about all the peripheral areas within the European Union. The

[Mr. Rowlands]

relevant graphs are interesting, and I believe that they are as accurate as any, because they show that, whereas the gap is closing between the relative GDP per capita levels of nation states in the European Union, huge regional disparities are emerging; in other words, the peripheral areas of the European Union are suffering greatly. The figures reveal that the GDP per capita of a quarter of the present European Union is less than three quarters of the European Union average.

I was astonished to discover that, if one were to apply the criteria for objective 1 status to the United States, just Mississippi and one other state would qualify for it. I can hardly believe that. As a member of the European Union and the Common Market, we should display some humility when reviewing our relative economic performance and employment growth in the past 20 years. We should not believe that the European Union has been a wonderful economic panacea.

6.45 pm

According to the objective set down in the treaty, we are also asked to believe that social cohesion and high employment will be achieved through economic and monetary union, "ultimately including" a single currency. Those two words are not new, because they were included in the Maastricht treaty. Even when we debated that treaty, I was curious about how the ultimate inclusion of the single currency fitted in with everything. I thought that monetary union was equivalent to a single currency. I thought that one could not achieve monetary union without a single currency; but, according to the revised article, it now appears that a single currency is an optional extra. We are invited to support the notion that communities like mine will achieve high employment and social cohesion through monetary union and a single currency.

The language used is fascinating. We, in common with Conservative Members, now laud flexible labour markets and the possession of flexible, adaptable skills. We now denounce old-style corporatism and all forms of intervention. We have marginalised the role of public expenditure and have introduced treaty-based draconian laws not to borrow more than a certain percentage. We now believe in flexible labour markets, but inflexible exchange rates. We believe in a monetary union that is corporatist to its toes. Everything described in the treaty is corporatist. What could be more interventionist than the stability pact that backs up that treaty and has the power to fine nation states if they err?

I am an historian, not an economist, and I can find no empirical or historical proof that all that 3 per cent. deficit stuff in the Maastricht treaty has any particular sacred, eternal, validity. We are asked, however, to support such a principle.

Mr. Bowen Wells (Hertford and Stortford): If, as the hon. Gentleman has said, we enter an inflexible monetary union, and changes are taking place in the economies of peripheral areas—I suggest that it is not only Wales that is a peripheral area in terms of monetary union but all of the United Kingdom—is it not true that the only way in which adjustment could take place within such a fixed monetary union is through high unemployment in those peripheral areas?

Mr. Rowlands: There are two or three ways in which adjustments could take place. First, there might be a significant transfer of resources. The problem is that the only way to achieve such transfers on a scale large enough to be effective would be to create a unitary or federal government capable of taxing and therefore redistributing resources.

The second way in which adjustments might take place was mentioned by the hon. Member for Hertford and Stortford (Mr. Wells) in an intervention. It was the way that partially solved, but in the cruellest way, the problems that once confronted the communities that I represent: large-scale movement of people from peripheral areas. In 1928, it was called transference; the Government of the day set up a board to promote transference. Presumably there might be a European transference board to move the population within European Union to where the work is—a massive European bike ride, if Lord Tebbit will forgive me.

Without the flexibility of exchange rates, there will be higher unemployment in peripheral regions.

Sir Raymond Whitney (Wycombe): On a point of order, Mr. Martin. The hon. Gentleman is giving us a very interesting discussion on economic and monetary union. I am not aware that it is a subject of the amendment or of the Bill.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): I draw the hon. Gentleman's attention to the fact that amendment No. 1 refers to economic and monetary union, so he is perfectly in order.

Mr. Rowlands: Thank you, Mr. Martin. Monetary union is referred to in article 1, whose inclusion in the Bill we are debating, and in amendment No. 1. Although we cannot move the amendment, I am discussing that amendment, which I tabled.

I am sceptical of that fine belief that monetary union will achieve high employment—that through full monetary union we shall achieve the social and economic cohesion that we all want. I find the notion of a 21st-century European gold standard—which I think is what monetary union is—as potentially dangerous for the future of my communities as the gold standard was to my communities between 1925 and 1932.

One should re-read the history of that period. One should not become a prisoner of one's history, but one should at least re-read it and realise that the only post-war period of full employment in Britain did not result from a gold standard or very fixed exchange rates of the kind and character proposed for monetary union.

I feel strongly about this subject. If we believe in the concept of high employment, we have cause to be worried—as I am—that some of the aspects of the treaties that we are discussing will not enhance job prospects and bring about high employment in the communities that I serve, but will destroy them.

Mr. Cash: I should like to approach the debate from the position that I believe the Conservative party genuinely represents, which has been gravely

misinterpreted and misconceived by many people—not only Labour Members, but the media and some of the malcontents in the European Union.

The views that have been expressed by the Conservative party day in, day out on these fundamental issues—the add-on to the development towards what is called an "ever closer union", but which I believe is an ever-increasing division within Europe—may be encapsulated as pro-European views. It is a gross misrepresentation of our position to describe the views that we advance as Europhobic or anti-European. There is absolutely nothing Europhobic or anti-European in those views, and it is a gross calumny on the Conservative party that such descriptions continue to be expressed.

I pay a deeply felt and emotional tribute to many Labour Members, including the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). They genuinely believe in the national interest. We may differ about where we would go if we retained our ability to take decisions for ourselves, but the idea that those of us who seek to maintain the national interest in a manner consistent with a policy that genuinely represents the interests of Europe as a whole—and have tried to present such arguments over the years—are Europhobic or anti-European is a gross calumny.

Mr. Ian Taylor (Esher and Walton): I cannot resist an intervention—bring back the old days of the Maastricht treaty debates. I warmly welcome my hon. Friend's remarks; he has obviously become a positive European. In that context, will he warmly welcome the very positive statement made by our right hon. and learned Friend the shadow Foreign Secretary, who said that, in achieving the development of the European Union and especially of the single market, it was essential that there was a supranational court—the European Court of Justice?

Mr. Cash: My hon. Friend may be surprised to know that, about two years ago, I had a debate with the present Lord Howe before the Bar Council in which, to his astonishment, I actually agreed that, if one were to have certain rules that were applicable in the interests of co-operation within Europe, it was necessary to have a court of justice, which would arbitrate sensibly in achieving objectives that were in the interests of Europe as a whole.

Unfortunately, for reasons that I gave in that debate, I am afraid that, as Sir Patrick Neill said in his essay on judicial activism, the European Court of Justice has departed from that policy of arbitration and has engaged in a policy of political activism—judicial activism, if you like—which has led to serious problems. However, I do believe that, if one is to have a rule of law within Europe and it is to be for the benefit of all the member states, it is in the interests of everyone to have an arbitrator, and the European Court of Justice, if it were to behave properly, could achieve that objective.

At the heart of this very important debate lies the fundamental question of article 1 and the manner in which it traverses all the issues contained in the Amsterdam treaty. I suspect, looking at the Minister of State, with his foxy eyes, that he will—

The Minister of State, Foreign and Commonwealth Office (Mr. Doug Henderson): I will be hunted.

Mr. Cash: I suspect that he and the Foreign Secretary will impose a guillotine, and I have no doubt whatever that they will seek to blame us. I say to my right hon. and learned Friend the shadow Foreign Secretary and the shadow Minister for Europe, my hon. Friend the Member for South-West Devon (Mr. Streeter), that we are interested in a proper debate, as are all Opposition Members present. I regret the lack of hon. Members in the Chamber, given the importance of the subject.

I place on the record the fact that there is no need for the European Union to make the inevitable progression to a legal federal system. I shall quote briefly from one of our greatest statesman, John Bright, who, in his last speech, asked whether there was any need for a legal federal system within the empire of the United Kingdom and what later became the Commonwealth:

> "May we not hope for the highest and noblest federation to be established among us? That is the question to which I would ask your special and sympathetic attention. The noblest kind of federation among us, under different Governments it may be, but united by race, by sympathy, by freedom of industry, by communion of interests and by a perpetual peace. We may help to lead the world to that better time which we long for and which we believe in, though it may not be permitted to our mortal eyes to behold it."

It is thus far better to achieve peace, stability and higher employment by co-operating as sovereign states than to lock ourselves into the arrangements proposed in the Amsterdam treaty. Incidentally, with great respect to our Front-Bench spokesmen, I might add that I strongly believe that the Maastricht treaty should be renegotiated.

7 pm

Mr. Casale: The hon. Gentleman says that he wants a proper debate. If that is so, why does he insist on tabling amendments that would scupper the treaty? Why not re-focus the debate on areas susceptible to serious discussion, instead of trying to undermine the Bill altogether? Or is he seeking to project into the Chamber a debate that is taking place only within the Conservative party?

Mr. Cash: Having just heard the brilliant speech by the hon. Member for Merthyr Tydfil and Rhymney, I am well aware that there are differences of opinion in all parties. It is the national interest at stake; the debate should not be defined in terms of party political interest. That is precisely why we have tabled our amendments, in fact.

The hon. Gentleman will understand that we cannot amend the treaty; all we can do is probe and ask questions about why certain provisions have been included. There is nothing negative about the views that we are expressing. I notice the hon. Member for Rotherham or somewhere—or is it Zurich?—holding up his Order Paper. He knows perfectly well that on occasion it can take up to 100 amendments to elicit the truth.

I want to examine the issues covered by article 1, which divide easily into a number of categories: social policy, common foreign and security policy, the free movement of peoples, immigration issues, border controls, freedom, security and justice, the single currency, police and judicial co-operation, and the general subject of flexibility and the Court of Justice.

There is no doubt that social policy will be a source of discord, tension and conflict in Europe. To anyone who doubts that I would recommend the essay by Martin Feldstein. Social policy also poses dangers for our relationships with the rest of the world, and for the

[Mr. Cash]

investment that we want to come into the UK and Europe. The plain fact is that, without restrictive social policies, in the past 20 years the United States has generated another 36 million jobs, especially in small and medium-sized businesses. At the same time, Europe, with its restrictive and sclerotic practices, has at best produced 1 million more jobs—although other estimates put the number at zero. Therefore, it reflects no credit on the Government that they should be endorsing the social chapter.

As Patrick Minford has pointed out in an important paper that he wrote for the *Official Journal* of the European Communities, unemployment in this country alone is set to rise by as many as 3 million, and our GDP to fall by as much as 20 per cent. The Government are, of course, free to challenge the Liverpool model, but I cannot believe that they intend to pursue this sort of policy merely to appease the European Commission. Do the Government not realise that the policies I have described will lead to the people who voted for them on 1 May disappearing like snow in spring? They will have no chance of holding those voters in the next election if they continue to pursue these policies.

I initiated a recent debate on the coal industry; yesterday, a Labour Member had a debate on that same industry. Certain policies being pursued by the EU and advocated by our Government will definitely lead to more unemployment. It gives Conservative Members no satisfaction to realise that the policies pursued by this Government will be against the national interest. They may be worried about losing votes, but it is more important to realise that these policies run clean counter to the national interest.

Mr. Richard Shepherd (Aldridge-Brownhills): Essentially, my hon. Friend is saying that he passionately believes in a Europe of nation states, but that that is not on offer from anyone across the channel. This boils down to a fight against Labour Ministers, who believe in the creation of a European state that will mean that the vital powers of the British people to make and live under laws which they can choose and change will be removed from them.

Mr. Cash: I absolutely endorse my hon. Friend's comments, and I beg the Government, with their huge majority, to act responsibly—even if it is for reasons of self-interest. What matters, of course, is the national interest, and following the ideology underpinning the social chapter will lead to ever more trouble for the people we represent. Indeed, that is why we are in the House—it is time we brought some passion and fire to the European questions that affect the lives of the voters.

Dr. Palmer: As the community of separate nation states that the hon. Gentleman would favour is not on offer, is not the logical extension of his argument a complete withdrawal from the European Union? By the way, has everything he has said today represented the policy of the Conservative party?

Mr. Cash: So far as I understand it, the policy of the Conservative party is to oppose the Amsterdam treaty, and that is the position we all adopt. Indeed, I am sure that the shadow Foreign Secretary would leap to his feet if he thought I was disagreeing with party policy. The views that I am expressing are wholly consistent with the thrust of everything that the Conservative party, in Parliament and outside it, holds dear.

Mr. Jenkin: Is not the boot on the other foot? If the Government are not prepared to object to the progressive integration of Europe and the gradual removal of powers from member states' national Governments, they are necessarily complicit in the construction of a European super-state, to which they say they are opposed, but to which also they are turning a blind eye.

Mr. Cash: As ever, my hon. Friend is absolutely right. We should look at the big picture, because the totality of proposals under Amsterdam combined with Maastricht shows that we are moving towards a European Government. It is no accident that people such as Karl Lamers state that their avowed objective is to have one country. If we move from a single market to a single currency and to a single tax policy, there will no longer be an individual nation state.

I challenge the Minister and Labour Members to deny that Britain is an independent, sovereign state. Let the Minister say at the Dispatch Box that we will not be an independent, sovereign, nation state. Is he prepared to say that? He knows as well as I do the direction in which the Amsterdam treaty is taking us. The arrangements for the corpus juris proposed by Directorate General XX—a common legal area—are concomitant with one single currency, one single tax policy, one country. The Government are showing their complicity by allowing that to happen.

I defy the Minister to deny that that is the direction in which we are going. The Government know perfectly well that that is what it is all about. The Minister looks so uncomfortable as he sits there. Just look at him. He dare not get to his feet, because he knows that that is the position.

What is the effect of a common foreign policy on our affairs? Some people believe that a common foreign and security policy is in the interests of a greater, more united, coherent approach to foreign policy in the European Union. There are practical difficulties. What happened in the Gulf and in Bosnia shows that such an approach did not work. Why have the Government endorsed the idea of high representatives, who would carry out a combination of the new secretary general's political functions and the political functions of the presidency, and who could set their own political agenda in association with the Commission?

Such manoeuvres are highly dangerous and essentially undemocratic. At the beginning of my speech, I said that we are for Europe, for jobs and for democracy. What on earth are the Government doing pursuing a policy that is bound to lead to unelected high representatives having as their function the binding together of policies on their own political agenda in association with the European Commission? That does not make sense. What on earth do we think we are doing?

We should not look back at history for its own sake, but we should consider the implications of these proposals. Surely the Government understand that, if common foreign and security policy is subsumed by the political agenda of unelected persons, it is bound to lead to difficulties for democracy. It is a retrograde step.

As Professor Feldstein has pointed out, this proposal will lead to massive tensions between this country and the United States of America. Who bailed out Europe over Bosnia? NATO and the United States. Why do we want to pursue policies that are inimical to the interests of those who have come to our aid in the first and second world wars, in the Gulf war and in Bosnia?

As for freedom, security and justice, we have a problem with the expansion of the legal area and the massive increase in the powers of the European Court of Justice. Why are no dissenting judgments published? Why does the court operate under such secrecy? It has a political agenda, and the electorates of the member states are not allowed to know who has decided what. That is not transparency.

I have read over and again that the European Commission is enthusiastic about transparency, and is more open. There is no evidence from the Amsterdam treaty that any attempt has been made to deal with that problem. It is a political court and is primarily driven by its own agenda, which is, by its own admission, political integration. That was expressed by Professor Trevor Hartley in a recent interesting paper. It is not an objective, judicial court: it is primarily a court of political injunction.

7.15 pm

Although I disagree with the new arrangement, in the Select Committee on European Legislation the other day, I asked the Minister to explain why framework decisions in the area of freedom, security and justice are dealt with exclusively by secondary legislation. He was in some difficulty: I noticed his embarrassment. He could not state categorically that all questions relating to framework decisions would be dealt with by primary legislation.

Why is there qualified majority voting for what is described as "the other decisions?" What are the other decisions? He looks at me across the Floor, but he will not answer my questions, because he does not know the answers. He did not know the answers in the Select Committee, so he kept referring to his civil servant. He will read out his brief tonight, but he does not understand what is going on. That is the problem.

Why does the European Court of Justice continue to confer jurisdiction on itself? Why did the Government not take a position on the treaty to ensure a proper trimming of the Court of Justice?

Fundamental questions lie at the heart of the debate, and the Government must answer them. They will not answer any questions, because they lack sufficient comprehension. I condemn the Government for the treaty. The Conservative party will vote against it, because it is fundamentally wrong and is not in the national interest. The Government know it, Labour Members know it, and they will rue the day that they allowed the treaty to go through.

Mr. Denzil Davies: My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) dealt brilliantly with the gist of amendment No. 1, so I shall be brief.

I did not want to discuss the European Court of Justice, but I shall just make a few comments. I recognise that a European Union has to have a supreme court. The hon. Member for Stone (Mr. Cash) was a little unfair when he said that the court's agenda was political, and that it did not want people to know anything. The problem with the present court is that its antecedent is the Napoleonic French state court. The European Court of Justice was set up at about the same time as the European Coal and Steel Community—a particularly authoritarian organisation. It would be more sensible to use the different and more flexible procedures of other courts in Europe than the French state court procedure that the European Court of Justice uses. I suggest that we examine the court's procedures and consider whether they can be reformed to accord with continental practice in other countries, and with British practice.

The amendment would exclude certain words in article 1 that refer to economic and monetary union and ultimately a single currency. A technical question has been bothering me and I shall set it out before coming to the substance of my speech. I understood that the purpose of the Bill was to incorporate Community obligations into English law. Indeed, if there were no such obligations, it would not, in theory, be necessary to have a Bill. As we know, the royal prerogative enables a Government to ratify a treaty. Presumably, certain provisions in the Amsterdam treaty have to be translated or incorporated into the law of England and Wales, Scotland and Northern Ireland—the United Kingdom. That being so, a Bill is necessary.

Article 1 refers to economic and monetary union and the single currency, the latter being stage 3. Those of us who participated in the debates on the Maastricht treaty are well aware that the single currency is the third stage of economic and monetary union. I had always understood that the United Kingdom had an opt-in, not an opt-out. Until we opt in to stage 3, if we ever do, how can that stage be a Community obligation for Britain?

On a technical level, the amendment seems absolutely right. Why do we need to bring into British law, English law—the law of the United Kingdom—an obligation that is not an obligation, if I may so describe it? Perhaps my hon. Friend will explain when he replies.

I see at the top of page 9 of the treaty the name "Mr. Douglas Henderson". He is said to have exchanged—I paraphrase—his full powers, which were found in "good and due form". I am glad to read that. The treaty tells us that he has agreed that

"The Union shall set itself the following objectives".

There is then a reference to, ultimately, a single currency. As I have said, the United Kingdom is not part of the Union in the sense that it has agreed to the single currency. It is an opt-in, not an opt-out. There are therefore no obligations on the United Kingdom under stage 3 of economic and monetary union.

We are not subject to the stability pact. We are not subject either to the locking of exchange rates and the movement towards a single currency. I do not think that there are any legal obligations under stage 2, but there are definite legal obligations under stage 3. Why do we have to incorporate those obligations in the law of the United Kingdom when we are not bound by them until we accept them by opting in?

The question might seem to be technical, and perhaps it is an example of the pedantic points that lawyers like to raise. I shall be grateful if my hon. Friend the Minister is able to clear my mind when he replies and end my confusion.

[Mr. Denzil Davies]

My hon. Friend the Member for Merthyr Tydfil and Rhymney dealt eloquently with the phrase "high level of employment". Should anyone think that I am out of order, those words are contained in article 1. They appear a few lines up the page from the reference to economic and monetary union. My hon. Friend said that my right hon. Friend the Foreign Secretary said at a meeting of the Select Committee on Foreign Affairs, "No, it is all different now. We have a new treaty that includes the magic words 'high level of employment'." My right hon. Friend explained that the words were intended to show that we believe in employment. Apparently, they represent a grand counterweight to those nasty monetarists at the European central bank.

The few of us who debated the Maastricht treaty night after night know very well that magic words about a high level of employment appeared in that treaty. I think that they were part of article 2. Our debates were designed to show the distinction between the vagueness of those words and the specific targets of setting up, for example, the central bank and price stability.

All we have is more words. We have nothing that is really new, and we still have unemployment. Nothing has changed. The leaders of the European Union are faced with 18 million unemployed citizens, almost 5 million of them in Germany. It may be that there will be 5 million in that country later this winter. Faced with that level of unemployment, European leaders have wonderful meetings where men in extremely nice suits drive up in very expensive cars to pretend that they can create wealth by so meeting. They pretend also that they can do something about unemployment. Most of those men and women have never been unemployed. Most of them, like most of us in the House of Commons, have not created any wealth in their lives. However, the meetings continue.

I accept that the lawyers do very well. I should be in favour of the process because it is great for lawyers. The Holy Roman empire was great for administrators and various other people and the European Union is great for lawyers, who draft with great skill. I have great admiration for continental lawyers, who are able to convert rather vague concepts into the language of treaties.

As I have said, nothing has changed. I have no doubt that Mr. Jospin is happy with the drafting, because it enables him to show the socialist party in France that he has secured a sort of counterweight to the European central bank. In fact, he has achieved nothing, and he knows it. He is happy, however, to dress things up in an effort to show that the French Government were concerned about unemployment.

What does a "high level of employment" really mean? We are incorporating those words into English statutes, in effect. That being so, we are entitled to ask what is meant by those words. If 80 per cent. are employed and 20 per cent. are not, is that a "high level of employment"? The words are chosen so that we do not know the answer. They are examples of the classical words used by monetarists, and I count myself something of a monetarist.

I was converted to monetarism at the Treasury years ago by Denis Healey and Milton Friedman. It accords to some extent with my Calvinistic-Methodist upbringing, which told me that too much money is bad for us. I speak as a little monetarist. A "high level of employment" is part of a philosophy because we are told that monetary policy is what matters and that whatever happens to employment is unfortunate. There is no attempt—perish the thought—to refer to full employment. That being so, we have no definition. If there is to be incorporation into English law—perhaps my hon. Friend the Minister will tell me if I am wrong—what is meant, as my hon. Friend the Member for Merthyr Tydfil and Rhymney asked, by a "high level of employment"? I think that we should be told.

Economic and monetary union and a single currency mean a single bank. They also mean something that is called price stability. That term appears in the Maastricht treaty, and I have always been baffled by it. What does it mean? At least the Bank of England has targets for inflation. We are told that the present target is 2.5 per cent. The latest Treasury document tells us that it will not be 2.5 per cent. next year or the following year, but that is another matter.

What is price stability? We are told that it is low inflation. Is it zero inflation? It is important to know, because Japan has had price stability for a long time. The inflation rate there has been between zero and 0.5 per cent. I suppose that that is price stability. It does not seem to have done the Japanese economy much good in the past few years. This European central bank is going to give us, as it has to, price stability, so what is it? Is it 1, 1.5 or 2 per cent. inflation? Again, we should be told what price stability means, because we are incorporating it into English law—or English and Welsh law, British law or UK law.

7.30 pm

I suppose that we have to have a central bank—or do we? I confess that, sometimes, I have radical thoughts. I had them in about 1976 when I was a junior Treasury Minister. I was not sure whether we needed a central bank at all. This is far too advanced and radical for new Labour Members, so I suggest that they stop up their ears. Indeed, I see one of them doing it already.

I wonder about the European central bank. It is not going to have much effect on long-term interest rates. No central bank does any more; long-term interest rates are determined by the market. However, central banks and the European central bank know all about short-term interest rates. They know how to fix the rates to hit an inflation target or to create this nirvana of price stability. I am not sure whether global capitalism can survive price stability or zero inflation, but perhaps we should not be led into that argument now.

Why do we need the central bank—those 10 men sitting there trying to fix an interest rate for a region stretching from Merthyr Tydfil and Rhymney, or west Wales, almost to the Arctic circle? Poor old Eddie George is having problems fixing an interest rate for Britain. If there is growth in the south-east, apparently, interest rates have to go up, but there is no growth in Merthyr Tydfil and Rhymney or in Llanelli, so how do we compensate for that? Why cannot Llanelli have a lower interest rate than the City of London?

How do we fix one interest rate for the whole of Europe? It is absurd to establish a body that apparently has all the powers and is an institution. It is like the

European Court of Justice. It is not like the little committee that has been set up—I do not know where—to deal with employment, but is a joint committee of the Council of Ministers and the European Parliament. It will consider guidelines and consult the Committee of the Regions, and spend a lot of money doing nothing.

We had the European Commission, the European Parliament and the Council of Ministers—the troika of the European Union—and now we have a fourth: the European central bank. It is a troika plus one. This new institution will determine interest rates—and employment levels—and it cannot take into account other matters such as employment because the treaty says clearly that it cannot.

The Maastricht treaty says:

"The primary objective of the ESCB shall be to maintain price stability. Without prejudice to the objective of price stability"—

this is good draftsmanship—

"the ESCB shall support the general economic policies in the Community".

The general economic policies are that we should have high employment, but it cannot take that into account, whatever that means, because it has to determine price stability, which is zero or close to zero inflation, so why on earth do we need it?

If Governments cannot achieve that aim, I would leave it to the marketplace. Some of my hon. Friends may be upset about that, but that is what I would do. Governments have to face the retribution of the electorate. There is retribution, they tell me, in the marketplace as well if we get it wrong, but the gentlemen in Frankfurt driving around in large cars, on eight-year contracts and an index-linked pension, are going to face not retribution, but a nice retirement after they have decided who has a job and who does not in the European Union.

Mr. Llew Smith: May I use an argument that my right hon. Friend made some weeks ago, but in another instance? If we have no confidence in politicians setting interest rates or public expenditure levels, and if that is now to be the responsibility of the European central bank, why do we stop there? Why do we not give it powers to determine taxation levels, what sort of health and education service we have, and how much we should invest in the social services?

Just a week ago, we celebrated the centenary of one of my predecessors, Nye Bevan. Politicians from left, right and centre were queuing up to say what a wonderful man he was, which he certainly was, but do we honestly believe that a European central bank would ever have had the courage, imagination or initiative to set up the national health service?

Mr. Davies: My hon. Friend is right. I shall not follow him, as I can see that the occupant of the Chair is getting restive, but obviously there are possibilities. Once we have a central bank, we have an Exchequer board to determine public expenditure levels and taxation. Perhaps we saw the germs of that now in the statement of my right hon. Friend the Chancellor of the Exchequer the other day.

In his excellent speech, my hon. Friend the Member for Merthyr Tydfil and Rhymney mentioned corporatism, perish the thought. We old Labour Members in the previous Labour Government were accused of terrible corporatism, and we are still accused of all sorts of things: running the economy badly, being too corporatist and everything else. Fair enough: we accept those criticisms. We are now supposed to be living in a flexible world, a global economy, yet we belong to the European Union, one of the most corporate structures—I hate to say it again—since the Holy Roman empire. It is utterly and completely corporatist. It is there to determine, with institutions, treaties, words and lawyers, almost every facet of life—certainly of economic life. What can be more corporatist than that?

My hon. Friend the Minister often goes to Brussels and sits in this corporatist body, as do other Ministers and the Prime Minister. We are members of a large corporatist organisation, and I wonder sometimes whether this old-fashioned, indeed out-of-date, corporatist organisation can live with the global economy. I am not sure that it can. Something will fall apart, because it is the antithesis of the global economy.

Whether we like it or not, the global economy is there, yet we have this old structure—I am prepared to admit, this old Labour structure—in the centre of Europe to which we all subscribe and pay money. However, outside there is another world: the global economy, where Governments have to move quickly and be flexible, and where constitutions have to be flexible.

The good old British constitution fits well into the global economy. We are trying to dismantle it, but it suits that economy. This stuff that we are debating does not suit it, and I suspect that the treaty will not be able to cure unemployment and do the things that everyone wants. I suspect that the European central bank, price stability and all this nonsense will lead to deflation. Perhaps we shall have zero inflation, but if we do, even more than 18 million will be unemployed in Europe.

Mr. Jenkin: I do not intend to detain the Committee for long, because I want to ensure that we debate as many amendments and clauses as possible before the Government bring down the guillotine.

I had meant to talk about the European Court in conjunction with article 1, and about the importance of the amendments relating to the further centralisation of power; and I had meant to ask the Minister to clarify one part of the Government's policy. Are the Government in favour of the development of a federal Europe, or are they not? That is not a difficult question, and we need not get bogged down in arguments about what a federal Europe is. Some say that federalism is about decentralising power, but, if we started with that premise, we would not have moved any power from the member states to the federal institutions in the first place.

It is, of course, possible to centralise a certain amount of power in the institutions. Indeed, it was originally intended that the Community should take sovereignty from the member states in limited areas for the achievement of certain limited objectives—and it must be said that the European Economic Community, as it was then called, used to work extremely well on that basis. The objective of the single market was to consolidate the process, with the transferring of limited fields to the institutions to achieve free movement of goods, capital, people and trade within the single-market area.

The question that needs to be asked is whether the Government want the process to continue indefinitely, because that is what the European Community institutions

[Mr. Jenkin]

are now involved in. The inclusion of the Amsterdam treaty in the treaty on European Union gives the process a considerable further kick in a federalist direction.

Let me ask the Government a simple question: are they in favour of an indefinite and continuing transfer of power and responsibility from the member states to the institutions of the Community? It seems from the fact that they have signed the treaty, and from the fact that they have addressed none of the issues raised by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) about the operation of the European Court—the Conservative Government were going to insist on that—that this Government are indeed prepared to continue the process indefinitely.

It should be understood that it is not necessary to go on changing the treaties for that process to continue. May I detain the House for a moment to explain the doctrine of the occupied field? Every time a new directive is created or a new regulation is created and approved, the Community removes further competences from the member states, and centralises decision-making in European Community institutions.

Air transport is a classic example. It has been regarded as a competence shared among the member states and the Community, the presumption being that the Community should be responsible for air transport within the Community area, but should leave bilateral arrangements between member states and non-members to them. Now the former leader of the Labour party, the European Transport Commissioner, is trying to get hold of that system so that the European Community can take over the competence.

Once the Community has acquired a competence, it cannot give it back to the member states. It can delegate it, but, once acquired by the Community institutions, that power is permanently in the possession of the institutions. It is up to them to give member states permission to exercise it.

7.45 pm

Mr. Cash: Will my hon. Friend give way?

Mr. Jenkin: I want to be brief, but I will give way.

Mr. Cash: Will my hon. Friend add to his simple and graphic description the acquis communautaire, which produces a continuous ratchet effect? It is no more possible to revisit the occupied field than it is to revisit the existing legal norms that have been created by the Community. It is an irrevocable process, with no right of secession.

Mr. Jenkin: I agree. My hon. Friend has amplified the point that I was making.

It was all very well for the Prime Minister, before the general election, to write articles in *The Sun* declaring his affinity with a Europe of nations—presumably sovereign nations—involving our working in co-operation with our European partners. However little our European partners are now prepared to explain the consequences of signing the treaties as they have been signed, and however shy even Helmut Kohl now is about discussing the federal Europe, the fact is that that is the legal construction of the treaties.

The European Community may not yet be a state; but I have attended debates such as this often enough to hear hon. Members describe one policy after another, and one aspect of the Community after another, that suggest that it will be. If it has an executive in the form of the Commission, a legislature in the form of the Parliament and the Council of Ministers, a supreme court in the form of the European Court of Justice, a foreign policy and a nascent defence policy—if it is to have a currency, and if it has citizens and borders and passports and even a national anthem and a flag—it would seem that the European Community is taking on all the attributes of a state.

Plenty of people seem to be prepared—nudge nudge, wink wink, say no more—to proselytise privately about the creation of something akin to a European state. I consider it incumbent on the Government to make it clear at the outset of our debates that that is not their objective. I challenge them to say that with courage, because, if they are prepared to make the statement, much will flow from it.

I have a large amount of text with me, to which I was going to refer; but I shall put it aside, because I want to support strongly what was said by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) and the right hon. Member for Llanelli (Mr. Davies). I do not wish to wreck their careers in the Labour party, but the sentiments they expressed about the economic consequences of joining a monetary union are exactly the sentiments expressed by my right hon. Friend the Leader of the Opposition when he addressed the Confederation of British Industry a week or two ago.

During one of those two speeches, one of my hon. Friends who was sitting near me—but who has now left the Chamber, so hon. Members will have to speculate about who it was—lamented, "These debates are going to be just like Maastricht." Sadly, they probably will be in some respects, because many of the issues that were raised in the Maastricht debates have not been addressed.

In many other respects, however, they will not be like that. The treaties may not reflect the fact that the exchange rate mechanism has collapsed since the Maastricht treaty text was agreed, and the fact that many other economic events have occurred. For example, the unemployment rate in the European Union has continued to rise alarmingly. The treaties, sadly, are constructed as though nothing had happened.

What I wanted to say about the excellent speeches of the hon. Member for Merthyr Tydfil and Rhymney and the right hon. Member for Llanelli is that the issue of centralisation of decision-making applies as much to the policies that I was going to discuss as to the policies of economic decision-making. The European Union is actually about the centralisation of decision-making, in limited but ever-widening fields, especially in relation to economic and monetary union. It is about diluting the effects of democracy, and the requirement for consent on the outcome of those decisions.

Mr. Oliver Letwin (West Dorset): Will my hon. Friend join me in a speculation prompted by the coruscating brilliance of the right hon. Member for Llanelli (Mr. Davies)? Might not the tendency that my hon. Friend is now describing so powerfully be carried to its ultimate conclusion, through the justiciability by the

European Court of the phrase "price stability"? That leads to the interesting speculation that the body that may set the target for interest rates in Europe could be the European Court.

Mr. Jenkin: My hon. Friend is tempting me to explore the operation of the court, a topic that I set aside for today's debate, but he is right—the operation of the central bank is ultimately subject to the European Court of Justice.

The question that I shall explore, which is relevant to the European Court of Justice, is the question of consent and accountability. Ultimately, the institutions of the Community will respond in one way or another to the unrest that is likely to ensue from the removal of democratic accountability through the removal of powers from the national Governments.

Mr. John Bercow (Buckingham): Does my hon. Friend agree that the proposed conduct of monetary policy by the European central bank will not only be economically damaging, but, more particularly, will conflict with the much-vaunted commitment of the European Union and the Amsterdam treaty to democratic principles? If the European central bank is to be prohibited from taking representations from national Governments about the conduct of that policy, and if national Governments are potentially subject to fines for seeking to make such representations, is that not the antithesis of democracy?

Mr. Jenkin: I wholeheartedly agree with my hon. Friend. I am surprised that a number of the new Labour independent central bank freaks are not jumping up and asking, "Are you not in favour of independent central banks, and is not the Bundesbank a frightfully successful institution?"

The answer is that there is no such thing as a truly independent central bank. Even though the Bundesbank, for example, has a large measure of independence in the setting of interest rates and the governance of monetary policy, it is an institution that enjoys the wholehearted consent of the people of Germany. Indeed, they love their central bank probably more than any of their politicians, and they respect it more than any of their other institutions. To that extent, the Bundesbank as a central institution of the German constitution commands the consent of the German people.

We are asked to believe that the European central bank will command similar respect and admiration. If one asked the German people about the matter, which of course the German Chancellor has no intention of doing, they lament the fact that their deutschmark is to be taken over by the euro.

While the German people may accept that decision as inevitable at this stage of the proceedings, and while many other countries may even vote for it in referendums—it must be acknowledged that the issue may be decided in that way by this country—the problem is not the consent to that proposition, but the on-going consent on an annual basis to the way in which economic policy is determined.

Mr. Gill: Has it occurred to my hon. Friend that the advocates of a single currency were advocating it some time ago on the basis that it would be a hard currency, yet the same people are now advocating it on the basis that it will be a soft currency?

Mr. Jenkin: I shall deal with that point shortly. Crucial to the effects of the centralisation of economic policy and of interest rate setting is the fact that the same policy will be applied across all member states in the single currency area. That will lead to wide disparities in economic performance in different parts of the European Community.

It is not difficult to see why the Confederation of British Industry has been so strongly converted to the idea of a European currency, if it is looking no further ahead than the next five or 10 years. The CBI sees that Britain is now suffering the effects of growth that has been too strong, and therefore we have rising interest rates and a strong pound, amid weak European currencies. As the markets readjust their expectations for a weak euro, the CBI sees the prospect of monetary union bringing a reduction in the value of the United Kingdom currency prior to joining, followed by a massive reduction in nominal interest rates. That would be a bonanza for the British economy.

However, the CBI fails to understand that such a bonanza would be the beginning of a restructuring and reshaping of the British economy, the second half of which would be a massive recession and a massive fall-out as our economy adjusted to the economic circumstances of the rest of Europe.

It would be easy to get consent for the first part. No doubt the Chancellor of the Exchequer will hold out all the lollipops and carrots of the first part of our joining an economic and monetary union under such circumstances, but what will happen during the second part of the adjustment, when things get rough, unemployment starts to rise and the people who elect us to be responsible for economic policy in this country find that the politicians can do nothing but hold up their hands and say, "It is nothing to do with us—it is all now being decided by the European central bank"?

My expectation is that people who hold up their hands so lamely are unlikely to be re-elected. The people who would be elected under such circumstances would be those who said that we should never have joined that contraption in the first place. Unfortunately, we would be in a single currency, and it would be extremely difficult for us to concéive of circumstances in which we could leave it.

Members of the Committee know from experience how difficult it is to manage economies on a national basis, when we are all engaged in the process of the annual Budget statement, for example—the most important job that the House does—assessing what interest rates should be, what growth rates should be, what rates of employment are likely to follow, how much the Government should borrow, and how much they should tax.

That is a hard enough job. Imagine transferring those decisions and judgments to international institutions for all the member states, where we no longer share an affinity through language, culture and historic institutions, but are working through untried, untested, rather distant and unaccountable institutions. The average Brit or German would have only a vague idea of what those

[Mr. Jenkin]

institutions do, but even the people in them would find that they had to work in 15 languages and make up operating procedures as the single currency was bedded down. Imagine how hard it would be to run all those institutions with some measure of democratic consent.

Members of the Committee should try to imagine a housewife in Surrey switching on her radio one morning and listening to "Yesterday in the European Parliament", in which a spokesman from her party presents the budget statement to the European Parliament in Greek or German—in simultaneous translation, of course—and the Spanish Opposition leader, say, delivers a response. Would she feel as connected to the process of economic management as the British, German or French people feel to the economic decisions currently taken in their country? If one can believe that, one can believe in the possibility of a federal Europe.

Unless those circumstances are likely to arise, the embarkation on the centralisation of economic decision making in the European Union is likely to result not only in the economic dislocation so ably described by the hon. Member for Merthyr Tydfil and Rhymney and the right hon. Member for Llanelli, but in political disintegration, the collapse of democratic consent, and in Europe the rise of frustrated extremist groups such as Jörg Haider in Austria, the Vlaams Blok in Belgium and Jean-Marie le Pen's National Front in France. They will be the beneficiaries of such misplaced idealism.

The House and the Government must make sure that that eventuality never occurs. That is why I appeal to the Minister to make it absolutely clear today whether he is in favour of a federal Europe, and, if not, what action he will take to deal with it.

8 pm

Mr. Mike Gapes (Ilford, South): Last night I enjoyed a rare pleasure as a Member of Parliament: I read a bedtime story to my four-year-old daughter. My daughter is very interested in stories about monsters, and one of her favourite books is called "Where the Wild Things Are". That story refers to people sailing away for a year and a day and rushing back only to realise that they have been asleep.

I have listened to Conservative Members' contributions. It has been slightly more than a year and a day, and the hon. Member for Stone (Mr. Cash) has changed his constituency, but everything else in his speech was identical to last time. Sometimes one has feelings of deja vu because one is witnessing a total rerun of events during the 26 days in Committee on the Maastricht treaty.

We must recognise that Europe has moved on since then. I admit that the Amsterdam treaty is modest, and may not be what many people want. I agree with my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who criticised the limited nature of the employment chapter. I believe that it is a first step, and must be built on in future. Nevertheless, there have been some changes since 1991 and 1992 and our debates in this place during the last Parliament.

One difference is that the people who contested elections with the support of Mr. Sykes's millions are now much reduced in number. That is partly because they have advanced exactly the same line, the same arguments and the same simplistic views about the threats to this country. They still talk of fears of Britain being taken over—

Mr. Bercow *rose—*

Mr. Gapes: I shall give way in a moment. They use words such as "appeasement" and "capitulation". They speak all sorts of nonsense about this very modest treaty.

Some people are expressing fears about developments in Europe—an American academic was quoted several times on the subject. It is interesting to note that some in the United States are becoming increasingly worried about what might happen if the European Union gets its act together and becomes more effective on the international stage. In terms of World Trade Organisation negotiations and a collective European voice on international matters, the European countries would be more effective if they worked together: they could not be played off against each other, and there could be no divide and rule.

Mr. Jenkin *rose—*

Mr. Gapes: I shall give way, but first I must develop this point.

In the past few months, we have witnessed an emergency in international markets generated by a crisis in Thailand that spread to Indonesia, Malaysia and to South Korea. There is no single currency involved in that region; there is no unified super state. What lesson can I learn from those events? If I were to take the worst case scenario—

Mr. Howard Flight (Arundel and South Downs) *rose—*

Mr. Gapes: I shall give way in a moment.

I could claim that it proves that nation states and separate currencies lead inevitably to instability and crisis. However, it does not prove anything of the sort—nor does the model developed by the hon. Member for Colchester—

Mr. Jenkin: North Essex.

Mr. Gapes: The hon. Gentleman has changed his constituency also, but his views remain identical to those he expressed in the last Parliament.

Mr. Flight: The lesson that the world has surely learnt from the crisis in Asia is that it is a great mistake to try to maintain a fixed exchange rate. The International Monetary Fund and leading economists have pointed out that, if those economies had permitted their exchange rates to move up and down with their cycles, most of the crisis would have been averted. If the whole of Europe, encompassing many different economies, has not only a fixed but a single currency, there will be greater mayhem than we have seen in Asia.

Mr. Gapes: That is an interesting argument—presumably it is entirely consistent to apply it to events during the years when the Bretton Woods system worked well. There was economic recovery following world war

two, and a period of relatively fixed exchange rates. Nevertheless, there was also increasing prosperity and economic growth.

The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) revealed an obsession with the European Court of Justice. He argued against the 48-hour week. Is it not a fact that many other European Union states have operated legislation of that kind without any difficulties? Do not the 48-hour provisions allow for exemptions for certain industries? Such rules take account of the diversity of industries such as travel and transport.

Yet the obsessions and the phobias within the Conservative party prevent Opposition Members from seeing reality: they must build a straw man and create a big issue. A Conservative Government would have made the 48-hour week a show stopper—a sticking point—in Amsterdam.

Mr. Letwin: The hon. Gentleman is developing a most interesting line of argument. Presumably he will want to castigate the Prime Minister, who stated categorically that he opposed the further development of the powers of the European Court.

Mr. Gapes: No, I do not wish to castigate the Prime Minister. I am sorry to disappoint the hon. Gentleman, but I wish to praise the Prime Minister and the Government.

We went to Amsterdam committed to reaching an agreement and securing a treaty, without which the enlargement of the European Union would be impossible. If the Conservatives thought logically and rationally about the issue—rather than reading out the latest brief provided by some well-funded Euro-sceptic think tank—they would recognise that enlargement of the European Union, which they claim to want, and negotiations to secure enlargement will not happen until six months after the conclusion of the Amsterdam treaty.

If there had been no agreement at Amsterdam—that was the hope of the right hon. and learned Member for Folkestone and Hythe, who wished to stand alone and be isolated in Europe; he wished to block agreements, because everyone was wrong except him—there would be no enlargement negotiations.

Dr. Palmer: Is my hon. Friend aware that the situation is rather more sinister than he supposes? We have heard in European Standing Committee B that Conservative Members oppose the Opposition's official line, and oppose enlargement. That is yet another split within the Conservative party.

Mr. Gapes: That is revealing information. It reflects the concern expressed recently by the former Prime Minister, the right hon. Member for Huntingdon (Mr. Major), who voiced fears about the Conservative party's continuing movement to the hard right since the election. The reality is that the European Union will succeed on the basis of practical co-operation, as it has done throughout its existence. The United Kingdom has a very important contribution to make to developing practical co-operation within the European Union.

Mr. Bercow: Will the hon. Gentleman tell the House whether it is an example of practical co-operation or of a commitment to democracy to prohibit member states of the European Union from making representations about the conduct of monetary policy by the European central bank? Is that of accord with the type of practical co-operation to which he enthusiastically refers?

Mr. Gapes: It is not in the interests of any European Union state to be out of the discussion process about the future of economic and monetary union and development of the institutions that will lead to it. That is why our Government have said that, when the economic circumstances are right, in principle we should join that economic and monetary union. In contrast, the Conservative party would have taken a view that—for the foreseeable future, for 10 years, or never—we should not enter the process, and therefore have no influence in the shaping of it.

If the hon. Member for Buckingham (Mr. Bercow) is concerned about such matters, he will presumably condemn the former Chancellor of the Exchequer, the right hon. and learned Member for Rushcliffe (Mr. Clarke) for his important role in developing economic and monetary union in discussions that were held at the end of 1996.

Several hon. Members *rose—*

Mr. Gapes: I will give way to Conservative Members if they insist on intervening, but I should like to build my argument a bit—*[Interruption.]* If the hon. Member for South Holland and The Deepings (Mr. Hayes) want to intervene, I shall be happy to give way, but I should be grateful if he will let me develop the point a bit further.

Questions have been raised on European security, the NATO alliance and the former article J, which is now article 17. The shadow Foreign Secretary argued that the Amsterdam treaty weakens the commitment to NATO. An interesting paper from the Library points out on page 33 that the position is quite the opposite, and that, compared with the Maastricht treaty, some member states' commitment to NATO has been strengthened in the Amsterdam treaty. It states:

"the recognition of the latter has been strengthened. Whereas article J.4(4) stated that 'The policy of the Union in this Article . . . shall respect the obligations of certain Member States under the North Atlantic Treaty and be compatible with the common security and defence policy established within this framework', the new article 17 inserts the wording 'which see their common defence realised in NATO".

Therefore, it is not true that our Government have signed up to weakening NATO. They have either maintained the current position, as in the Maastricht treaty, or perhaps even strengthened commitment to NATO, as stated in the paper from the Library.

My hon. Friend the Member for Merthyr Tydfil and Rhymney drew attention to the fact that there are problems of peripheral regions in the European Union. No one can doubt that. With enlargement, the disparities between peripheral regions and the European Union core will grow. Such disparities will also be a part of the logic of enlarging the European Union into eastern and central Europe, and will lead to significant changes in funding arrangements and in the special arrangements for countries that are being assisted with regional funds.

8.15 pm

The disparities show the need for a fundamental examination of European Union financing, and they provide the basis for an argument that greater resources should applied to dealing with the types of problem mentioned by my hon. Friend the Member for Merthyr Tydfil and Rhymney, and that fewer resources should be expended on the wasteful common agricultural policy. I hope that the Government will vigorously implement their manifesto commitment—I am sure they will—to press within the European Union for rebalancing resources, so that we can spend far less on subsidising farmers and far more on helping regions on the periphery of the European Union and on areas with very high unemployment.

Mr. John Hayes (South Holland and The Deepings): Does the hon. Gentleman therefore think that it is feasible to enlarge the Union but not to allow all members equal status in the CAP? Is he saying that the CAP is inappropriate for new members? If he is not saying that it is inappropriate, and that new members should be included in the CAP, the problems that he has described will be exacerbated.

Mr. Gapes: I am saying that, as it is today, the CAP is inappropriate for existing members, and that, with enlargement, it would be inappropriate to try to keep the CAP as it is. One of the best arguments for enlargement is that EU membership for Poland and Hungary will make it impossible to continue the current common agricultural policy.

Mr. Hayes: The hon. Gentleman mentioned Hungary, which has 1.1 million small farmers. One reason why Hungary wants to enter the European Union is that it appreciates the benefits of a common agricultural policy, be it in its current form or in a form envisaged under Agenda 2000. The problems that he described will be exacerbated by admission of some eastern and central European countries that have far less efficient farming than exists in the main stream—what he called the "core"—of Europe. He offers no solutions. Is he suggesting a two-tier Europe? What is he suggesting?

Mr. Gapes: I always thought that the Conservative party was in favour of enlargement, but perhaps my hon. Friend the Member for Broxtowe (Dr. Palmer) was right. We are hearing speeches from the new isolationist wing of the Conservative party, which does not seem to be in favour of European Union enlargement. Anyone who has been to Poland, Hungary and the Czech Republic—as I have—and talked to people there will know very well that people in those countries realise that, although they may not like it, their current agricultural system cannot possibly cope with European Union membership.

In Poland, for several years, there has been a significant economic shift, with fewer people working the land. Change is already happening. Many far-sighted people in those countries are using the prospect of European Union membership as an argument, before membership, to accelerate that economic shift, and they will use it after joining to reduce their dependence on an inefficient production system.

I hope that the Bill will receive full-hearted support from hon. Members on both sides of the House who believe in British membership of the European Union, and who realise that the Amsterdam treaty is a modest but important contribution to assisting the people of the United Kingdom, those in the rest of the European Union and those who wish to join the European Union in the future.

Mr. Gill: I am tempted to follow the excellent speech of the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who told the House what the consequences of fixed exchange rates would be on unemployment. It is important that there is a full, frank and honest debate about the consequences for United Kingdom employment prospects if we complete fixed exchange rates with the other countries of the European Union. History demonstrates—it is a matter not of economic theory but of fact—that, if the United Kingdom joins fixed exchange rates, unemployment automatically goes up.

The hon. Gentleman was honest enough to explain to the Committee that the only way to mitigate the effects of fixed exchange rates was by a massive transfer of funds from the centre to the regions. For the benefit of the hon. Member for Ilford, South, let me say that we must not assume that Great Britain will in future necessarily be regarded as a poor region that will attract the funds which would be necessary, if there were fixed exchange rates, to create prosperity or avoid unemployment in our regions.

On that same point, it is inconceivable that the constituents of those hon. Members who have spoken in favour of the treaty are going to resolve the matter of their own unemployment by moving to other parts of the Community. It is all very well to talk like that with reference to the United States of America where the same language is spoken in New York, Florida and California, but the same does not apply in Europe. Someone who loses his job in south Wales is not going to be in the same happy position as his American counterpart, and will not be able to find himself a job in Prussia, Italy or Portugal.

Mr. Gapes *rose—*

Mr. Gill: I gladly give way to the hon. Gentleman; I look forward to him coming up with some hard arguments and facts to support his ridiculous contentions. To judge from what he was saying, I though that he was reading from his four-year-old's fairy tale book.

Mr. Gapes: My daughter reads books for much older children than that. Is the hon. Gentleman saying that, because this Government's policies will mean that we shall cease to have regions whose deprivation and unemployment is such that they attract special assistance from the European Union, we should therefore oppose enlargement of the European Union by smaller countries of central and eastern Europe? Is he now joining the hon. Member for South Holland and The Deepings (Mr. Hayes) in opposing enlargement?

Mr. Gill: The hon. Gentleman knows full well that that is not what I was saying. I shall now return to the point that I was making, which involved the effect of fixed exchange rates on unemployment. I conclude my comments on that issue by saying that it amazes me that

so many Labour Members do not understand, refuse to understand or have perhaps been intimidated and are not allowed to understand that that is the key issue. It is the issue to which their constituents will return time and again—fixed exchange rates lead inevitably to unemployment.

It will not be the fat cats or the Eurocrats who find themselves without a job but Labour Members' constituents, and my constituents. I could not vote for fixed exchange rates because I know what the consequences would be for my constituents. The same was true of our membership of the exchange rate mechanism—thousands of my constituents lost their jobs, many of them lost their homes, and many lost their businesses.

Mr. Jenkin *rose—*

Mr. Gill: I have to give way to my hon. Friend.

Mr. Jenkin: I am grateful to my hon. Friend for returning the favour. Does despair, like me, when confronted with arguments to the effect that we can somehow return to a Bretton Woods system which depended on one major currency instead of several as we have now, and which existed when there were capital controls on all the major economies, so that there were no international capital flows such as we have now? Does he not despair when people simply ignore the fact that even a big currency like the yen can crash and be subject to speculation? Labour Members seem incapable of learning that even the euro, stretching across an entire continent, could be speculated against, be unstable and lead to economic dislocation within that area.

Mr. Gill: I follow my hon. Friend's line of argument. As he knows, Bretton Woods was blown away by the oil crisis, just as every other system of fixed exchange rates has been blown away by one factor or another.

What I am trying to tell the Committee, particularly those Labour Members who do not want to hear it, is that the inevitable consequence of pursuing fixed exchange rates will be unemployment for their constituents. Sadly, there will be unemployment for my constituents, too. I do not believe in this policy, which is why I am resisting it. I do so not because of any brief that I have picked up from central office or from anyone else's office or from any lobby group—this is what Christopher Gill feels so strongly in his heart, and what is demonstrated by the economic history of this century.

Mr. Casale: I share the hon. Gentleman's concern for employment and for a European Union that offers clear benefits to the British people. However, many of the amendments, which I assume he is supporting, would prevent Britain from ratifying the Amsterdam treaty. Is he not aware that failure to ratify the treaty, which would then disconnect Britain from Europe, would create a level of unemployment of which even he, in his current line of argument, has not dreamed?

Mr. Gill: The hon. Gentleman draws attention to what he believes to be the obvious benefits of being in Europe. If he catches your eye, Mr. Lord, perhaps he will tell the Committee what those tangible benefits are; let him quantify them. In the meantime, I return to the argument that I was developing.

The hon. Member for Merthyr Tydfil and Rhymney also said that so many features of the European Union are the absolute opposite of what they profess to be. Paragraph 4 of article 1 of the treaty states:

"This Treaty marks a new stage in the process of creating an ever closer union"—

I shall leave out at this stage any consideration of whether that is what the people of this country want—

"among the peoples of Europe, in which decisions are taken as openly as possible and as closely as possible as the citizen."

The implication is that the European Union is to be a democratic organisation or a democratic state—that is the implication of saying that discussions and decisions are to be open and that everything will be brought as close to the people as possible. However, the opposite is the case. As the hon. Member for Merthyr Tydfil and Rhymney said, so much turns out to be the opposite of what we were told.

We are not talking about democracy today. The hon. Member for Merthyr Tydfil and Rhymney described the European Union as corporatist, but I have another word for it—collectivist. How else can one describe, for example, the common fisheries policy, whereby it is not this Parliament but the European Commission that tells our fisherman what he should catch—by species and size—where he should catch it and in what quantity? That is not democracy but collectivism.

It amazes me that even some Conservative Members who have opposed Communism all their lives have apparently found it in themselves to support these policies which are nothing if not collectivist. To this day—*[Interruption.]* The hon. Member for Ilford, South laughs, but is he laughing for the people of North Korea who are starving because that country continues to promote and adhere to collectivist polices?

Paragraph 2 of article 1 of the treaty declares that member states shall be determined

"to promote economic and social progress for their peoples, taking into account the principle of sustained development".

To continue my analogy with the fishing industry, it is interesting to consider sustainable development. There we have a natural resource, which will go on regenerating itself if we handle it properly. Under the collectivist common fisheries policy, hundreds and thousands of tonnes of perfectly saleable fresh fish are being thrown back dead into the sea. When some of the fish reaches the shore, they are condemned.

In fishing harbours in the British isles, I have seen beautiful, plump fresh flat white fish covered in red paint because they did not come up to the minimum landing size prescribed, not by anyone in this Parliament but by the European Commission. I see my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) nodding in agreement, because he has been to those harbours with me and can verify what I have said.

That is all done in the name of conservation, which is the opposite of what is happening. In the name of conservation and in advance of the Fisheries Council last month, the Council was proposing to reduce the size of plaice that can be caught to the size of the piece of paper that I have here. A plaice of that size cannot possibly breed and needs a minimum of one more year, or more likely two, before it is fit to breed.

8.30 pm

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): Order. Visual aids are not normally allowed in the Chamber. I should be grateful if the hon. Gentleman would desist.

Mr. Gill: I am glad that hon. Members were able to see that before you intervened, Mr. Lord, but I bow to your judgment on that matter.

I was trying to point out that we are talking about an organisation that says that it believes in conservation, among many other things, but that what it is doing is the antithesis of conservation. I am glad to say that the Council has now agreed that the size of plaice that can be caught will be increased from the size that I was demonstrating, but there will still be a reduction of 20 per cent. on the size that is allowed now. In other words, we are going to catch smaller fish in the name of conservation. Everything is the opposite of what it seems, rather like another fairy tale.

Only through the continual and consistent misrepresentation of what the European Union stands for and what the treaties mean has this country progressed so far down this road, in the opposite direction to democracy, and the people of this country have not been consulted.

Will the Minister please be honest when he sums up tonight? Will he address the serious and important questions posed on both sides of the House and answer them? Unless he does, we shall not be having a debate at all. We want answers to those questions, and the British people deserve no less.

Mr. Bill Rammell (Harlow): It is fascinating to observe the fundamental change in the Conservative party since the general election. Tonight, the former rebels who had the Whip withdrawn in the previous Parliament for opposing the then Government's policy on Europe are strongly represented. All those hon. Members here this evening have argued passionately and with conviction against Europe, and by implication, I believe, against membership of the European Union, and they have clearly been supported from the Opposition Front Bench. Clearly, that shows the way things have changed since 1 May within the Conservative party.

Also, we have heard a deep degree of fantasy, not reality, about what the Amsterdam treaty is about and what was agreed there. After all, that is what we are meant to be talking about. It is difficult to reconcile some of the assertions by Conservative Members and by the Opposition Front-Bench spokesman about the Amsterdam treaty with the views of other prominent Conservative Members and Conservative party supporters.

Mr. Jenkin: Can the hon. Gentleman clarify to which amendment he is referring?

Mr. Rammell: I am referring to a number of the amendments tabled on foreign and common security policy, the social chapter and the single currency, among others, as other hon. Members have done.

Interestingly, the right hon. and learned Member for Rushcliffe (Mr. Clarke) said of the Amsterdam treaty:

"There is no point in getting over excited about Amsterdam. The integrationists in Europe saw it as a victory for Britain and the British Government."

Lord Howe, the former Foreign Secretary, said:

"Amsterdam disappointed the advocates of integration. Actually the treaty is a pragmatic and not a path-breaking document."

How do we reconcile those views of what was achieved with the treaty with some of the xenophobic rhetoric about what was achieved that we have heard this evening? It is impossible—

Mr. Bercow: I am grateful to the hon. Gentleman for his courtesy in giving way. I invite him now, without a moment's delay, to cite exactly which example of a xenophobic statement he has in mind. Which hon. Member uttered the statement, at what point in the debate, and will he quote it?

Mr. Rammell: The general tone of the comments put forward this evening stems from a little Englander attitude that is based on the concept that we in Britain know best, that we can achieve everything on our own but cannot do so in concert with other nations. That is the failure of some of the views expressed this evening.

Mr. Owen Paterson (North Shropshire): Will the hon. Gentleman give way?

Mr. Rammell: No, I will do so later.

Given the tone of this debate, it is also disappointing that it so little represents the majority view in the House and the country. People will look on this debate and wonder what sort of discussion we are having of these crucial issues when the arguments are so unrepresentative.

Mr. Letwin: I certainly would not want to say anything remotely controversial. I am sure that the hon. Gentleman would agree that the most remarkable feature of this debate is the entire absence of the Liberal Democrat party from our proceedings—a party which apparently has no interest in Europe and which he will agree has also not represented itself in European Standing Committee B.

Mr. Rammell: That comment has been made before, both this evening and in the Standing Committee. The hon. Gentleman makes it effectively, although we have an hour and a half to go and perhaps—who knows?—we shall have a view from the Liberal Democrats.

Concerns have been expressed about the item in the treaty referring to penalties for persistent abuse of human rights and the fact that those penalties will be used in some way to disadvantage Britain and the British Government. The shadow Foreign Secretary even implied that that element of the treaty would be used to block Britain's view on a minimum wage or other social legislation. That sort of scaremongering does no credit to the people who put it forward. There is no evidence in the treaty or any of the discussions at Amsterdam or elsewhere that anyone intends to use that element of the treaty in that way.

Concerns have also been expressed about the European Court of Justice, in particular about instances when it has gone beyond its remit, over-interpreting certain elements of the treaty legislation. One of the difficulties that the judges at the European Court of Justice face when interpreting the treaty is having access to the debates and discussions that take place when treaties are formulated. One mechanism that could help with the process would

be to open up the meetings of the Council of Ministers so that people can be aware of the basis on which the original decisions were made when interpreting them. I would welcome Opposition Members' comments as to whether that view is shared across the House.

Mr. Letwin: That is a very serious point. I am sure that the hon. Gentleman will take comfort from the fact that all Conservative Members share that view. Why does he believe that the Prime Minister made no allusion to even a desire to achieve such a result in Amsterdam?

Mr. Rammell: In the six short months that we have been in office, we have taken several significant steps to open up the decision making of the European Union. That will progress in coming years. We are prepared to consider such changes. Time will tell.

I share some of the concerns expressed by hon. Members about the status of the employment elements of the treaty. We must ensure that there is substance to the initiatives and that there will be detail and real momentum behind the employment provisions. If Europe is only a monetary or business Europe, and is not based on jobs and prosperity for its people, it will not succeed.

We have also had a significant debate on the single currency. I welcome the fact that Conservative Members, unlike the Leader of the Opposition, have formulated policies on the single currency with some honesty and conviction. The concept of a single currency is alien to their political views. I believe that that is a false view.

Mr. Jenkin: Will the hon. Gentleman give way?

Mr. Rammell: No, I shall give way later.

One reason why I support a single currency in principle is that I do not believe that individual nation states have complete sovereignty and control over economic decision making. We have only to reflect on what happened in September 1992, when massive speculation and a run on the pound forced us to put up interest rates by 4 per cent. in one day in a futile effort to protect the value of the pound. A single currency, by virtue of being part of a larger currency bloc, could help to stem the power of the speculators. By pooling some of our sovereignty, we would have greater economic control.

Mr. Bercow *rose—*

Mr. Jenkin *rose—*

Mr. Rammell: I give way to the hon. Member for Buckingham (Mr. Bercow).

Mr. Bercow: Does the hon. Gentleman think it right that, under the single currency that he favours, member states should be open to being fined for seeking to influence the conduct of monetary policy by the European central bank? Does that not do violence to the principle of democratic self-government?

Mr. Rammell: The events of September 1992 were one of the major reasons for the scale of the Conservative defeat on 1 May, and one of their major causes was our lack of control over our economic affairs in a global international currency situation. I believe that, in some instances, we should pool some sovereignty to get more effective control over currency speculation and our own economic affairs.

Several hon. Members *rose—*

Mr. Rammell: I will give way later. I want to make some progress.

Many hon. Members have discussed the common foreign and security policy. We need Europe to speak with one voice and to be able to influence the international situation. In many ways, the common foreign and security policy has already worked. The stability pact with central and eastern Europe linked accession with the record on democracy and human rights of applicant countries. That made progress, and changes took place. Working together with other European nations to put such pressure through the common foreign and security policy would achieve more than we could achieve as an individual nation.

The reconstruction and administration of Mostar under the common foreign and security policy saw countries coming together to achieve more than we could have achieved alone.

8.45 pm

Several hon. Members *rose—*

Mr. Rammell: I shall give way in a moment.

On future development, through the mechanism of the European code of conduct for arms sales, we can achieve more than we could on our own.

Mr. Bercow: What objection does the hon. Gentleman have in principle to the extension of qualified majority voting in respect of the common foreign and security policy? To be absolutely clear, is there any such extension of QMV to which he objects in principle and that we can take as a touchstone of his political position on the subject?

Mr. Rammell: There are several issues on which it would not be appropriate to develop policy through QMV. That goes to the heart of the debate. The treaty and the common foreign and security policy are about enabling the EU to speak more effectively with one voice. They build in safeguards.

We have the common strategy, and we shall move forward by consensus where we can, but at the beginning the establishment of the common strategy must be achieved by unanimity. If we agree a common strategy and there is a proposal about which we are unhappy, we can argue the case as an important, stated reason of national policy that we want referred back to the European Council. Ultimately, the British people have the security of the veto on such important matters.

Mr. Jenkin: The hon. Gentleman suddenly sounds more sceptical about the nature and scope of European integration. By the same token, may I make it clear that Conservative Members, including my right hon. Friend the Leader of the Opposition, would, if we thought it in the national interest, agree to Britain joining economic and monetary union, but cannot foresee such circumstances arising for some considerable time.

Mr. Rammell: I am not convinced that that is the policy of the Conservative party. It is interesting to reflect

[Mr. Rammell]

that official Conservative policy on EMU—not some of the views advanced this evening—is logically inconsistent. If the objection to monetary union is constitutional and political, it should be ruled out for ever and a day.

To give Conservative Members their due, many have done that this evening. If it is not constitutional or political, it is an economic judgment, so how can it then be ruled out for 10 years? Many Conservative Members have thought the matter through and reached views with which I disagree but which are logically coherent, but that is not the position of their Front-Bench spokesmen.

Mr. Gill: The hon. Gentleman speaks as though entering into fixed exchange rates and giving away our currency would be a surrender of only a certain amount of sovereignty. What sovereignty would be left once we have created a single currency? I want him not to be airy-fairy but to think about the question and say in respect of what specific areas he thinks the House would retain any sovereignty, given that almost every decision affecting monetary and ultimately fiscal policy will be decided outside this Parliament.

Mr. Rammell: I do not accept the final part of the hon. Gentleman's argument. One of the fallacies put forward in this debate has been that, by signing up to a single currency, we automatically lose control of tax rates. The convergence criteria are about public sector deficits. No one would argue—from the left or the right—that a huge long-term public sector deficit is sensible economic policy. We would still have the ability to manage taxation policy.

In considering sovereignty, I am anxious about tackling international currency speculation, which the House cannot control. Some 90 per cent. of foreign exchange market transactions are not business transactions but pure speculation. When the circumstances are right and we join the single currency—we still need to make a fine judgment on that—we will pool some of our sovereignty and end up with more control over speculation and more ability to achieve stability, lower inflation, lower interest rates and, in the longer term, higher employment.

Several hon. Members *rose—*

Mr. Rammell: I shall not give way, because other hon. Members wish to speak.

The shift within the Conservative party and the views that have been expressed have been useful, in that they have flushed the issue out into the open. A view has long been held that there is a deep well of nationalism and chauvinism in Britain. I do not believe that that is the case. I believe that those views are skin deep within the British people. By adopting and articulating such an extreme position, the Conservative party has forced people to confront the economic reality of Europe and the single currency.

It is already clear that a shift is taking place. I come into contact with it in discussions with people in my constituency. One can see it in the opinion polls. More people are prepared to consider the issues, and fewer are prepared permanently to rule out a single currency, as many Conservative Members wish to do. So the Conservative party has done us a service.

Mr. Denis MacShane (Rotherham): On this occasion.

Mr. Rammell: Yes, on this occasion. We should take the shift forward. I hope that in the Committee proceedings we can have debates that are more representative of the views of hon. Members than the debate today.

Mr. Crispin Blunt (Reigate): I should like to address my remarks to amendments Nos. 65 and 17, both of which I support. In doing so, I find in front of me on the ground a standard bloodied and battered which I, as the new Member of Parliament for Reigate, have inherited from my predecessor. I intend and am proud to raise that standard, although I shall rotate 180 degrees and carry it towards the enemy.

On foreign and security policy, the most important issue should be substance, not form. The treaty represents an uneasy compromise in this area, not only between form and substance but between the competing visions of the future of Europe. Nowhere is that more glaring or potentially more dangerous than the position on defence. That is illustrated by the language on defence in the treaty.

We have the welcome protocol on NATO, but in the new article 17 the integrationist French position of

"progressive framing of a common defence policy"

is conceded. The prospect of common defence combined with the protocol language on NATO arguably ends up with the worst of all worlds.

Let us consider the example of the Baltic states. Any security guarantee has the potential to spark a crisis with Russia. Russia will have no legitimate objection to the Baltic states entering an economic European pact, but the European Union is an institution accreting to itself the progressive trappings of statehood. For the Baltics there is an implicit security benefit to EU membership, but a specific defence arrangement could provoke a wholly avoidable European crisis and hand to the extremists in Russia the ammunition again to wind up the danger of Russian nationalism.

Never mind the Russians, what about the Americans? The United Kingdom is anxious to see the EU enlarged, as, formally, are our partners. We want the EU to enlarge well beyond the boundaries to which the United States Senate would be prepared to extend article 5 security guarantees. The juxtaposition of the protocol on NATO and the progressive framing of a common defence policy could lead to a crisis with the United States. We are entitled to be suspicious of the motives of those who would welcome such a crisis, for they exist. The cause of European integration will be significantly advanced if Europe has to develop, in the absence of the United States, a stand-alone defence identity that has to work in its own interests.

Although the Government should be congratulated on securing the language on NATO, they will need to be on their guard against the can of worms that the

"progressive framing of a common defence policy"

represents. Eternal vigilance will be required, a task beyond a Government who see no constitutional problems with a single currency.

The relationship between the Western European Union—the proper vehicle for European defence arrangements—and the European Union have been made unhappily dynamic by the treaty. The protocol to article 17 calls for arrangements for enhanced co-operation to be drawn up within a year. That process must not allow those two organisations to become legally or constitutionally muddled. The WEU council must remain distinct from the European Council. When the treaty grandly talks of the EU "availing itself" of the WEU, its language is thoroughly unwelcome. It implies legal superiority of the EU over the WEU.

I remind the Committee that the duties imposed by the Brussels treaty are far more onerous than anything under the European Union or even NATO. That achievement should be preserved, not undermined, which is what the language of the treaty does.

Many tens of thousands of brilliant man hours, not least those of my former colleagues in the Foreign Office, have been spent on trying to frame the operation of a new common foreign and security policy. Their efforts have avoided Monsieur PESC, but all that intellectual effort has been wasted on agonising over structure and has not been directed towards what the CFSP should achieve. Their efforts have resulted in the hideous complications of common strategies, common positions, joint actions, constructive abstentions, a high representative, special representatives and so on, in language incomprehensible to ordinary people.

The focus should have been on output. I can express this no better than in the words of the previous Foreign Secretary, the former Member of Parliament for Edinburgh, Pentlands, in a speech in Paris. It is perhaps not difficult to discern the audience that he had in mind. He said:

"A sham display of unity convinces nobody, particularly not those who can sense the exercise of real power . . . Where CFSP represents common interests and common will, where it acts with the grain of our national traditions and perceptions, then it will succeed. But where CFSP tries to over-reach itself, there we should let reality prevail . . . It is a Common Foreign and Security Policy that we seek to establish, not a Majority policy. . . . But it would be wrong to believe that constructive abstention will somehow resolve real disagreements. It would make no sense to expect a country which actually disagrees with a policy to support it—whether politically or financially—through something called 'constructive abstention'. . . . The real issue here is that it is the effectiveness of CFSP that matters, not the internal decision-making procedures."

Constructive abstention, as foreseen by Malcolm Rifkind, is nothing more than the recorded public division that will undermine Europe's collective foreign policy influence. The way in which we deal with real crises will remain in the future, through coalitions of the willing, as in the Gulf, and through contact groups, as in the former Yugoslavia. Where European co-operation and the mutuality of our interests are real, the CFSP will enable the voice of the states of Europe to be heard with greater force and clarity. Constructive abstention and qualified majority voting on CFSP issues will undermine the objectives that the individual nations of Europe might otherwise pursue on their own account.

Finally, I shall discuss the wholly unfortunate arrangements for financing the CFSP. The treaty states that administrative and operational expenditure for the implementation of the CFSP, except defence expenditure, will be charged to the European budget. That startlingly foolish provision brings the CFSP within the scrutiny of the European Parliament, which, to its shame, already has a record of holding the budget to ransom in an attempt to force an increase in its influence in wholly unrelated areas. By that procedure, the Parliament will have an influence over the CFSP that we can be sure it will use. The Parliament might even use that influence for purposes unrelated to the CFSP, to advance its other objectives.

That provision gives the game away. A policy that is supposed to be intergovernmental is to be funded not by the member states, but by the European budget. If we want to know where we are being marched by the treaty, we need only follow the money. The Government perceive no constitutional issues in respect of economic and monetary union, and they are in favour of the greatest measure of European integration available. Why then, I am inclined to ask, are we going through the charade of pretending that the CFSP will remain intergovernmental? Why do the Government not get on with honestly promoting European integration in the CFSP, just as they will in EMU? The financing of the CFSP is yet more evidence of the direction in which we are heading, and passing amendments Nos. 65 and 17 would help to stop the rot.

9 pm

Mrs. Louise Ellman (Liverpool, Riverside): My concern is that the amendments, together with the comments made this evening, would undermine the social and economic well-being of significant numbers of citizens of this country, in opposition to paragraph 2 of article 1 of the treaty. If the amendments were passed, the treaty could not be ratified, and the position of this country in Europe would be undermined at a critical time for this country as a whole and for vulnerable regions of this country.

One of the main ways in which the European Union has been of great benefit to significant numbers of our citizens has been through the operation of its structural and community policies. Enlargement of the community is being considered, and at the same time renegotiation is taking place on the eligibility of major areas of our country for access to vital European funds—conventional structural funds from the European regional development fund, and the European social fund and community funding.

Mr. Swayne: Is the hon. Lady aware that those funds come from the British taxpayer—that we are net contributors—and that we are quite capable of making those allocations? Will she address the issue of how those disadvantaged regions will fare when they are subjected to an unfavourable interest rate regime, which it might well be beyond the limits of any structural fund to put right?

Mrs. Ellman: I reject the hon. Gentleman's central contention, and I shall specifically answer his points about eligible regions.

My experience of eligible regions in this country is that the sensitive application of European funding has produced greater business investment, enabled essential skills training to take place and helped to redevelop major areas of our country. Specifically, I have seen representations to the European Commission and the European Parliament result in the setting up of the vital

[Mrs. Ellman]

Konver fund, which has directly benefited areas of this country where the local economy was undermined by the running down of defence industries under the previous Government.

I have seen European funds working with the private sector in the objective 1 area of Merseyside, where the innovative special investment fund has used European funding with private sector money to support small and medium enterprises in a way not previously done. I have seen, in the north-west region as a whole, the setting up of a network of technology centres that work with the private sector, universities and the voluntary sector to ensure that new technological knowledge is applied in a variety of business concerns and voluntary organisations.

Mr. Bercow: I note what hon. Lady says, but, if I may say so, she has rather missed the point made by my hon. Friend the Member for New Forest, West (Mr. Swayne). Is she arguing, simply because she supports the operation of structural funds, that that justifies pursuing a deflationary monetary policy in Europe to increase those funds? Will she tell the Committee how, in any sense, the greater taxation that bigger cohesion funds would entail is consistent with the article 1 commitment to the promotion of

"the Fundamental Social Rights of Workers"?

According to the hon. Lady's ethos, is it a fundamental social right of workers to be much more heavily taxed in future than they have been in the past?

Mrs. Ellman: The hon. Gentleman does not seem to understand the gist of what I am saying. I again state that I totally reject one of the Conservative Members' major contentions that our continuing membership of the European Union and our support of the treaty would jeopardise our economy in general. On the contrary, I believe that, were we not to ratify the treaty and to withdraw from the European Union, as many Conservative Members seem to want to do, that would be tragic for our economy.

I am not, as the hon. Gentleman suggests, arguing at this point for increased structural funds for specific areas; I am saying that we are at a most critical point, when the very continuation of the eligibility of critical areas such as Merseyside and much of the north-west of England is at stake. Were we unable to proceed with the strong leadership that we now have from the new Government, and were we not to have the good relations that we now enjoy with Europe, those areas identified as in need, where focused funds working with the private sector are making a great difference, might have their funds withdrawn. I am talking about the necessity of the continued eligibility of those areas rather than the necessity of an increase in absolute funding, although that would be most welcome.

Mr. Letwin: I have followed the hon. Lady's argument. I do not agree with her view on funding, but let us assume that she is correct. Has she understood the force of the question asked by my hon. Friend the Member for New Forest, West (Mr. Swayne)? Does she agree that, given that we are a net contributor, the funding that she is talking about could just as well come from the British taxpayer as from the European Union? So far, the hon. Lady has not made the slightest vestige of an argument for cohesion funds, for membership, for the Amsterdam treaty or for anything under discussion; she has argued in favour of certain subsidies.

Mrs. Ellman: The hon. Gentleman's comments strengthen the view that I have acquired throughout the debate, which is that most Conservative Members—certainly those here tonight—wish to withdraw from the European Union and not ratify the Amsterdam treaty.

Several hon. Members *rose—*

Mrs. Ellman: I shall give way in a moment. It appears that, the more that Conservative Members seek to intervene, the more they confirm their basic opposition to this country's continued membership of the European Union.

Mr. Paterson: Let me put my question in incredibly simple language. In order to receive £1 back in European funds, the British taxpayer puts in £1.70. Our submission is that it would be more sensible if the decisions were made by the British Government and the money were not raked off on the way.

Mrs. Ellman: Once again, the hon. Gentleman seems to be advocating withdrawal from Europe. That may be the logical conclusion of the policy that has been officially adopted by Conservative Members and their leader, which is that this country should state now that it has no intention of joining EMU in any circumstances for at least 10 years. Tonight, Conservative Members seem to be confirming that the logical conclusion of such a policy statement—given for 10 years ahead, irrespective of what is to the benefit of this country—is that they are seeking withdrawal from the European Union. If so, perhaps we can have a debate on that subject on another occasion. I shall be pleased to participate.

Mr. Flight: Will the hon. Lady give way?

Mrs. Ellman: I shall give way for the last time.

Mr. Flight: The treaty and the single currency will inevitably require major changes to the subsidisation arrangements in the European Union—I hope to expand on this point later—and the part of the world that the hon. Lady represents is likely to do a lot worse in the future than it is doing today. There will be economic regions, particularly in the southern parts of the European Union, that will have the main call on that which is available for cross-subsidisation. I suggest that focusing on the benefits to her area is not an argument in favour of what is now going on in Europe.

Mrs. Ellman: The hon. Gentleman confirms the major argument that I am seeking to make: we are at a critical point because the enlargement of the European Union is taking place. It is critical that this country should maintain its relationship with the European Union and decision makers throughout Europe to ensure that our vulnerable regions get the best possible deal from Europe. I am grateful to the hon. Gentleman for reinforcing my argument.

It was ironic to listen to Conservative Members object to sections of the treaty on the ground that it would lead to further centralisation. I found it ironic, because my practical experience of dealing with Europe to bring vital investment, training and funding to Lancashire specifically and the north-west of England in general revealed to me that those benefits were gained because of the flexibility of the European Commission.

Together with colleagues from the private sector and fellow local authority representatives, I took part in delegations to the European Union and had meetings with commissioners and their staff. By arguing the detailed case relating to the economy of our areas, we were able to be decisive in persuading the European Union to define its boundaries for structural funds to reflect economic and social need. We also succeeded in persuading it to set up new funds, such as the Konver fund, to meet the specific needs of our individual areas.

According to my experience, which is shared by many others, the European Union, far from being a centralised monolith, is flexible.

Mr. Bercow *rose—*

Mrs. Ellman: I shall not give way again.

If those who are seeking support on behalf of our citizens work out their detailed case, take the trouble to present it clearly and lobby effectively, that delivers valuable results. It did so for the people I represented in the past, and I hope that I will be able to deliver the same results for the people I now represent in Riverside and on Merseyside as part of the north-west.

I look forward to pursuing that case with Ministers in our new Government, because at least they are committed not just to the European Union but to the way in which it might benefit the regions and citizens of the United Kingdom.

Mr. Letwin: I do not think that I can share the brilliance that has been displayed on both sides of the House in the defence of major positions, and I shall restrict myself to a rather narrow argument, which I believe has the sole benefit of being true, about a particular part of article 1 to which amendment No. 65 addresses itself in part.

I refer to article K.7, in particular paragraphs 1 and 6, which give the European Court of Justice, to which my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) alluded in his opening remarks, two new powers relating to justice and home affairs, the so-called third pillar governed by title VI of the treaty of European Union.

In respect of paragraph 1, the new powers are

"to give preliminary rulings on the validity and interpretation of framework decisions and decisions"

and conventions. Paragraph 6 contains the power

"to review the legality of . . . any rule of law relating to its application"

of those same framework decisions, decisions and conventions.

A rational inspection of the history of this matter, of what is in the treaty and what we are being asked to pass into English law will show that this is part of what may best be described as the long march of the European Court of Justice toward ultimate power. Let me briefly review the history of its involvement in justice and home affairs.

In the original treaty of Rome—the treaty of the European Communities—the European Court of Justice had no involvement whatever in the area of justice and home affairs, because articles 164 to 188, which set up the ECJ at that time, gave it jurisdiction over matters concerned with that treaty, which did not refer at all to the so-called third pillar.

9.15 pm

In the Maastricht treaty—the treaty on European Union—article K.3 did give the European Court of Justice a potential role in these matters, but it was carefully circumscribed. My right hon. Friend the previous Prime Minister—no doubt aided by the previous Home Secretary, my right hon. and learned Friend the Member for Folkestone and Hythe—made great efforts to ensure the circumscription of that role.

Article K.3 says that the member states may "draw up conventions" about justice and home affairs specifically decided to be conventions, not decisions or framework decisions, and adds:

"Such conventions may stipulate that the Court of Justice shall have jurisdiction to interpret their provisions and to rule on disputes regarding their application, in accordance with such arrangements as they may lay down."

In other words, the power to invoke the European Court of Justice was specifically restricted to agreements within conventions made by member states, and was not on the face of the treaty, a point which I am sure that my right hon. and learned Friend the former Home Secretary insisted on in the negotiation of that treaty.

I have taken the trouble to investigate some of the conventions that have been drawn up under that provision. I have one here, 97/C 195/01, which no doubt Labour Members, with their deep familiarity with the progress of European law, about which they display such enthusiasm—

Mr. MacShane: Conservative Members do not know any of them.

Mr. Letwin: From a sedentary position, the hon. Gentleman says that we do not know, but I can assure him that my hon. Friend the Member for Stone (Mr. Cash) knows this text by heart. The text in question is directly relevant to the question that we are addressing in article 1 and to amendment No. 65. It happens, by a subtle irony, that it relates to the fight against corruption by officials of the European Communities and officials of member states.

Exactly as envisaged in the Maastricht treaty, one part of the convention allows for the intervention of the European Court of Justice. It says specifically in article 12:

"The competence of the Court of Justice provided for . . . shall be subject to its acceptance by the Member State concerned in a declaration to that effect".

In short, under the treaty of European union, the role of the ECJ in arbitrating disputes about conventions drawn up in the area of the third pillar was specifically restricted to acceptance by member states of such interventions on a case-by-case basis.

The position in the Amsterdam treaty is very different. When we move toward the Amsterdam treaty, we move

[Mr. Letwin]

to the new powers given in article K.7, which will be incorporated in English law if article 1 is incorporated in our law. Those are powers to give, in the first place,

"preliminary rulings on the validity and interpretation"

of decisions in relation to the third pillar—justice and home affairs.

The words "preliminary rulings" may sound innocuous; indeed, they may be designed to sound innocuous to the untutored ear. What more innocuous item could there be than a mere preliminary ruling? Alas, that apparently innocuous status is illusory. A glance at any of the standard texts, such as Craig and de Burca, shows that there has been a clear trend in the use of the preliminary rulings that article 177 of the treaty of Rome, which established the European Communities, gave rise to. I want to quote that authority for the illumination of the Committee—

Mr. Swayne: The line of argument that my hon. Friend is developing represents a fundamental shift in the balance of power between European institutions, and an immense gaining of power by the Court of Justice. Does he consider that this form of constitutional model—possibly an extreme variant on the American constitution, with its Supreme Court—ought at least to have merited some discussion, if not a constitutional convention?

Mr. Letwin: I am most grateful. As my hon. Friend will see, things are even worse than he supposes.

I return to the preliminary rulings and what the authority that I mentioned had to say about them:

"There would have been few commentators, at the inception of the treaty"—

the original treaty of Rome—

"who could have guessed at the importance which this Article would have had in shaping both Community law and the relationship between the national and Community legal systems."

The authors of the text make that comment because the power to issue preliminary rulings has been one of the great engines of judicial intervention by the ECJ in a wide range of activities throughout the Communities. Now, the ability to give preliminary rulings in relation to justice and home affairs will inevitably lead to just such a wide scope for judicial intervention in the areas covered by the third pillar.

It gets worse, because of paragraph 6, which gives the ECJ the right to review the legality not of framework decisions, conventions or other items of Community law but of any rule of law relating to the application of those aspects of Community law by member states. In short, it gives the European Court the right to review the legality of rules of law established by the member states themselves when applying framework decisions to justice and home affairs.

I return for a moment to the example that I have chosen, the convention on corruption, to see just what this means. That convention, to which the UK is a signatory, states that each member state

"shall take the necessary measures to ensure that the conduct"—

it specifies the type of corrupt conduct—

"is made a criminal offence".

Under paragraph 6 of the treaty of Amsterdam, which, by means of the incorporation of article 1, is to be incorporated in English law, the European Court of Justice will be given an unambiguous right to rule on the legal validity of any actions taken by the House to institute English criminal law which will govern corruption—in the case of this convention—perpetrated by English or UK officials. That is a departure of the utmost importance, not just in itself but because of its precedent effect. It suggests that the ECJ is to be given power to make rulings for the first time on the validity of English criminal law.

As I told my hon. Friend the Member for New Forest, West (Mr. Swayne), the situation is even worse than it might appear. It is not merely that this seemingly innocuous paragraph gives this right to the ECJ; it is not merely that it forms a bridgehead into much greater powers, deploying the whole scope of teleological interpretation—about which many of my hon. Friends have spoken, and for which the European Court is famed—to make judicial decision making the means of advancing the cause of integration. It is that it is a transfer that directly contradicts statements made to the House by the Prime Minister, who, on 18 June, said:

"In the justice and home affairs area . . . such co-operation will remain intergovernmental and subject to unanimity. Thanks to amendments that we also secured"—

I remember distinctly that he preened himself at that moment—

"the European Court will have no authority to decide cases brought in United Kingdom courts on those issues."—[*Official Report*, 18 June 1997; Vol. 296, c. 313.]

In making those statements, the Prime Minister convicted himself of either not having read and understood the treaty to which he is a signatory, or not having intended to reveal to the House what it contained. It behoves him either to come back to the House and defend his position, or to instruct his right hon. and hon. Friends to accept an amendment that would make his statements on 18 June true. Without that amendment, they are indubitably false.

We are discussing not merely the development of the European Union, but the incorporation into English law of something that the prime architect and sponsor of Her Majesty's Government was wholly unaware of—I convict him of no greater sin—when he brought the matter to the House. That is indicative of a far wider and greater problem. The Government have proceeded with a certain levity, and have regarded the treaty as a matter of no importance. They have suggested that nothing in it has the slightest constitutional impact.

Some Labour Members have made excellent speeches of an opposing tendency, and some have been present for the debate, but the Government have used bleepers to tell other Labour Members to stay away from this unimportant debate. They have been much encouraged by the Liberal Democrats, who have not been present for large parts of the debate. It is the spirit of wilful and invincible ignorance of the contents of the treaty that Conservative Members most fear.

The greatest danger for this country is not what lies in the treaty, but the Government's attitude. They encourage the British people to be innocent of what is in the treaty, so that they will discover only after the fact that great

strides forward have been made by European institutions to acquire powers that it was never announced to the British people they were being given.

Dr. Palmer: One of the most interesting aspects of the debate, and of the way in which the amendment was introduced, was the ballet between the hon. Member for Stone (Mr. Cash), who is on his way out of the Chamber, and the right hon. and learned Member for Folkestone and Hythe (Mr. Howard). The hon. Gentleman claimed that he was speaking for the whole of the Conservative party. Very wisely, the right hon. and learned Gentleman made no such claim. Their approaches to the amendment complemented each other.

It is striking that, when the right hon. and learned Gentleman introduced what is essentially a wrecking amendment that would prevent Britain from accessing the treaty of Amsterdam, he gave as his reasons points of tiny detail. He spent a considerable time dealing with article K.12, which states:

"If a member of the Council declares that, for important and stated reasons of national policy, it intends to oppose the granting of an authorisation by qualified majority, a vote shall not be taken."

The right hon. and learned Gentleman said that the European Court of Justice might be able to state that those reasons were not important. Anyone who examines that sentence cannot seriously maintain that it sustains that interpretation.

Not satisfied with that, the hon. Member for Stone suggested that the passage could mean that the European Court of Justice could decide whether the European Union could commit military forces, for instance in Bosnia. The right hon. and learned Gentleman did not dissent, although the entire article K relates only to police and internal security matters.

The Conservative attack on the treaty of Amsterdam again and again failed to focus on the main issues, and again and again returned to points of detail. We heard, for instance, the hon. Member for Stone arguing that the European Court of Justice should be allowed to give dissenting opinions.

Mr. Hayes: I regret that I have interrupted the hon. Gentleman's charismatic performance. Am I right in thinking that I heard him say that we should be dealing with the broad aims of the treaty rather than the detail? Surely the detail is what we should be examining. If we do not consider the details of treaties, what are we here for?

9.30 pm

Dr. Palmer: I am grateful to the hon. Gentleman for his interesting intervention. The problem is that the Conservative Opposition focus on minor aspects of the treaty, which, when examined more closely, disappear into thin air. They do not address themselves to the central details.

Should dissenting opinions be allowed in the European Court of Justice? Apparently it is an extremely important matter, but such opinions would change nothing in the decisions of the court. The issue was sufficient, apparently, to detain Conservative Members for some time. Is it Conservative policy that dissenting opinions should be allowed? The right hon. and learned Member for Folkestone and Hythe described it as an interesting point which had been forcefully expressed, but he did not express his opinion one way or the other. I do not know whether he wishes to do so now—obviously not.

Another dog that has not barked is the question of a referendum. There was a time when the Conservative party favoured a referendum on the treaty; is that still its position? We should be grateful to know. Some Conservative Members nod their heads and others are shaking their heads. We see also the absolutely immobile head of the shadow Foreign Secretary.

Hon. Members on both sides of the Chamber have talked about a single currency. They drew attention especially to the impact on regions. It should not have escaped their attention that we have a single currency in the United Kingdom, where there are considerable differences in economic development. I do not know whether hon. Members who are opposed on principle to a single currency for the next 10 or 15 years, or for whatever number of years, would favour breaking up the single currency in Britain so that we might have one currency for each region, allowing for devaluation for Merseyside and Scotland, for example. Or do they accept a single currency in Britain but for some mysterious reason do not accept it in Europe?

Mr. Blunt: The hon. Gentleman should be aware that within the United Kingdom, which he is correct to say is a single currency zone, there are enormous transfers within the tax and benefit systems to ameliorate the consequences of a single currency. The system ensures that, for example, people I represent in Surrey probably pay a significant amount of tax and receive fewer benefits than the people in Liverpool or Scotland. That is the sort of system that will have to be introduced to support a single currency within the European Union. That requires democratic authority and federal government to make things work.

When the hon. Gentleman responds to my intervention, will he make it clear that he accepts that a single currency move is the greatest step towards a united states of Europe? As I have said, it will not operate without democratic authority at a federal European level.

Dr. Palmer: I am grateful that the hon. Gentleman had time only to ask a question rather than to make a speech.

A single currency is coming whether we wish for it or not, and the question is whether Britain should be part of it.

Mr. Blunt: Will the hon. Gentleman give way?

Dr. Palmer: I will carry on for the moment. I will return to the hon. Gentleman's point.

The hon. Member for Stone spoke of the glorious past, when we had an empire and a single currency throughout the world up to a point, but he used that argument to oppose the development of a single currency in Europe. We have the choice of isolation in the European Union, withdrawal from the EU or working with our partners in the EU and within the single currency. That is the reason why Britain under a Labour Government has accepted that there is no constitutional bar to working together within a European single currency.

If there were a constitutional bar, there would be only two alternatives—isolation, as practised by the last Conservative Government, or withdrawal. We know that

[Dr. Palmer]

there are hon. Members who favour withdrawal and hon. Members who favour isolation, but Conservative Front-Bench spokesmen will not say which they favour.

Mr. Bercow: To coin a phrase, I fear that the hon. Gentleman is suffering from a refreshing outburst of frankness and candour. I have followed the logic of the argument closely. The thrust of the argument seems to be that the single currency is inevitable anyway, so we have to sign up to it. May I therefore invite him to tell the Committee whether he believes that, if the Community goes forward with a single currency and adopts a common direct taxation system as its accompaniment, we have no choice but to accept that as well?

Dr. Palmer: We have two choices: influencing the European Union's development and how the currency is implemented, or isolation, which the hon. Gentleman's party developed, signally failing to influence the development of the currency.

Mr. Blunt: Will the hon. Gentleman give way?

Dr. Palmer: I am aware that other Members wish to speak, so I am going to finish. I am sorry, but I will not give way again.

We need the European Union because it is the only body in Europe which is large enough to enable to us to grapple with the economic, environmental and trade challenges that we face. We cannot face them effectively on our own. The EU needs us because, without us, it will not be as effective as it can be. It wants us to take part and we want to work with it, in contrast with the previous Government. The treaty of Amsterdam is an expression of that common will to work together. It makes sense, and only the diminishing ranks of the Opposition fail to realise it.

Mr. Bercow: I am stunned by the contribution of the hon. Member for Broxtowe (Dr. Palmer). He has done the Committee a signal service: he has broken ranks with hon. Members who spoke before him. Not for him the language of national independence, but support for the practice of federalism. From him, it is crystal clear what we are getting: support not only for the practice, but for the principles, of federalism.

The hon. Gentleman did not disavow or eschew that, or seek to deny the thrust of the criticisms of his position. Instead, he seemed to accept what Conservative Members have consistently argued: the logical corollary of entry to economic and monetary union is the adoption of a common direct taxation system. To all intents and purposes, it is clear that we would get a federal centralised Europe in which scope for individual decision making would no longer exist.

Dr. Palmer *rose—*

Mr. Bercow: I happily give way to the hon. Gentleman if he wishes to correct that interpretation of his position.

Dr. Palmer: I thank the hon. Gentleman for giving way. In view of the lack of time, let me simply tell him that I said no such thing. What I said was that expressing our willingness to work within the European Union and with monetary union gives us a chance to influence the way in which monetary union takes place.

Mr. Bercow: I thank the hon. Gentleman for clarifying his position, but, sadly, whatever he may think, what he says does not in any way detract from what I have just said about his position. The reason is simple. The hon. Gentleman believes that, if the rest of the European Union chooses to proceed with a single currency, we can argue about the detail, the way in which the currency will be developed and how it will be implemented, but we have no realistic alternative to participating in it.

Similarly, it must logically follow from the thrust of the hon. Gentleman's speech that, if the European Union chooses to adopt a common direct taxation system—although we can argue about the detail, express an opinion about the way in which the system is implemented or offer a judgment about the level of direct taxation—we have no serious alternative to participating in that system.

Mr. Hayes: The hon. Member for Broxtowe (Dr. Palmer) said—no doubt *Hansard* will bear this out—"We have no choice." He did not suggest merely that we were there influencing affairs, as he subsequently claimed in his brief intervention; he said that this was determined and inevitable, and that we had no choice.

Mr. Bercow: As ever, my hon. Friend has been helpful in elucidating the truth, and distinguishing it from the way in which—moments after sitting down—Labour Members seek to rewrite history. My hon. Friend is an attentive observer of debates of this kind, and, as always, I am grateful to him for his voluntary co-operation in my speech.

Mr. Letwin: I thank my hon. Friend for his patience in giving way to me a second time. I hope that he will join me in adding a codicil to what my hon. Friend the Member for South Holland and The Deepings (Mr. Hayes) said a moment ago. Could it not be said that the hon. Member for Broxtowe (Dr. Palmer) suggested earlier that he would like to join the top table in order to be eaten?

Mr. Bercow: As ever, my hon. Friend makes his point beautifully and succinctly. Clearly, the experience of collectivism is always, everywhere and without exception to be preferred to that of isolation. The fact that being isolated in a particular circumstance might allow one to continue to live apparently does not spoil the beauty of being eaten as part of a collective.

Mr. Gapes: Can the hon. Gentleman tell us how many other parties of the Conservative and Christian Democrat right in the whole European Union and all the applicant countries agree with him?

Mr. Bercow: I am fascinated by the hon. Gentleman's thesis, although I am not sure which parties he has in mind.

Mr. MacShane: Answer.

Mr. Bercow: I am happy to answer. The hon. Member for Rotherham (Mr. MacShane), who spends a great deal

of time outside the United Kingdom, is becoming rather excited, but I can tell the hon. Member for Ilford, South (Mr. Gapes) that most of his friends elsewhere in the European Union have the guts and integrity to admit that the position that they support means the achievement of a federal Europe. I am saddened that the hon. Gentleman cannot permit himself a similar candour.

Mr. Gapes *rose—*

Mr. Bercow: As you know, Sir Alan, I have been extremely generous in giving way to Labour Members. I shall not continue to do so, for the simple reason that I feel an irresistible urge to develop a couple of points without being interrupted by them.

I want to focus on two points. The first is the incompatibility, in article 1, between the commitment to the fundamental social rights of workers and the reference, a mere 284 words later, to economic and monetary union, including a single currency. When I have dealt satisfactorily with that, I shall move on to the subject on which my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the shadow Foreign Secretary, was especially eloquent—the pernicious new provision for European Union competence in respect of human rights.

On economic and monetary union, let it be clear beyond peradventure what the treaty states. It refers to the fundamental social rights of workers. It says that at the outset. I want to know from Labour Members, and I should be interested to see whether the Minister is capable of an answer on this point, how that is compatible with the commitment to economic and monetary union and the adoption of a single currency.

9.45 pm

Let me make the point explicitly, so that the Minister has no reason to ignore it as the debates progress. Is it a fundamental social right of an individual worker within the European Union to make a representation about the conduct of monetary policy under the single currency by the European central bank? Is it a fundamental social right of a worker to be able to enjoy an interest rate that reflects the economic circumstances of the country in which he or she lives, rather than the preferred wisdom of a group of bankers whom he or she does not elect and cannot remove?

We need to know from the Government whether they understand the difference and the inconsistency between the commitment, on the one hand, to the principles of democratic self-government, and the fact, on the other, that people will be entitled to no say—if the treaty proceeds and the single currency goes ahead—in the conduct of monetary policy.

It is simply beyond belief that right hon. and hon. Members on the Government Front Bench are not aware of the incompatibility between those two positions. Many Opposition Members believe that the commitment to what are called social rights is as near to meaningless as not to matter. We do not see any advantage to the citizens of the United Kingdom from adoption of the social chapter or acquiescence in the social charter.

We see no merit in that, but we respect the fact that there are right hon. and hon. Labour Members who would see some merit in that. We cannot understand, however, how they can claim to be committed to fundamental social rights, yet not understand the incompatibility of that position with support for a single currency. How can it be right that a single currency, with a single monetary policy, a single fiscal policy, a single taxation policy and, to all intents and purposes, a single economic policy should be imposed on the citizens of this country, without their knowledge, let alone their approval?

The Government cannot run away from the issue for ever. Elsewhere in Europe, the debate is conducted probably with equal intelligence, but with a degree of candour. Those who support the development of a federal Europe in countries other than the United Kingdom are prepared to say so.

I challenge the Minister to explain how he can continually say that he does not favour a federal Europe, yet can sign up with unbridled enthusiasm to a treaty that indubitably takes this country increasingly in a federalist direction. I appeal to the hon. Gentleman to explain the mismatch between the rhetoric and the reality.

I do not know what the hon. Gentleman's constituents were saying to him on the subject during the election campaign, but, when I was canvassing during the election—this has been the experience of my right hon. and hon. Friends as well—we consistently met people, day after day, who were fed up with the conflict between the commitment to a free, democratic and independent Europe, and the reality of an increasingly centralised and undemocratic European Union.

The Minister is drenched in the day-to-day party political conflict, but he must understand that I do not develop my argument on that basis. I am the first to concede that some people in my constituency were unwilling to vote Conservative on 1 May because they were insufficiently persuaded that we would resist the drive towards centralisation. If I had been accompanied by my right hon. and learned Friend the Member for Folkestone and Hythe during that campaign, I do not doubt that I would have had even greater success in dissuading them from that view. However, some people were concerned about the Conservatives on that account.

The Conservatives are explicit and honest. The hon. Member for Harlow (Mr. Rammell), who courteously gave way many times, correctly acknowledged that we have been absolutely consistent. We say that we are for free trade, not federalism; that we favour co-operation not coercion; and that we believe in a European Union of independent and co-operating nation states, but are wholly and irrevocably opposed to a single European state. Because we oppose a single European state, we oppose moves in that direction. That is why we oppose the treaty of Amsterdam.

If the Minister wishes to advance an argument in support of federalism, the Committee will doubtless be fascinated to hear it. The Conservatives would disagree with him—my hon. Friend the Member for West Dorset (Mr. Letwin) would dissect his argument brilliantly and ruthlessly—but we would hear him with respect. We would acknowledge the integrity of his argument and recognise that it is consistent with the policies for which the Government vote and for which Ministers negotiate. However, we cannot understand, and we surely cannot be expected to respect, the practical signature to, and consent for, federalist policies accompanied by a rhetorical denial that that is what the Government want.

[Mr. Bercow]

I move from the subject of economic and monetary union—profoundly undemocratic as it is—to the provision on human rights to which my right hon. and learned Friend referred eloquently much earlier in the Committee's proceedings. The Minister must respond. Many hon. Members on Opposition Benches—and, I wager, a few on the Government Benches—are genuinely anxious about article F.1. *[Interruption.]* Chuntering from a sedentary position, as though he resembled the village idiot, does the Minster no good. That is not good enough. The hon. Gentleman must listen to the point and respond to it.

The reality is that the provision on human rights is pernicious. The reason can be stated simply: the provision is unnecessary. Member states are signatories to the European convention on human rights and to the United Nations charter. Member states within the European Union are united in their support for the principles of liberty, the rule of law and democratic self-government.

I challenge the Minister or the Foreign Secretary to answer—not abuse—the point that my right hon. and learned Friend has made: if a member state fails to respect human rights, surely it is better to expel that state from the European Union than say that a member state that falls foul of majority, at a given time, should be punished for so doing but still required to stick to its Community obligations. That is not an honourable or a defensible position.

I shall state our concerns in practical terms by offering the Minister three examples. I shall give way happily if he is capable of responding seriously to any of them.

The first example is the minimum wage. What is to stop the European Union deciding that there is a fundamental human right to a minimum wage at a given level? The issue is not whether the Minister thinks that a minimum wage should be a fundamental human right. The question is: what is to stop the European Union, after signature and ratification of the Amsterdam treaty, from so deciding? If it so decides and the United Kingdom believes that it is unacceptable and refuses to go along with it, this country would presumably then be subject to the penalties that the treaty envisages—while, of course, still having to honour its community obligations.

Mr. Letwin: Is my hon. Friend aware of the great force of his remarks in the light of the fact that many of the statements about human rights specifically refer to slave labour and to excessively low wages?

Mr. Bercow: That is precisely right. Our concept of human rights, and specifically of what constitutes economic rights, is different from that of other member states of the European Union. As I am sure that my hon. Friend has anticipated, that is at the heart of my concern on this point. I challenge the Minister to state categorically that the European Union would not invoke new article F.1 in justification of the application of a mandatory Communitywide minimum wage of a given level to which all member states were obliged to conform. That is the first example.

The second example that I offer the Minister—if he is able to contain his impatience for only a moment, and to exercise what self-restraint he can muster—is a situation in which the United Kingdom were to decide that it supported the right to the practice of homosexual sex at the age of 18, but declined to support it at the age of 16. If the rest of the European Union opted for a policy of allowing it at the age of 16 and we deviated from that policy, could it not be held that we had breached a fundamental right as espoused by the European Union? What recourse would we have?

Mr. Cash: Does my hon. Friend accept that the notion of sexual orientation could easily include paedophilia? Does he agree that it was absolutely reprehensible to include a sexual orientation policy as a part of fundamental human rights when we are denied the idea of self-determination as a sovereign nation?

Mr. Bercow: I entirely endorse my hon. Friend's comments. It would be a bizarre situation.

Against that situation, however, I contend—I think that many Conservative Members would agree—that we have no protection if we sign the treaty. The Minister will probably think, "It might not happen; it probably won't happen; and, if it does happen, my right hon. Friend the Prime Minister will have moved me on to some other ministerial post by the time that it does happen." That is not a satisfactory answer to Conservative Members.

Mr. Swayne: Does my hon. Friend agree that it is more likely that such a challenge will be mounted in the social sphere? The treaty makes it clear that the principles on which judgment will be given are not in this treaty but are laid down in the social charter. They are laid down not in the Maastricht social provisions, but in the social charter.

Mr. Bercow: My hon. Friend is absolutely right to draw attention to the dangers of the social charter. The social charter has been much ignored in our debates, but it contains provisions that are infinitely more threatening to United Kingdom citizens than anything that is in the social chapter.

I am inviting the Minister to offer some proof that we have protection against those developments. He sits there chattering away to the Minister of State, Foreign and Commonwealth Office, the hon. Member for Leeds, Central (Mr. Fatchett), but he has nothing to say. He has advanced no argument. He responded to no point made by my hon. Friend the Member for Stone (Mr. Cash), and he sat in blithe ignorance of the potency of the arguments made by my right hon. and learned Friend the shadow Foreign Secretary. It is breathtaking that the Minister can sit there, preoccupied with nothing other than where he is going when he leaves the House at the end of the evening, so that he is not able to respond to the thrust of the arguments deployed against him.

The reason that we oppose article 1 and the treaty—

Mr. Gerald Bermingham (St. Helens, South): On the issue of where everyone is going in about one minute, does the hon. Gentleman agree that section 28 of the Mental Health Act 1983 probably applies in his case, and that the sooner two men in white coats come to remove him, the better?

Mr. Bercow: I hope that I can be forgiven for wondering whether the hon. Gentleman is experiencing the after-effects of an extremely agreeable dinner, but that does not detract from the point—

It being Ten o'clock THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

Committee report progress; to sit again tomorrow.

EUROPEAN COMMUNITY DOCUMENTS

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together the motions relating to European Community documents.

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

FOOD LAW

That this House takes note of European Community Documents Nos. 8150/97, on the general principles of Food Law in the European Union, and 8386/97, on Consumer Health and Food Safety; and endorses the Government's intention to support and contribute to the development of an EC food policy which delivers high standards of food safety, fully reflects the needs of consumers and contributes to the development of an effective Single Market.

HARMFUL TAX COMPETITION

That this House takes note of the Commission Communications (10427/97) of 1st October 1997 Towards tax co-ordination in the European Union — a package to tackle harmful tax competition and (COM(97)564) of 5th November 1997 A package to tackle harmful tax competition in the European Union: and supports the Government's position as set out in its Explanatory Memorandum (COM 97(564)) of 17th November 1997.—*[Mr. Pope.]*

Question agreed to.

NORTHERN IRELAND

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

That the draft Civil Evidence (Northern Ireland) Order 1997, which was laid before this House on 28th October, be approved.—*[Mr. Pope.]*

Question agreed to.

STANDARDS AND PRIVILEGES COMMITTEE

Motion made, and Question proposed,

That Miss Ann Widdecombe be discharged from the Committee on Standards and Privileges and Mr. Martin Bell be added to the Committee.—*[Mr. Mudie.]*

Hon. Members: Object.

SOCIAL SECURITY COMMITTEE

Motion made, and Question proposed,

That Siobhain McDonagh be discharged from the Social Security Committee and Mr. Paul Goggins be added to the Committee.—*[Mr. McWilliam, on behalf of the Committee of Selection.]*

Hon. Members: Object.

Mr. Douglas Hogg (Sleaford and North Hykeham): On a point of order, Mr. Deputy Speaker. It might be helpful for you to know that I have absolutely no objection to the hon. Member for Tatton (Mr. Bell) sitting on the Committee on Standards and Privileges, but I feel that the House should have a further opportunity to debate the procedures that that Committee adopts with regard to Members who are charged with some form of misconduct, because previous cases have shown that there is a denial of natural justice. I do not object to the hon. Member for Tatton personally, but I want to promote a debate.

Mr. Deputy Speaker: I am sure that the right hon. and learned Gentleman recognises that that is a point of explanation and argument rather than a point of order for the Chair.

PETITION

Hunting

Mr. Graham Allen (Nottinghan, North): Unaccustomed as I am to speaking in the Chamber, as I come from the Whips' Office, I wish to present a petition to the House ahead of tomorrow's debate on whether to ban fox hunting. The petition states:

We the undersigned being constituents of Nottingham North commend the new Labour Government in allowing a free vote in Parliament on whether hunting with hounds should be banned by legislation. We therefore call upon our local Labour Member of Parliament, Graham Allen, to vote in favour of banning hunting with hounds—

something that I do very gladly. The petition continues:

We are totally opposed to this barbaric sport and demand greater protection for all defenceless wildlife. We believe that Parliament should support Michael Foster MP's Bill to ban hunting with hounds and respectfully request that the House of Commons should take this opportunity to outlaw this horrific sport.

To lie upon the Table.

Wharfedale General Hospital

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pope.]*

10.3 pm

Mr. Paul Truswell (Pudsey): I am grateful for the opportunity to raise this important issue in an Adjournment debate. The future of Wharfedale general has long been a subject of local debate and concern in the communities it serves. The hospital is highly regarded. Performance indicators prove that it provides quality care, efficiently and effectively, to more than 6,000 in-patients and day-case patients a year, as well as to many out-patients.

A business plan produced by the United Leeds Teaching Hospitals NHS trust to justify the continuation of the hospital listed a number of strengths. They included the loyalty of purchasers, the commitment of staff and the community, the range of services and accessibility, the availability of parking, no or low waiting lists—a crucial issue—a broad range of open-access therapy services, a wide range of purchasers, a strong minor injuries unit, and a potentially valuable site.

About 40 per cent. of the hospital's patients are drawn from the Guiseley, Yeadon, Rawdon and Horsforth communities within my constituency. A similar number come from that of my hon. Friend the Member for Leeds, North–West (Mr. Best). I trust that he will succeed in catching your eye at the appropriate moment, Mr. Deputy Speaker.

One of the hospital's greatest advantages is that it provides such excellent care away from the expensive, high-tech, congested, city-centre-based teaching hospital of Leeds general infirmary. Two years ago, the debate on the future of the hospital appeared to have reached a critical, yet positive, watershed. The United Leeds hospital trust began a consultation process on where a new Wharfedale general might be built. That seemed to imply that the hospital's future was secure.

That sense of security has been backed up in a variety of planning documents in recent years—for example, the trust's own business plan and strategy, and the Leeds review—a major examination of acute health care in the city—and more recently in Leeds health authority's consultation document, "The Future of Health Services in Leeds". Each of those important documents has acknowledged the vital future role of the hospital.

Given all that apparent commitment, why have I insisted on keeping my hon. Friend the Minister from his cocoa? In July 1995, almost two and a half years ago, the trust submitted an outline business plan to the regional office of the national health service executive. It was at that point that the circumstances that gave rise to tonight's debate began to unfold, and then to fold up.

Initially, the issue became a ping-pong game between the NHS executive and the United Leeds hospital trust. Ping—the trust served up its outline business plan in July 1995. Pong—the regional office eventually returned it requiring more information. Ping—the trust went for an outright winner by supplying more information, but—pong—the region lobbed it back. Backwards and forwards it went.

The game was an infuriating spectacle for the local community that is served by the hospital. But worse was to come, for there came a time when there was neither ping nor pong, but merely a deafening silence. It seemed that the ball had disappeared, and each side seemed to be claiming that the other had it in their pocket.

I do not want to take up valuable time relating all the minutiae of this Byzantine farce. Three short quotes will serve to sum up the impasse that I hope this debate will help to remove. David Hall, the chair of the trust, told me two weeks ago:

"We have done everything humanly possible to meet the requirements of the Regional Office in producing our outline business plan."

Mr. Ron De Witt, the chief executive of Leeds health authority stated during the same discussion:

"The Trust's business plan is one of the best I have ever seen."

However, Dr. Bill Kirkup, director of the region's NHS trusts division told me:

"We definitely see a future for Wharfedale General, but we cannot approve the Trust's Outline Business Plan on the strength of a business case from 1995 updated by a series of addenda."

I am reminded of the much-quoted song from the Fred Astaire musical—Leeds says "potayto", the region says "potahto", Leeds says "tomayto", the region says "tomahto", and so on. The crunch comes in the song's punch line:

"Let's call the whole thing off."

Local people fear that, if this continues, the whole thing will eventually be called off. Their fear is understandable.

As I have tried to show, precious little progress has been made in planning the hospital's long-term future. However, day by day, a great deal is happening, and it is not good. In the past month, a ward has closed. Last week, the trust agreed a package of further cuts that will dramatically affect the hospital. The hospital is like a cherished old friend dying of starvation because his doting hosts cannot decide what to feed him on. Whether the menu is potato or potahto, the planning process is, at best, in a persistent vegetative state. Some might say that, bereft of life, it lies extinct.

I do not ask the Minister to play the pathologist and carry out a post mortem; I would prefer him to cast himself in the role of casualty consultant and resuscitate the ailing patient. To be cruder, I hope that he will figuratively, if not literally, apply some firm shoe leather to the appropriate part of the NHS management anatomy to jolt it back into some form of activity. I realise that such treatment is contained in no medical text, but everyone connected with the hospital despairs of the planning paralysis.

I conclude with three appeals to my hon. Friend the Minister. First, please intervene to end the state of paralysis. Secondly, please ensure that everyone concerned is clear about what needs to be done. Thirdly, please lay down a time scale within which we can expect those objectives to be achieved.

10.11 pm

Mr. Harold Best (Leeds, North-West): I wholeheartedly endorse observations of my hon Friend the Member for Pudsey (Mr. Truswell). I too have been involved with the sort of confusing and bemusing delays that I hope this evening's debate will help to resolve.

Wharfedale hospital, which is in my constituency, has been at the centre of several campaigns, not least during the general election, in which it made a considerable

contribution to the outcome in my constituency. It is one of those wonderful parts of our health service that is at once a community hospital and a general hospital. It serves both functions exceptionally well. It covers a wide area, and several Labour Members present tonight have had and will have constituents in it. I have been in the hospital three times. I live about 13 miles from it. It is often easier to travel the 13 miles to the hospital than it is to travel to the centre of Leeds.

The hospital is in Otley, which is in the beautiful part of lower Wharfedale which I am pleased to represent. The hospital has benefited from generation after generation of community commitment through fund raising and volunteer services. Everyone concerned considers the hospital essential for the provision of the one-class, first-class health service to which I referred in my maiden speech. The people of its catchment area, the people who serve those people, and various bodies including clinicians, have all given credence to the observations of my hon. Friend the Member for Pudsey. It is a fine hospital.

Among those notable bodies is no less a body than Otley town council, which has campaigned for many years to defend the hospital and the services that it offers to the community in its wide geographical band. Some hon. Members who are not present have constituents who benefit from the hospital. It is only fair to say that that campaign by Otley town council has in recent times received considerable support from the local business community. One business has made the offer of land and is prepared to assist with capital in the development of a new hospital in the area.

In short, we have a united group of people in Wharfedale who are in desperate need of a modernised, well-appointed hospital. We are being confounded by what appears to be a lack of concentrated and serious effort to bring about that which is commonly held to be needed. What my hon. Friend the Member for Pudsey had to say is that which we should consider here tonight. I look forward to hearing from my hon. Friend the Minister what he hopes to do.

The need is desperate. There is a need beyond easy measure tonight for a modern and secure Wharfedale hospital. It is my hope that that need will be met soon. I look forward to it, and to hearing what our Minister has to say and what he might do.

10.14 pm

The Minister of State, Department of Health (Mr. Alan Milburn): I congratulate my hon. Friend the Member for Pudsey (Mr. Truswell) on securing the debate, and my hon. Friend the Member for Leeds, North-West (Mr. Best) on contributing to it. They have both raised issues which are clearly significant for the people of the area that they represent, and those nearby. The issues that they have raised have wider implications for the national health service, and the way in which we plan our local health services.

As both my hon. Friends have made clear, Wharfedale hospital is above all else a popular hospital, but it is an old hospital. It has its origins in the last century. Most of the present buildings were developed in a piecemeal fashion between the second world war and the 1960s. I understand from what I have heard this evening and from earlier conversations with my hon. Friends that the accommodation is in poor condition, and that it is unsuitable for providing health care into the next century. As my hon. Friend the Member for Pudsey implied, proposals to replace the hospital with more suitable premises go back over 10 years. Sadly, none has made much progress. I understand the frustration that this must have caused my hon. Friend and his constituents.

My hon. Friend the Member for Leeds, North-West described the process as bemusing, and I understand why. As recently as 1995, responsibility for Wharfedale hospital passed to the United Leeds Teaching Hospitals NHS trust, which concluded that the hospital was unsustainable in its present buildings.

At that time, I ask my hon. Friends to recall, the NHS around Leeds, as elsewhere, was being asked to operate in an environment of competition, in an internal market for health care. The populations served by Wharfedale hospital were the responsibility of three health authorities—Leeds, Bradford and North Yorkshire—and significant services were also purchased by fund-holding GPs.

Hospital and community services trusts in Airedale, Bradford and Leeds would have been affected by any change in the nature and extent of services provided at Wharfedale, perhaps in some cases critically affected. The problem was that there was no mechanism to enable a co-ordinated approach to be taken across those various organisations, to ensure that plans were integrated and coherent.

In this context, it is important to note that Wharfedale hospital is situated in a town of some 12,000 people, but its catchment population amounts to almost 200,000. My hon. Friend the Member for Leeds, North-West made that point graphically when he spoke about his own experiences of Wharfedale.

My hon. Friend the Member for Pudsey described what had gone on as a game of ping-pong. Certainly people in the local community must not have known whether they were coming or going. My hon. Friend asked me to play the role of a casualty consultant. I am not sure that I am up to that, but perhaps I can play the role of a management consultant and try to explain what happened in the past under the previous Administration, and bring some clarity to what will happen in the future under Labour Administration.

When any investment is planned in health services—especially a major one—it is vital that, the proposal can demonstrate, first, that the health care needs of the population have been identified; secondly, that they would be met by the investment; thirdly, that the proposed service is sustainable in the future; and finally, that it represents good value for money and is affordable within the overall resources available. All those requirements have to be met for plans to be approvable as a good use of taxpayers' money.

Taking into account those requirements and the fact that, under the internal market system, there was no mechanism for integrated planning, I am not surprised that it was not possible to come up with a sound proposal that got the agreement of all parties and secured the approval of the NHS executive. Nor would I regard that as due to any shortcoming on the part of those involved. It was the product instead of a set of policies—those of the previous Government—which put competition ahead of

[Mr. Alan Milburn]

collaboration, which prized opportunism above partnership and which led to fragmentation instead of integration.

All this will clearly not do for the people who look to Wharfedale hospital. In bringing to an end the idea of an internal market for health care, the Government will be putting forward a better approach that involves partnerships between all of those who should be involved in the provision of local services. However, I agree with my hon. Friends that this matter can and should wait no longer for resolution. I have therefore already asked officials to look at the matter afresh in the new climate that we have created for planning in the NHS.

From the work that has already been carried out, I have been assured that several key principles have been established. First, there is no doubt that there is a need for a modern health care facility in the vicinity of the present Wharfedale hospital. Secondly, because of the unsuitable state of the existing buildings, new accommodation must be provided. Thirdly, I can assure my hon. Friends that there is no "hidden agenda" to run down the present level of provision in Wharfedale hospital until it becomes unviable. I know that there are real concerns in the community that there is such an agenda, but I assure my hon. Friends that there is not.

In the new environment that we are creating to foster the sensible planning of health services, I am confident that approvable proposals can be drawn up without further delay. I have been assured that my confidence is not misplaced and that discussions to this effect have already occurred between NHS executive officials and local trust managers. I shall insist that a clear timetable is produced, so that public uncertainty surrounding the future of the hospital can be resolved as quickly as possible.

Towards the end of his speech, my hon. Friend the Member for Pudsey asked me to respond to three appeals, and I am happy to do so. First, it is clear that the planning paralysis has already ended. Our intentions for the future of the NHS have played a part in that, but my hon. Friends' intervention this evening has helped to concentrate the minds of all those involved in the process. Secondly, everyone is clear about what is now needed. Useful and productive discussions have already begun, and I shall ensure that they continue. Thirdly, I have referred previously to the need for a clear timetable, which I shall require of the local managers. I will write to both my hon. Friends when that timetable has been drawn up.

It is vital that there is careful consideration, with clinicians, of the services provided now and in future at Wharfedale hospital to ensure that they represent the most clinically effective arrangements possible for the care of the resident population. I am confident that we now have an environment in the NHS in which such planning can take place in partnership with all the relevant agencies. The result will be the production of a proposal to replace Wharfedale hospital with modern facilities able to offer clinically effective services to meet the health care needs of local people in a way that is both sustainable and affordable. Any proposal will be the subject of full local consultation. Local people continue to demonstrate strong commitment to Wharfedale hospital, and they deserve an early response, which I am pleased to say can and will now take place.

Question put and agreed to.

Adjourned accordingly at twenty-three minutes past Ten o'clock.

House of Commons

Friday 28 November 1997

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PETITIONS

Hunting

9.34 am

Mr. Hugh Bayley (City of York): I have had more than 900 letters from my constituents opposed to hunting, only 12 in favour of it, and a petition signed by my constituent Angela Charman and almost 5,000 other constituents. The petition states:

The Petition of Residents of York

Declares that the hunting of wild animals with dogs is a cruel and unnecessary sport which has no place in modern Britain

The Petitioners therefore request that the House of Commons supports Michael Foster's Wild Mammals (Hunting with Dogs) Bill at its Second Reading on Friday 28th November 1997.

To lie upon the Table.

9.35 am

Caroline Flint (Don Valley): I too have received many representations from my constituents about today's debate and their full support for the Bill's Second Reading. The petition is from my constituent, Mrs. J. Harthorn, of 114 King George road, Rossington, and states:

To the House of Commons, the petition of visitors to the South Yorkshire RSPCA animal centre in the Don Valley constituency declares that the hunting of wild mammals with dogs is a cruel and unnecessary sport which has no place in a modern Britain. The petitioners therefore request that the House of Commons give a Second Reading to the Wild Mammals (Hunting with Dogs) Bill, which seeks to outlaw the hunting of wild mammals with dogs.

To lie upon the Table.

9.36 am

Mr. John McAllion (Dundee, East): I present a petition from Scotland, from the citizens of Dundee, which also states:

The hunting of wild mammals with dogs is a cruel and unnecessary sport which has no place in modern Britain

and requests that

the House of Commons give a Second Reading to the Wild Mammals (Hunting with Dogs) Bill.

From Scotland, and from the whole United Kingdom, I wish my hon. Friend the Member for Worcester (Mr. Foster) all the very best for today.

To lie upon the Table.

9.37 am

Mrs. Jackie Ballard (Taunton): I too present a petition, signed by Claire Gordon of 189 Greenway road, Taunton, and by other citizens of the United Kingdom. The petition states:

Stags, Hinds, (frequently when pregnant) and Calves are hunted and inhumanely killed during Staghunts. On numerous occasions hounds reach the hunted animals and savage them before the huntsmen arrive . . . WHEREFORE your petitioners pray that your Honourable House will take all such Measures as lie within their power:

1. To protect all Deer herds from hunting by hounds through appropriate legislation.

To lie upon the Table.

Orders of the Day

Wild Mammals (Hunting with Dogs) Bill

Order for Second Reading read.

Madam Speaker: Before we commence the main business, let me tell the House that more than 50 hon. Members are seeking to speak in this debate. Therefore, I have imposed a time limit of 10 minutes on all speeches other than those from the promoter of the Bill and Front Benchers, but I hope that Front Benchers will respond to my appeal for short speeches.

9.38 am

Mr. Michael J. Foster (Worcester): I beg to move, that the Bill be now read a Second time.

I owe a special debt of gratitude to my staff, Margaret and Phil, who have had to cope with an excessive amount of paperwork recently. Their task has been made more difficult by the fact that the Bill has come very early in my parliamentary career. The Bill has been supported by hon. Members of all parties, whom I thank for their valuable contributions.

I declare an interest in that I have received temporary support in the form of administrative, legal and research assistance paid for by the Campaign for the Protection of Hunted Animals in support of the Bill. I have a further declaration. I have also received support from thousands upon thousands of ordinary British people who want hunting with dogs banned.

I have known for some time that my right hon. Friend the Prime Minister would not be in the House today. *[Laughter.]* Conservative Members may laugh, but they obviously do not know that he is in Bosnia, with the British troops overseas, overseeing the peacekeeping process. They should not laugh about that, but take it seriously.

Mr. Michael Fabricant (Lichfield): Will the hon. Gentleman give way?

Mr. Foster: No.

I know, because my right hon. Friend the Prime Minister has told me, that, had he been in the House today, he too would have voted for the Bill.

This is not the first attempt to legislate to ban hunting with dogs. In the past, hon. Members have tried to pass private legislation, and have been frustrated by parliamentary techniques. Unfortunately, they were unsuccessful then, but I thank my hon. Friends the Members for Hull, North (Mr. McNamara), for Dumbarton (Mr. McFall) and for Mansfield (Mr. Meale), because their work has enabled the Bill to be in the position that it is today, and I hope that the lessons learned from the Bills that they introduced will be used usefully by me in the near future.

Little did I know, about eight months ago, that I would be introducing such legislation to the House, but at least my electors were sure where I stood on the issue. Probably most hon. Members received probing letters from organisations such as the British Field Sports Society and the League Against Cruel Sports, asking what their views were as candidates. I replied clearly that, on a free vote, I would vote to ban hunting with dogs.

During the general election campaign, at the many public meetings that I attended, I also expressed that view. Indeed, I was the only one of the four candidates in Worcester who held that view. I must confess—

Sir Michael Spicer (West Worcestershire) *rose—*

Mr. Foster: I must confess an incident that took place in Worcester during the general election campaign.

Sir Michael Spicer: On the subject of Worcester—

Hon. Members: Sit down.

Mr. Foster: At the time, it was not noteworthy in itself, but with hindsight, perhaps the hand of fate had some dealing with the following incident.

The Guardian followed me for the day on the campaign trail. I was keen to put over our core message—to restate our key pledges. When a Conservative-supporting lady approached me and asked for my view on fox hunting, I said that I would vote to ban it, and she then intimated to me that she was quite likely to support me at the forthcoming general election. I thought no more about it until *The Guardian* article appeared, which said that I had promised the end of fox hunting.

Perhaps there is something in the accusation by the hon. Member for Mid–Worcestershire (Mr. Luff), in my splendid local newspaper, the *Worcester Evening News*, that I can predict the future and should be called "Mike the Psych".

Sir Michael Spicer *rose—*

Mr. Foster: Like many hon. Members entering the private Members' ballot, I did not anticipate coming in the top 20, let alone having No. 1. It is an almost unique position for a new Member, so I adopted a unique position: I chose to consult my constituents.

Sir Michael Spicer *rose—*

Mr. Foster: I have only just started.

Through the good offices of the *Worcester Evening News*, responses were collated. People sent responses there; I also received responses directly in my office. The overwhelming majority view was that I should introduce legislation that banned hunting with dogs.

Mr. Peter Luff (Mid-Worcestershire) *rose—*

Hon. Members: Sit down.

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman who is on his feet has clearly indicated that he is not going to give way, and when that is the case I should be obliged if hon. Members would take note.

Mr. Alan Clark (Kensington and Chelsea): On a point of order, Mr. Deputy Speaker. Is this to be a debate or a series of soliloquies?

Mr. Deputy Speaker: That is not a point of order for the Chair.

Mr. Foster: Before announcing the choice of my Bill, I consulted widely on the issue with interested groups.

One meeting of particular note was held with the British Field Sports Society. I had asked to meet Mr. Robert Hanbury-Tenison, the organisation's chief executive, so I thought that the meeting would be just with him. However, he arrived with his political officer—that was fine—but also with Professor Stewart Harrop of Essex university, who is known for his academic input into the so-called "independent" Phelps report.

Also with the BFSS was Mr. James Barrington of the Wildlife Network, an organisation that is seen to promote a sanitised version of hunting with dogs. It was an interesting collection of people, given that I had asked only to see the British Field Sports Society. Perhaps there is some sort of cosy relationship between them.

I announced the title of my Bill on 16 June, with its First Reading on 18 June. The resulting postbag has been immense. Even national letter writing day made little impact on the overwhelming view expressed in my postbag that hunting with dogs should end.

Mr. Alan Johnson (Hull, West and Hessle): Will my hon. Friend give way?

Mr. Foster: Yes, I give way to my hon. Friend.

Mr. Johnson: It shows what one can do with a bit of charm and finesse.

Mr. Luff: On a point of order, Mr. Deputy Speaker. I understood that it was a convention of this House that, when an hon. Member is named in another's speech, he is allowed to intervene if he seeks to do so. The hon. Gentleman is now giving way for the first time to a member of his own party who he thinks may support him.

Mr. Deputy Speaker: That is not a point of order for the Chair. Hon. Members give way to whomever they choose.

Mr. Johnson: Like most hon. Members, I have had a record postbag on this issue. Of more than 300 letters, only one has been against the Bill. How many letters has my hon. Friend, as the Bill's promoter, received on this issue?

Mr. Foster: I have received 450 letters from my constituents supporting the Bill, and 19 against. I have also received a petition signed by 5,000 constituents and nearly 10,000 letters from ordinary members of the public. The overwhelming view expressed is the desire to ban hunting with dogs.

Mr. James Gray (North Wiltshire): The hon. Gentleman will not be aware that I have received 2,374 letters from my constituents in favour of fox hunting and 467 against. What does he say about that?

Mr. Foster: I say that that is what happens when people elect someone like the hon. Gentleman.

In July, I embarked on a consultation exercise with the major players of the debate. Responses were invited to be received by the end of September. I wrote to some 75 organisations, and 39 replied.

Ms Jackie Lawrence (Preseli Pembrokeshire): I welcome my hon. Friend's democratic approach to formulating the Bill. As I have a Welsh constituency, will he tell me whether any of the submissions received affected the final draft of the Bill?

Mr. Foster: One important dimension of the written submissions came from those involved in sheep farming in Wales, who were concerned about controlling fox numbers and the perceived threat to their land. I say "perceived", because the scientific evidence that I shall produce calls into question the reality of that threat.

However, I acknowledge that it is a genuine fear, so I felt obliged to help protect the farming community. While remaining fixed on the principle of humane methods of controlling animal numbers, I agreed to accept the principle of flushing out in the Bill so that dogs could be used to flush foxes out of cover, where they could be quickly and humanely shot. Clause 5 introduces that exemption.

In October, I witnessed a hunt at the invitation of the Worcestershire hunt. I thank Mr. Robert Breirley for his courtesy in showing me around the hunt, and for other meetings that we have had. We fundamentally disagree on the issue, but the fact that we parted on speaking terms says a lot for both of us.

Mr. Edward Garnier (Harborough): Will the hon. Gentleman give way?

Mr. Foster: I wish to make progress, because complaints have been made about the slow start.

I expect that even my opponents would welcome the fact that I have been hunting. When my hon. Friend the Member for Dumbarton introduced such legislation, the hon. Member for Cotswold (Mr. Clifton-Brown) severely criticised him for not having been on a hunt.

Mr. Garnier: Will the hon. Gentleman give way?

Mr. Foster: No, I said that I would not give way.

I followed the hunt on foot and in a four-by-four vehicle. Three foxes were sighted and chased, but none was caught. They were followed by some 40 dogs in hot pursuit. One fox came within 3 ft of where I happened to be standing. It was certainly not happy; indeed, it looked panicked, and did not know what to do. It is therefore surprising that the previously mentioned Robert Hanbury-Tenison should have said:

"If you have ever been hunting, you've seen how foxes laugh at the hounds".

Foxes do not laugh at hounds when they are being chased, and to suggest otherwise is to act with ignorant disregard for the welfare of animals.

Mr. Edward Leigh (Gainsborough): Will the hon. Gentleman give way?

Mr. Foster: No.

At the invitation of the Worcestershire hunt, I also visited the kennels there, and met the staff. A serious journalist covered that meeting, and someone from *Horse and Hounds* was also there—their reporting was somewhat less factual. I had frank discussions with the staff about their job content and about care for the dogs.

[Mr. Foster]

I have deliberately spent some time discussing the process that I have gone through, because I firmly believe in continuous process improvement: the better the process undertaken, the better the end product. The Bill is a good product. It aims to protect wild mammals from cruelty and from the unnecessary pain and suffering inflicted in the name of a so-called "sport". Preventing cruelty is the centrepiece of this Bill.

Ms Julia Drown (South Swindon): Can my hon. Friend see parallels between the hunting of wild mammals with dogs and the previous practices of bear baiting, cock fighting and dog fighting? Does he agree that, given the animal welfare evidence available to us now, the hunting of wild mammals with dogs should have joined those barbaric activities a long time ago?

Mr. Foster: I thank my hon. Friend for that question. She too has noticed the similarity, but it was also noticed by others in the past.

In 1825, somebody whom even Conservative Members may have heard of—a chap called Peel—spoke on the Cruelty to Animals Bill. Mr. Peel felt bound to oppose the Second Reading of that Bill. He confessed that he did not see on what grounds monkeys, badgers and bears were entitled to a distinct and separate legislative enactment for their protection. Why were the monkey and the bear to be protected, while the fox, the stag and the hare were subject to the most unrelenting persecution?

I shall state now, and repeat whenever necessary, that the Bill does not extend to shooting and angling. It extends to the 100,000 wild mammals that are hounded to death in the name of hunting. That number is a conservative estimate, because of the number of unrecorded killings by unofficial hunts.

Clause 1 approaches the task by identifying two basic offences. The first covers the public perception of hunting: wild mammals being followed on foot or on horseback. The latest survey by the Joint Nature Conservation Committee suggests that Britain's hare population is now only 800,000, compared with 4 million at the turn of the century. It is generally accepted that that reduction has been brought about by changes in agricultural practice, but the suggestion by hunters that hunting promotes animal numbers is a myth.

Mr. Colin Pickthall (West Lancashire): Will my hon. Friend give way?

Mr. Foster: Yes.

Hon. Members: Why?

Mr. Pickthall: Because we are much nicer than you lot.

I am glad that my hon. Friend is discussing hare coursing. Does he agree that hare coursing is particularly obnoxious—perhaps even more so than other blood sports—because it is a spectator sport? It belongs alongside cock fighting, bear baiting and bull baiting, as my hon. Friend the Member for South Swindon (Ms Drown) said.

Mr. Foster: I thank my hon. Friend for that contribution. I am sure that the whole House recognises how hard he has worked for the abolition of hare coursing.

Hare coursing and hunting have not been significant in helping to conserve hare numbers. Official hare coursing is recognised as killing 1,000 hares annually. The speed of the greyhounds and lurchers that take part in the event enable them to catch the hare quickly, but they then often use the hare as a living tug-of-war rope pulled between them. The human race, if I may use the term loosely, often bets on the result.

It is estimated that 6,000 hares are killed annually by packs of harriers, beagles and bassets. Those are slower dogs. They follow the scent. They wear down their prey until the hare becomes exhausted, thus enabling the dogs to catch it. Hares are not naturally suited to such a chase. It is artificially created for the pleasure of the human followers.

The Waterloo cup hare coursing finals perhaps symbolise this obscene sport most graphically. In 1951, even the Scott Henderson report on animal cruelty condemned that event, and others of a similar nature.

Mr. Kevin McNamara (Hull, North): Those opposing the Bill are most likely to quote the Scott Henderson report. Will my hon. Friend draw to the attention of the House the part of the report that states:

"Consequently, the suffering which is caused to hares coursed at such meetings comes within the definition of cruelty which we have adopted"?

Even Scott Henderson condemned hare coursing, and then did not have the courage to abolish Altcar.

Mr. Foster: I thank my hon. Friend. It is accepted that the Scott Henderson committee contained very few members of animal welfare organisations; in fact, it could be said to be biased towards people who hunted. Even so, it accepted that hare coursing was an extremely cruel act.

Mr. Garnier: Why does the hon. Gentleman go coarse fishing?

Mr. Foster: I do not believe for one moment that any reasonable person in this country thinks that fishing and hunting with dogs have anything in common. When anglers catch fish, do they feed them to the dogs so that the dogs can tear them apart while the fish are still alive? Of course not. That is rubbish.

Perhaps one of the cruellest forms of hunting with dogs is the pursuit of deer by hounds. This summer, thankfully, the New Forest buck hound hunt has been disbanded. Earlier this year, the National Trust banned stag hunting on its land, following a two-year scientific study conducted by Professor Patrick Bateson. He investigated the stress and suffering of hunted deer, compared to that of deer that had been stalked and then shot. His work had the full co-operation of the local stag hunts.

Mrs. Jackie Ballard (Taunton): Will the hon. Gentleman join me in condemning the actions of the farmers on the Quantock hills who claim to have deliberately slaughtered 36 stags in the past week, in order to make some perverse point?

Mr. Foster: I, too, condemn those actions. It is ironic that the people who conducted that obscene act claimed that they were culling deer numbers, when in fact the cull took place after the hinds had become pregnant, so it was a pure act of symbolic vengeance on wild mammals.

A panel of 14 eminent zoologists and veterinarians, including those nominated by the hunters, checked Professor Bateson's methodology throughout. His final report was so devastating that the National Trust acted on it immediately. In his foreword, Professor Bateson wrote:

"To many people, witnessing a hunt is to feel part of English history and the sight of the full field of horses and hounds is both beautiful and thrilling. The field-craft of the Huntsmen is remarkable and the skill of the hounds marvellous to watch. . .

We really did not know what we were going to find. As always in science, we failed to find some things that we had expected to find and we uncovered some major surprises which nobody had foreseen. Inexorably we were led to certain conclusions. I hope that those who will undoubtedly dislike these conclusions will accept that we have arrived at them honestly and, in some respects, not without sadness."

The conclusions of Professor Bateson's report are as follows:

"The study produced clear-cut scientific results. These show that lengthy hunts with hounds impose extreme stress on red deer and are likely to cause them great suffering. The hunts force them to experience conditions far outside the normal limits for their species. . .

I conclude that the level of total suffering would be markedly reduced if hunting with hounds were ended. Hunting with hounds can no longer be justified on welfare grounds, taking into account the standards applied in other fields of animal welfare."

The Bateson report has been scrutinised and accepted for publication in the proceedings of the Royal Society for London. That shows that its findings have been validated by the most respected scientists in this country. I hope that that will put an end to the scurrilous attacks on his integrity by the hunting lobby and its so-called experts.

Mr. Patrick Nicholls (Teignbridge): Would the hon. Gentleman say that the Bateson report and what it says about the stress that the hunted stag undergoes can be a valid contribution to the debate only if we understand how stags would die in any event, if they were not hunted? What evaluation does Bateson make of that?

Mr. Foster: As many people have pointed out, dying is a natural activity. Stag hunting is an activity conducted for the artificial pleasure of members of the public.

I shall now deal with fox hunting, which is perhaps the most controversial of sports. Those who justify its existence claim that they are controlling a pest, but at the same time they argue that they are conserving fox numbers. The fox has no natural predator in this country. Baroness Mallalieu thinks that humans have replaced the wolves. She said in another place that we have taken over the responsibility of the wolf. I believe that we should aim to be somewhat higher than that, or is hunting an activity limited to werewolves?

The so-called sport of fox hunting is not confined to organised hunts. There is a much darker side to it. Let me describe a typical fox hunt. It begins with the blocking up of earths and other underground refuges where the fox may seek to hide when being chased. That means that the fox must stay above ground throughout the pursuit.

The hounds are slower than the fox over short distances, but possess much greater natural levels of stamina. With nowhere to escape—and laughing away, according to Robert Hanbury-Tenison—the fox is eventually caught, at the point of exhaustion.

I am told that the average fox hunt lasts less than 17 minutes before either a kill takes place, or the scent is lost. I shall read out a boast from the Worcestershire hunt, which states:

"I cannot let the occasion pass without putting forward the claims of the Worcestershire Hunt to the longest recorded run. . . From the place where they found to that where they killed is more than 50 miles in a straight line and with the compass of the ground which must have been covered, the distance could not have been less than 80 to 90 miles."

So says Alan Cure, the former master of the Worcestershire hunt. That is the equivalent of the circumference of the M25. I wonder when the fox stopped laughing.

The kill is also surrounded by myth. The hunters claim that the kill is instantaneous—a quick bite to the back of the neck, it is said. The reality, as ever, is somewhat different. The hon. Member for North Wiltshire (Mr. Gray) said in last month's sport hunting debate:

"It is certainly right, however, to acknowledge that fox hunting is fun."

I shall describe the death of a fox, not in my words, but in those of innocent witnesses and of veterinary surgeons. The first case involves the Worcestershire hunt again. A witness reported:

"The dogs came across our field and attacked the fox and tore it to pieces.

They were followed by members of the hunt and one of them got off his horse and tried to get over a fence on to private land to cut the tail off the fox."

A pack of hounds savaged a pregnant fox and devoured her unborn cubs in a garden as a pensioner looked on helplessly. Eric Griffin, aged 71, said:

"It was the worst thing I have seen in my life.

The hounds were totally out of control and tearing at the vixen.

Three cubs spilled out. They were fully developed. I saw the dogs eat one of them."

Kate Hoey (Vauxhall): What would my hon. Friend say to the poor young girl whose two guinea pigs were killed by a fox two nights ago in Lansdowne gardens, less than a mile away?

Mr. Foster: It is accepted that foxes can be a nuisance. However, the answer is not to send a pack of hounds down the local high street.

Mr. Gray: I thank the hon. Gentleman for giving way. I hope that he will continue to do so generously throughout the debate: it is important to listen to both sides of the argument.

The hon. Gentleman mentioned me in his remarks, and he is correct in saying that I believe that fox hunting is fun. That does not mean to say that therefore fox hunting is a bad thing. The important point is that the only humane way of killing a fox is for the lead hound to bite it on the back of the neck, as the hon. Gentleman described correctly. The fact that the carcase is thereafter devoured by the hounds does not necessarily mean that the manner of killing the fox is cruel.

Mr. Foster: I simply quote the words of Janet George, press secretary of the Countryside Alliance. Speaking on a radio show on Wednesday afternoon, she said:

"Shooting is effective, safe and humane."

[Mr. Foster]

I have other evidence about the cruelty of fox hunting. A vet who conducted the post mortem of a fox killed by the Cottesmore fox hounds concluded:

"I feel that the most likely cause of death was that of shock (in the pathological sense) brought about by blood loss, organ damage, lack of oxygenation of the blood due to lower respiratory dysfunction and upper airway obstruction . . . In short, the fox died a painful and unpleasant death, which probably was not as quick as evidenced by the areas of haemorrhage seen at many sites."

A second vet's report on a fox killed by the Cheshire fox hounds stated:

"There are no bite marks on the neck. I am not convinced that it has been bitten on the neck or killed in that way. Personally, you've got to be very suspicious that it's just been killed by being ripped apart . . . It hasn't been killed with a single blow."

A veterinary report on a fox killed by the Isle of Wight fox hounds found:

"I could detect no external damage to neck or throat areas, but there were extensive wounds to the abdomen and thorax. In fact, the abdomen was ripped open and the intestines were hanging out. The wounds were consistent with the fox having been severely bitten by another animal or animals."

Lest anyone has forgotten, I remind the House of the words of the hon. Member for North Wiltshire, who said:

"It is certainly right however, to acknowledge, that fox hunting is fun".—[*Official Report*, 29 October 1997; Vol. 299, c. 850.]

Somehow those words now have a hollow ring. Any hon. Member who dares to stand up and argue the case for the quick-kill theory will be ridiculed not only by the House but by the nation.

Clause 1(2) of the Bill outlaws the wanton cruelty perpetrated in the name of sport involving wild mammals who shelter in a refuge, natural or man-made. That is the darker side of hunting that I mentioned. Dr. MacDonald of Oxford university calculated that half the foxes killed by hunts were slaughtered not by the hounds, but by terriers that were sent underground to pursue the foxes when they sought refuge. The terriers drive the fox out of the refuge or keep it occupied while humans dig it out. Even the official hunts have acknowledged that that practice must be tightened.

Those who take part in such activities boast about the horrific injuries suffered by the dogs in the subterranean battle between fox and terrier. In a report from that earnest journal, *The Sunday Telegraph*, Adam Nicolson described his day out with the Blencathra fox hounds:

"From above ground we could hear the terrible fighting below us, the screaming of dog and fox was only partly muffled by the layers of earth and rock that separated us from it. The noise moved for about 10 minutes . . . and then went quiet. The huntsman, the whipper-in and the followers stood listening in silence . . . Then the huntsman said, 'All right, that's us then' and headed back downhill. It was just before nine in the morning.'But what about your dog?' I said to the terrier man as we walked down. 'Oh,' he said, 'that's all right, it'll either be dead and the fox will be eating it or the fox will be dead and she'll be eating the fox. Don't worry, I'm sure she'll be back home in a couple of days, once she's slept the whole thing off.'"

I am most concerned by the attitude of the Wildlife Network. In its submission to the debate, it says that unorganised terrier work should be stopped, but that the same activity is okay when conducted by the official hunt. Clearly, points of principle and consistency do not wash with the Wildlife Network. In addition, it wants terriers to go underground and only bark at the fox, not bite it. It wants to time the fox so that it spends only one hour underground. I would have far more respect for the Wildlife Network and its motives if it stopped trying to appease the hunt lobby.

One of the many problems associated with fox hunting is the lack of control exercised in respect of the route taken by the fox. In that regard, the hunt is guilty if not of negligence, then of downright arrogance. There are many recorded instances of a hunt operating close to built-up areas. I am particularly concerned about schools. I would expect a responsible hunt to call off the chase when it approaches a local school—it would be good public relations, if nothing else. However, the hunt's disregard for the feelings of young people is apparent from the following examples.

The Worcestershire hunt ripped a fox limb from limb in full view of a class of girls with emotional problems. The killing, which occurred within 50 yd of a classroom at Hallow Park special school near Worcester, left some of the girls hysterical and others sobbing. The headmaster, Ron Capper, said:

"Every time the hunt comes through, it ruins a morning's work. The girls get so upset it takes a whole morning to bring them back down to earth."

Mr. Capper said that he had asked the hunt not to use Hallow park during term time.

The second example comes from Nottingham. Twenty shocked children looked on as a pack of 20 to 30 hounds of the Quorn hunt chased a fox across the football pitch about 10 yd away from the playground. The hunt master apologised, but gave no assurances that it would not happen again.

In Sheffield on 8 November 1997, about 50 dogs hurdled a 4 ft fence into the grounds of Wharncliffe Side primary school, before running into neighbouring gardens, where they tore a fox apart. The head teacher, David Rogers, said:

"had the hounds jumped the fence minutes earlier a group of up to 33 children under five would have been in their path."

There are many other examples of trespass and disruption caused by the official hunt—which is, of course, self-regulating. That is why, among other reasons, clause 5 of my Bill—

Mr. Lembit Öpik (Montgomeryshire): I recognise the importance of regulating the rogues out of the business, but surely the best way to control the behaviour of which the hon. Gentleman has given us examples is by licensing. That would give a statutory basis to banning those cowboys who behave in such ways, instead of the responsible hunts, many of which do not even use horses with their hounds, and are simply trying to control the fox population.

Mr. Foster: I should have thought that the hon. Gentleman would have realised, from the examples I have given, that the hunt cannot control what happens, licence or no licence. Clause 5 specifically excludes drag hunting from the definition of hunting activities that will be banned.

Mrs. Llin Golding (Newcastle-under-Lyme): I have asked the Library for a definition of the term

"wild rodent", which appears in clause 5 and is also excluded. The Library can find no legal definition. Can my hon. Friend tell me what "wild rodent" means?

Mr. Foster: Apart from hon. Members who may be present in the House, if my hon. Friend consults any scientific dictionary, she will find a valuable definition of Rodentia species.

Drag hunting is the following of a man-made or man-laid scent.

Mr. Cynog Dafis (Ceredigion): Will the hon. Gentleman give way?

Mr. Foster: No.

Drag hunting is a viable alternative to killing wild mammals. Such a hunt can follow a pre-planned route. It can have pre-determined obstacles to cater for all riding abilities, and a variety of slow or fast paces to suit all riders. It really could be fun. It involves enjoying the British countryside, riding on horseback and following the hounds, but the difference is that no kill takes place. Some 80 per cent. of British people agree that hunting should continue, but by following a drag with no kill.

Mr. Nick Hawkins (Surrey Heath): Will the hon. Gentleman give way on that point?

Mr. Foster: I have taken several interventions already, and I am now coming to a close, when the hon. Gentleman will have an opportunity to speak.

I firmly believe that, when drag hunting replaces the hunting of wild mammals, many people who currently ride—but who would be appalled at being involved in the killing of a wild mammal—will take up that equestrian pursuit. It is wise, perhaps, to examine briefly the motives of people who hunt foxes.

We know from the hon. Member for North Wiltshire that they go for the fun of it, but some argue that hunting is a form of pest control. A recent report by Bristol university has examined the available scientific information on that point. The conclusions of that report are as devastating for fox hunting as Bateson's report was for stag hunting. The report states:

"Foxes do not warrant their reputation as major pests of agriculture. Nationally, losses of lambs, piglets and poultry to foxes are insignificant relative to other causes of mortality. Vastly greater improvements in lamb survival can be made by improving husbandry than by fox control. Local problems with fox predation of livestock can be prevented by electric fencing and secure housing. Foxes can be beneficial by consuming rabbits and other pests of agricultural crops."

Mr. Ian Bruce (South Dorset): Will the hon. Gentleman give way?

Mr. Foster: I have said that I have nearly finished.

As for lamb predation, only 5 per cent. of lamb deaths are due to predation, compared with 70 per cent. due to abortion, stillbirth, exposure and starvation. The Ministry of Agriculture, Fisheries and Food states:

"the loss of lambs to foxes does not constitute a loss of economic significance to the farming community nationally."

Some 86 per cent. of farmers surveyed lost five or fewer lambs a year to foxes. However, local problems may occur, and dealing with them promptly and humanely is in the best interests of the farmer. Shooting is the obvious method, and it is one that is commonly used today. Over 80,000 foxes are shot each year, compared with just 12,000 killed by the traditional hunt. That is why clause 5 will allow the flushing out of foxes into cover for a quick, humane kill—

Mr. John Home Robertson (East Lothian): Will my hon. Friend give way?

Mr. Foster: No, I am reaching my conclusion.

I am told that the Bill would do nothing for the welfare of animals. Try telling that to those who have witnessed the vile and cruel acts that I referred to earlier.

On a more general note, there is no evidence to suggest that a ban on hunting would lead to a significant increase in the number of foxes killed; nor is there any evidence to support claims that there would be an increase in the deaths caused by illegal and cruel methods, such as poisoning. If any hon. Members have such evidence, they should report it to the authorities immediately.

The Bill has the overwhelming support of the British people. It has been a long time coming. Only through parliamentary techniques used in the past has such a Bill's progress been frustrated. The will of the people and the House will be heard, and it is time for the House to stand up for the majority—the quiet majority. Its members may not demonstrate or man picket lines, but their voice should still be heard.

The House is privileged, in that we have a duty to pass our judgment on legislation and to assess what Britain needs to become a better place. We want a proud country that is as proud of our animal welfare position as of our sporting success and innovative success. How can we pass judgment on Pakistan, where they set dogs on bears, or on Spanish bull fighting, when we allow dogs to be set on deer?

When we were elected to the House, we all wanted to change the world, or at least a small part of it. Today we have an opportunity to make a modern Britain. The House will be judged by future generations on our actions today, just as we judged the actions of our 19th-century predecessors. I urge every hon. Member to stand proud, to make a mark and to vote to end the unnecessary, cruel and outdated practice of hunting with dogs.

10.23 am

Mr. Michael Heseltine (Henley): I shall not keep the House long, Mr. Deputy Speaker, because you have rightly asked us to contain ourselves to 10 minutes. I have agonised about whether to declare an interest. I have never hunted foxes in my life, and it is unlikely that I shall start now. However, I have an interest, because the Bill is merely part of an agenda. That agenda will move relentlessly on to shooting and angling. Exactly the same arguments as we have heard today will be paraded then. Because I fish and shoot, I declare an interest.

I did not come here today to speak on behalf of any great constituency—although I have received letters, like every other hon. Member—but I was touched by the speech of the hon. Member for Worcester (Mr. Foster),

[Mr. Michael Heseltine]

who paraded a number of people in his support, and I take the liberty, therefore, of claiming the support of 125,000 people who turned up in Hyde park.

I will oppose the Bill for three reasons. First, it would not save the life of one animal. Secondly, I shall oppose the measure because of the effect that it would have on communities that are largely situated where hunting takes place. Thirdly, in my view the Bill represents a streak of intolerance that is wholly incompatible with the democratic process.

The hon. Member for Worcester, in a fairly discursive speech, revealed the weakness in his proposed legislation. "I am prepared," he said, "to include the process of flushing out." Now why do we flush something out? Flushing out takes place because those concerned have failed to kill the animal.

Mr. Denis MacShane (Rotherham): Ask Mrs. Thatcher.

Mr. Heseltine: The process of flushing out has decimated the Labour party over a decade and a half.

The essence of the argument of the hon. Member for Worcester is that he needs to make a provision for flushing out because those who would cull by bullet cannot guarantee to kill. The Bill is flawed precisely because hunting is the only way that ensures that we kill or do not kill. All the other methods of containing and conserving the balance in the countryside are worse from the point of view of the animals that are hunted.

That is why the hon. Gentleman has had to acknowledge that, if we adopt the techniques of snaring, trapping, gassing, poisoning or shooting, there will be casualties that will enable future generations to portray those techniques with all the graphic indignation that we have heard today. They are all flawed, and that is why, as long as we accept that there will be culling—and the hon. Gentleman does—culling by hunting is the one certain approach.

We know—*[Interruption.]* Labour Members resent the argument. As I have said, the hon. Member for Worcester concedes the point, and that is why flushing out is to be accepted. He knows that all the other techniques will fail. He has had to acknowledge that. Otherwise, he will have a process whereby foxes and stags die of gangrene because the marksman missed, which is what will happen.

My second reason for opposing the Bill is the effect that it would have on communities affected by it. Many Labour Members represent urban constituencies—

Mr. Gordon Prentice (Pendle): What about the miners?

Mr. Heseltine: If the hon. Gentleman wishes to ask questions about miners, let him put his questions to those who sit on the Government Front Bench. I put up with all the hypocrisy of Labour Members because I at least had the guts to tell the truth. They were—

Mr. Deputy Speaker: Order. I should be grateful if our comments this morning were confined to fox hunting.

Mr. Heseltine: The old temptation to hunt the Labour party is overwhelming. Labour Members are much easier prey than foxes, and do not run for long.

The communities that hunt are often portrayed as a privileged elite. I can tell Labour Members that the rich will not suffer particularly from the Bill. They will merely hunt in Ireland or on the continent. I should have thought that the Labour party might be a little reticent in attacking the rich. Things have changed, and it now sponges off them.

As I have said, it is not the rich who will suffer. Instead, those who live in communities within the environment that the hunt organises for social as well as conservation purposes will suffer. I am speaking of the people who go to the social events, the people who watch the hunt from their cars, the people who are part of the entire community in areas that are remote and distant. These people would not have the social cohesion that they now enjoy if it were not for the activities of the hunt.

Labour Members largely represent urban constituencies. Let them take care as they see their communities dissipated by the pressures of modern life before they destroy the cohesion of the rural countryside. How is it that a party that spends most of its life arguing about the creation of jobs can decide that, in one piece of legislation, it will decimate the jobs—*[Interruption.]*—of those who live in some of the more remote and fragile economies in our countryside?

It is the same old story with the left. Those who support the left take up fashionable problems until they are faced with them. When unemployment issues get in the way of their prejudices, they do not care about the consequences of unemployment. They will have to face all those who work in farriers' yards, hotels and pubs, for example, in all the areas that depend for their livelihoods upon the hunting community. They will have to explain why, in future, they will have to queue to get handouts from the new Labour windfall tax so that they might be put back in jobs that the Labour party, when in government, destroyed.

Thirdly, I oppose the Bill because it portrays a prejudice against the freedoms and rights of hundreds of years of British tradition. The people of this country have cherished those freedoms and rights, which have provided one of the most beautiful rural environments in western Europe. I am talking of a time-tested system, and the Labour party has driven the argument against it time and time again.

Everybody knows that that is the Labour party's position. The only thing that is ever good about the Labour party is when it adopts Conservative ideas. That being so, I beg the Labour party to realise that the home-bred Labour tradition of prejudice against the countryside is as disastrous as all the other nostrums about which it has changed its mind. I will oppose the Bill, and I urge my right hon. and hon. Friends to do likewise.

10.32 am

Mr. Andrew F. Bennett (Denton and Reddish): I congratulate my hon. Friend the Member for Worcester (Mr. Foster) on his luck, skill and courage in bringing the Bill before the House.

As a child, one of the first things that I learned about the countryside and its cruelty was when I saw a coop of hens that had been slaughtered by a fox. A little later, I saw a fox that had been caught in a trap. Some of us kids had been setting traps for rabbits. We set one trap rather badly and caught a fox. I remember seeing the suffering and horror of that fox as we got someone to

shoot it. That left me startled and appalled. We must recognise that the countryside can be a pretty cruel place. It is important that we as human beings should not make it crueller.

I do not want to argue too much about the merits of the Bill, which have been well addressed in the debate so far and in the country. I have one thought on the issue: if hunting is the best way of controlling foxes, what are we to do about the increasing number of foxes in urban areas? It is crazy to think that we can bring the hunt into urban areas to control foxes. We must find ways in which the fox can be controlled in so far as it needs to be controlled. There are many who argue that the fox controls its own numbers according to its food supply. Nevertheless, we must find humane ways of controlling it.

I remind the House that we have a duty. A substantial debate has taken place in the country and we are now debating the issues in the Chamber. The time has come when the country must make up its mind. It is important that at the end of the debate there is a vote, and that that vote sends from Parliament a clear and decisive message that recognises the strength of feeling in the country on this issue. If the Opposition decide not to vote, I shall be prepared to be a Teller so as to ensure that the will of the House is expressed.

There is plenty of time under the procedures for a private Member's Bill for the measure before us to be fully discussed. It is important to recognise that we must discuss it effectively. There is nothing worse than Parliament rushing to legislate and legislating badly. It is important that we scrutinise the Bill carefully and effectively in Committee, including the point made by my hon. Friend the Member for Worcester about hill farmers being able to flush out foxes from forested land and areas of gorse, for example. There is also the legitimate activity, which harms no one, of drag hunting, which we must ensure can continue.

I plead with the House to ensure that we get a Committee that will go into all the details and make sure that the Bill will work when implemented. When it returns to the Chamber in March, let the House give it a clear and substantial majority. We shall then have a mandate. If we have done our job properly in giving the Bill a clear majority after scrutinising it thoroughly and carefully, we must warn those in another place that they should think carefully before they defeat the will of the people as expressed so clearly during the election and in the ensuing debates and arguments. I plead with those in another place to recognise that, if we do our job properly, they should not obstruct us.

10.37 am

Mr. A. J. Beith (Berwick-upon-Tweed): This is not a party issue, and there will be hon. Members from every political party on both sides of the argument. It presents all hon. Members with some difficulties, because of the passions that it arouses. I attended a public meeting at which the Labour candidate in my constituency said that he would put all the letters that he had received into two piles, and would vote according to which pile was the biggest. None of us can do that, because the Bill is not an opinion poll on whether hon. Members think that hunting is a good or bad thing. It is not even an opportunity to show to our constituents that we will follow the majority view. If that principle were to be followed, the hon. Member for Worcester (Mr. Foster) would have to have a poll in his local evening newspaper about the death penalty similar to the one that he had about fox hunting.

We must judge whether we would be justified in sending people to prison for continuing to engage in fox hunting, or for allowing fox hunting to take place across their land. The House must make such a judgment when it decides to make something a crime, which is what the Bill would do. We would have to have compelling reasons.

One reason might be that it is essential that no foxes are killed in the future, which is what we decided in the case of otters. They were so perilously close to extinction that we decided that they should not be killed or pursued in any way, and that they had to be utterly protected. No one is arguing that the fox must be utterly protected. Indeed, everyone recognises that foxes will continue to be killed by other methods. The Bill provides for the flushing out of foxes so that they can be shot.

It might be argued that there is something uniquely cruel about fox hunting as a way of killing foxes. That argument is not convincing to the point of sending people to prison. We should make a comparison between a fox being killed by fox hunting, which does not always happen—indeed, foxes pursued by hounds are killed on a minority of occasions—and a fox being shot, gassed or killed by any of the methods that will be used when fox hunting ceases. The difference in cruelty is not of the order that justifies someone being sent to prison for it. It could be argued that it is often less cruel.

Mr. Hugh Bayley (City of York) *rose—*

Caroline Flint (Don Valley) *rose—*

Mr. Beith: I want to put my argument, because we have limited time; I shall then see whether I have some time to spare.

The Bill would make common criminals of people who are engaged in an activity that has been practised for hundreds of years, and who in all other respects are regarded as responsible members of society. Hon. Members are asked to make that decision, and not to state whether they deplore, dislike or want nothing to do with hunting. They could continue to campaign against fox hunting without having to submit themselves to this test, but if they are going to send people to prison, they must ask whether fox hunting is uniquely cruel. If people are going to be sent to prison for hunting foxes, why will they not be sent to prison for fishing, shooting or any of the other activities that involve killing animals?

Mr. Bayley: Will the right hon. Gentleman give way?

Mr. Beith: I said that I would put my argument and then see whether I had some time to spare out of my 10 minutes.

The Bill would have a drastic effect on life in rural communities. I think that that is one reason why the Labour candidate in my constituency felt that he could not simply take a line on the issue, but had to consider opinions in the area. Country areas are not devoid of people who are opposed to hunting. I do not accept for a moment the notion that everyone in the country likes hunting and everyone in the towns hates it: there is a

[Mr. Beith]

balance of opinion in both. Hunting is widespread in my area and many people are involved, but that area also includes strong opponents of hunting.

Many people in my constituency owe their employment to hunting. Some of them owe their housing to hunting, because their home comes with the job. Many businesses, large and small, depend on the hunting trade. A saddler in my constituency employs 13 people and 80 per cent. of his business comes from hunting. The Bill's effect on rural communities must be taken into account.

The continued existence of hedgerows and copses is due to the fact that farmers who hunt, or who want hunting to continue, ensure that cover is available for foxes. The continued presence of foxes in the countryside is due to the fact that farmers ensure that foxes are not exterminated, because they support hunting and want it to continue; yet it is suggested that so great a penalty should be paid by rural communities because some people feel very strongly that hunting has no place in modern society, or is uniquely cruel. There must be a stricter test than that if we are to pass legislation that will send people to prison, and will have such a drastic effect on the countryside. The argument is not sufficiently compelling.

There will be secondary effects. The racing industry will be substantially affected, especially national hunt and point-to-point racing. Many other activities depend on the keeping of horses, and people will not keep stable staff in such numbers if hunting ceases to exist.

All those problems might have to be faced if the arguments that no foxes should be killed in future and that the use of hounds to control foxes is uniquely cruel were substantiated. However, the hon. Member for Worcester has recognised that dogs may have to be used to flush out foxes, and that foxes will be killed in the future.

Surely the way forward is for people who believe that no one should hunt to continue to try to persuade people that they should not do so. People who have real concerns about aspects of hunting, such as terrier work, should consider a licensing and control system to ensure that abuses are not tolerated. To go beyond that and to send people to prison, which the House would not be prepared to do in another context, and to inflict economic damage on rural areas cannot be justified by the arguments that have been made.

10.44 am

Mr. Kevin McNamara (Hull, North): The right hon. Member for Berwick-upon-Tweed (Mr. Beith) referred to the serious matter of unemployment. Organised trade unions in these areas have found no evidence of any particular threat to employment. The assumption is that, if hunting is abolished, people will no longer ride on horses and use saddles, and there will be no more race meetings and point-to-point. That is nonsense.

The right hon. Gentleman also argued that we are making criminals of ordinary, honest people. That is nonsense, because we have already done that with otter hunting, bear baiting and badger baiting. We have said that those activities constitute such cruelty that people deserve to go to prison if they defy the law.

The right hon. Member for Henley (Mr. Heseltine) said that fox hunting was the most efficient way of getting rid of foxes. The right hon. Member for Berwick-upon-Tweed said that many foxes escaped. They cannot have it both ways.

The hounds used for fox hunting are bred and trained for stamina. Faster animals could kill the fox if the object of the exercise were to get rid of the rodent and the pest, but it is not. The object of the exercise is fun. My hon. Friend the Member for Worcester (Mr. Foster) graphically described seeing a pregnant vixen's cubs torn from her belly and eaten by hounds in front of a pensioner. Schoolchildren have seen hounds pulling foxes to pieces. That is the pleasure and fun of it. The right hon. Member for Henley says that hunting is fun. Hares are pulled to pieces by greyhounds at sporting events. People go to hear the hares squeal for fun. Stags are driven over cliffs for fun. What sort of a society has fun in that way? The virtue of the Bill is borne out completely by the comments and attitudes of the right hon. Gentlemen: the arguments of Berwick and Henley are inconsistent.

Conservative Members show a strange feeling of sympathy for ordinary working people in the countryside, whereas, if they could, they would use gangs with combine harvesters to depopulate the countryside of farm labourers. Their arguments are nonsense.

I want to ask my hon. Friend the Minister about timing. My hon. Friend the Member for Denton and Reddish (Mr. Bennett) said that we should consider the Bill carefully. What will happen if attempts are made on Report to sabotage it?

The Government have said that they will not give time to the Bill, because it might interfere with other important legislation—legislation to deprive single mothers of their benefits, for example, but that is another matter.

During the 30 years for which I have been in the House, Governments have supplied extra time for private Members' Bills 36 times. I supported them on some occasions, and on other occasions I did not. The point is that time was supplied, more often than not by Labour Governments—the Governments of Lord Wilson and Lord Callaghan. This is one occasion on which I think that new Labour could take a lesson from old Labour. The Government should listen to the voice of the House, see what majority the Bill secures and then supply the time.

How can we avoid defeating all the admirable objectives that are contained in our Government's manifesto? We can do what we have done in the case of other private Members' Bills, and take the business after 10 pm. That would certainly flush Members out—Members on both sides of the argument—and those wishing to speak for and against the Bill would be able to do so through the night. We have done that in the past, and we can do it again. It would not affect the Government's timetable in the House, and it would be a sign from Ministers that they were not merely allowing a vote on the principle of the Bill.

Everyone in the country—and, I suspect, everyone in the House—believed that, following such a vote, we would have the legislation. That is why so many people who have written to us asking for the Bill to be given Government time feel betrayed. They believed that, if we approved the principle, we would be given the time. If the Government do as I have suggested, they will be able to meet their commitment and ensure that the Bill is passed.

What will happen in the other House? I suspect that the other House will try to mangle the Bill, as they tried in 1979 to mangle—and succeeded in mangling—my Hare Coursing (Abolition) Bill, which a Labour Government

had taken over. If we are looking for justifications for altering the upper House, what better case can there be than this? The overwhelming majority of the population support the Bill, and, having seen the unelected sons—the bastards, even—of monarchs and others reject it, they would tell us that we would be justified in doing whatever we want to the other place.

Mr. Nicholls: The hon. Gentleman is making a powerful case. Does he think that we should have a debate on capital punishment on the same terms—that, if the people want it, they should be automatically entitled to it?

Mr. McNamara: If the hon. Gentleman can secure for a Bill to bring back capital punishment the same majority that we shall secure for a Bill to abolish hunting, he can take it to the upper House; but he knows that not more than a handful of hon. Members would support such a Bill in the House of Commons. Hon. Members have been elected on the basis of a manifesto commitment in regard to hunting, with the support of the overwhelming majority of people.

If their Lordships mess the Bill around, there is always the Parliament Act 1949, which was introduced at the behest of the grandfather of my hon. Friend the Minister without Portfolio in order to secure the legislation to nationalise steel. Those would be very good new and old Labour precedents.

Let me stress to Ministers that, if the Government are seen to be reluctant even to allow the Bill to go further than the House of Commons, the cynicism that exists about us and about politics will spread further—to the old lady in her twinset, to the labourer who stops us in the street to tell us that he supports the Bill, to people throughout the country. That is because, notwithstanding the flamboyant noises that we have heard from Opposition Members, people throughout the country support the Bill.

10.53 am

Mr. John Gummer (Suffolk, Coastal): I spent a good deal of time in both the Ministry of Agriculture, Fisheries and Food and the Department of the Environment fighting to protect the whale, and I want to make a parallel between that and what we are discussing today. We fought to protect the whale first because it was likely that many species would become extinct if we did not, and secondly because the mechanism involved in killing a whale is by no means the most humanitarian that could be employed.

If we apply the same arguments to fox hunting, we see a very different picture. First, there is no question of extinction, and therefore no need to protect foxes. Secondly, there is no discernibly more humane way of killing them. That leads us to ask why the Bill is before us. I believe that it is because there is a battle not between town and country, but between fantasy and reality. It is a fantasy that drives Labour Members to support the Bill. First, they do not understand that the death of wild animals in any circumstances is not a pretty sight. Had the hon. Member for Worcester (Mr. Foster) described the death of guinea pigs as graphically as he described other deaths, he would have had exactly the same effect on his audience. The only difference is that a fox tore the guinea pigs limb from limb when they were alive, whereas what happened to the hare in his account happened after it was dead. Unfortunately, the hon. Gentleman is one of those people who live in a world in which death has become so unacceptable that it cannot be described in reality.

Secondly, there is the question of man's position in the predatory chain. The fox has its own prey, and we prey on the fox; we need to perform our role in that predatory chain. *[Interruption.]* It is all very well for Labour Members to ignore that point, but the whole conservation movement depends on it. We conserve by protecting the balance of nature.

That brings me to the third issue. The hon. Member for Hull, North (Mr. McNamara) failed to understand—probably accidentally—that my right hon. Friend the Member for Henley (Mr. Heseltine) was saying exactly the same as the right hon. Member for Berwick-upon-Tweed (Mr. Beith). We are talking about conserving the balance, not about killing every fox. That balance is best conserved by the traditional method, which is the least cruel method of conserving it. The Bill itself proves that. That is why the "flushing out" element is there—because those who support the Bill know perfectly well that all the other methods are more cruel and less effective. In the hunt, the quarry is either killed or not killed.

Mr. Gordon Prentice: Will the right hon. Gentleman give way?

Mr. Gummer: No. I have only 10 minutes, and I want to complete my argument. If we turn to any other method, we shall increase the cruelty.

We are hearing an unreal argument from Labour Members, especially in their references to rodents. Obviously many of them have not read the incomparable works of Richmal Crompton. "Just William" once asked a very important question. He asked, referring to a bird lover, "Why does she not have a rat table and a rat bath, and why is there no rat fancying, and what about a rat sanctuary?" The Bill's supporters do not care about the rats: rats can be torn apart, because rats do not provide the same attraction in advertisements or raise the same amount of money. There is no great movement for the protection of rats.

This is not an issue of cruelty; it is an issue of sentimentality. The Bill's supporters are presenting a sentimental view of the world of nature. Tennyson was much closer to the truth when he spoke of

"Nature, red in 'ooth and claw"

than was the hon. Member for Worcester. As a lifelong opponent of abortion, I felt that the comments about the pregnant fox come ill from the Labour party, which in successive Fridays voted to protect the fox one week and to kill babies the next. That is the sort of morality that we are talking about. It is a morality that allows—

Mr. McNamara: On a point of order, Mr. Deputy Speaker. Is it in order for the right hon. Gentleman to refuse to give way and then to make the most reprehensible statements, which some of us take as a personal affront? We do not need lectures from someone who served in a Government who allowed experiments on embryos.

Mr. Deputy Speaker: That is not a matter for the occupant of the Chair.

Mr. Gummer: I am glad to acknowledge that the hon. Gentleman at least takes an honourable view and votes

[Mr. Gummer]

honourably on abortion, but the Labour party in general takes this curiously opposed view. It is a morality that would be inconceivable at any other time in history.

In a civilised society, we have to accept things that we do not particularly like. I do not like ritual slaughter, which is a disgraceful way in which to kill animals. When I was the Minister responsible, I allowed it. I tried to make it as uncruel as it could be, but I allowed it because I believe that, in a civilised society, we allow people to do things that we do not approve of ourselves. That is the mark of a civilised society.

Toleration is not about allowing people to do things that we do not much care about. If we do not much care, for example, about the way in which people behave sexually, it is not tolerant to allow them to behave in any way they like. That is merely apathy, acceptance and neutrality. It is tolerant, and it is the mark of a civilised society that we should be tolerant, when we allow people to do things that we may not wish to do, but which we accept are not things that people should be locked up for. There are many things about which we feel in that way and, in our tolerant civilised society, we have sought to allow.

I ask the Labour party—it is largely that party that supports the Bill—to remember that much of what the Bill says is unconnected with reality in the countryside. It asks us to stop doing something which needs to be done and which, if it is done in the way in which it would like, would be much more cruel. It suggests that those people who do it in that way would not be locked up, although they were more cruel, but those who wanted to do it less cruelly would be locked up. It suggests, too, that we should protect some mammals because they are popular with the public, but not others because the public do not like them.

11.2 am

Mrs. Llin Golding (Newcastle-under-Lyme): I shall confine my remarks to the subject of mink.

Mink are one of the nastiest, most destructive animals in this country. I fish. I talk to many anglers and many river keepers and they all tell me of the damage that is being done by mink. They swim like fish, burrow like rabbits and climb trees like monkeys. Mink kill for the sake of killing, and have no natural enemies.

I have raised many times the question of what is being done to control the animal. The previous National Rivers Authority told me:

"The control of mink has in fact always been a responsibility of the Ministry of Agriculture, Fisheries and Food, not of NRA".

So I wrote to MAFF and it said:

"It is entirely at the discretion of individual landowners/occupiers to decide whether they wish to control mink on their land."

No one wants to take responsibility.

I wrote to the Royal Society for the Protection of Birds. It hopes that something will be done. It accepts that many birds are destroyed by mink and says that the problem is perhaps out of control. It says that some investigations should be held into the problems of mink. It hopes to keep them out of areas where they are not present, but it does not know any way in which to control them.

The chairman of a local Labour party, who is also concerned about mink, sent me a copy of a leaflet from the Game Conservancy Trust. It says:

"any attempt to eradicate them from the mainland is not likely to succeed. However eradication may be possible on islands of a conservation interest such as the Isle of Lewis . . . we need mink studies to assess the ongoing loss to waterfowl, fish and other prey groups.

Gamekeepers should give more attention to mink control in many lowland areas".

Angela Smith (Basildon): Does my hon. Friend accept that mink hunting is a totally inefficient way in which to control mink and that, in effect, by hunting mink, the otters' habitat is being destroyed? We already have a grave problem in relation to otters.

Mrs. Golding: I am glad that my hon. Friend raises that question. I have a whole list of the number of the mink killed by mink hunters and they seem to be doing a good job in controlling mink. Often, they identify where otters are and keep the mink packs away from them.

Angela Smith *rose—*

Mrs. Golding: I shall not give way again. I have only 10 minutes.

Let us consider this vicious creature that the Bill of my hon. Friend the Member for Worcester (Mr. Foster) is so intent on protecting and conserving. A MAFF leaflet from the Agricultural Development and Advisory Service says:

"Fish are usually an important part of the diet; both game and coarse fish are eaten.

Birds are taken at all times of the year, particularly those on the nest and young. Waterfowl such as ducks, moorhens and coot are taken most frequently, although mink living near the coast will feed on seabirds and waders."

Mr. Ian Cawsey (Brigg and Goole): Will my hon. Friend give way?

Mrs. Golding: No.

The leaflet continues:

"Fish are killed by biting the backbone between the head and the dorsal fin.

Mammals and birds are killed by a bite in the neck, usually near the base of the skull.

In a fresh kill it is sometimes possible to see the punctures, about 8 mm apart, made by the mink's canine teeth."

Some mink escaped from a mink farm. The Halifax *Evening Courier* says:

"Woman tells of savage attacks on her ducks and chickens"

by mink. An RSPCA officer said that the situation was extremely dangerous and

"Having this number of mink running wild in the countryside is a major problem.

I've watched them eat ducks and chickens, and they present a real danger to other animals."

Someone else said:

"I have had two guinea pigs killed. One was killed outright and one was left with its face disfigured, and had to be put down, it was horrible."

In another case, a lady said that she witnessed an horrific attack by a mink on a cat:

"There was nothing I could do to make it let go and it was heartbreaking."

That is the animal that the Bill will protect.

Scientific reports are often quoted. The Scottish Association for Marine Science laboratory in Argyll did a detailed report on the long-term effects of north American mink. It says:

"In the years 1989-95, feral North American Mink caused widespread whole-colony breeding failures of Black-headed Gulls, Common Gulls and Common Terns at colonies on small islands in a study area along 1000 km of mainland coast in west Scotland. After one or more years of such failure, most of the affected breeding sites held no birds or greatly reduced numbers."

It goes on to say:

"the disappearance in the late 1980s of 50-100 pairs of Common Gulls from traditional breeding sites on the small islands in Loch Lomond and the contemporaneous disappearance of the large colony of Black-headed Gulls from nearby Endrick Mouth in Loch Lomond . . . occurred within ten years of the first records of mink predation of breeding birds in that area."

There is much more in the report and my hon. Friend the Member for Worcester should read it to find out the effects of mink.

Where traps have failed, hunts are being called out to help gamekeepers, farmers, water bailiffs and fishery managers. East Dorset county council was so concerned that it also called out the region's hunt, which managed to eradicate many mink. One of my local fishery managers tells me that he estimated that he had lost more than £1,000-worth of fish in a little over two years to mink. They do not eat them all; they just kill them. They bite lumps out of them and leave many fish damaged. They tear bits off them. Mink are vicious creatures. He says that they come into the fishery by way of a stream, the banks of which are decimated of wildlife. He said that he would welcome mink huntsmen if he had a pack of hounds near where he lives.

What are we to do? Should we throw up our hands and abandon our countryside to the mink? We should not. We should maintain people with the knowledge that will help to control them. If the Bill is passed, who will deal with this destroyer of our native life? People mention traps. They are important, but they cannot be used everywhere. For example, they are ineffective in tidal waters and a danger to farmyard animals. They have to be checked and freshly baited every 24 hours.

Mink are an ever-increasing menace to our native wildlife and to legislate against a proven form of control of this vicious animal is totally unacceptable. The Bill has many flaws, but its greatest is that in setting out to protect wildlife it does much to destroy it.

11.10 am

Mr. Tom King (Bridgwater): I remember when mink came to a neighbouring valley. I saw the disappearance of kingfishers, dippers and water rats. Some of them have returned because the mink have been hunted and, fortunately, they have gone. The area became the silent valley and I understand why the hon. Member for Newcastle-under-Lyme (Mrs. Golding) spoke so movingly on the subject.

I am a veteran of debates such as this and I have always recognised that the topic arouses great emotions in the House and in our constituencies. In my constituency, there are two packs of stag hounds and five packs of fox hounds. The life of many people in the more remote rural parts is tied to the community of hunting, whether it is of deer or foxes. There are strong feelings. I respect the views of those who support hunting but I appreciate that many people in the countryside are opposed to it, and I also respect their views. I hope that all hon. Members recognise that those who support hunting, and those who oppose, are not all nasty, extremist and vicious. Many decent people believe that their cause is right and that they are entitled to pursue it.

The hon. Member for Worcester (Mr. Foster) is a new Member and presenting such a Bill is a tough task. Whether he was wise to introduce such a contentious measure is his decision and he is entitled to make it. He was profoundly wrong when he said that he had never met anybody who thinks that fishing or shooting should also be banned. He does not think that his Bill is the thin end of the wedge. Those of us who have lived with some of these groups for some time know that many people who want to ban fishing and shooting are involved in backing campaigns with large sums of money. By his Bill, the hon. Gentleman is saying to them, "If your campaign can get the backing of the majority of people in this country, somebody can present a Bill to ban those activities." I do not suggest that the hon. Gentleman would vote for that, but he is endorsing that principle because banning fox hunting and stag hunting may encourage others to mount campaigns to ban the others.

In a most effective speech, my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) said that to despise somebody's opinions is one thing, but to seek to suppress them is another. That would not be the liberty and tolerance that we seek to maintain. The Bill opens the door to yet more such measures. I could speak about the effect on the economy, although the number of jobs involved is not huge. The important matter is where those jobs are located. The hon. Member for Taunton (Mrs. Ballard), whose constituency is next to mine and who shares Exmoor with me, knows that, in such an area, 20, 40 or 50 jobs are important. We are desperate for more opportunities for the young in rural economies.

Mrs. Ballard: Will the right hon. Gentleman give way?

Mr. King: The 10-minute limit on speeches makes interventions impossible. I am sorry about that.

I do not wish to say any more about the economy, although it is a real issue, or about the issues of principle which others may discuss. I do not want further to discuss the Bill, which I regard as unworkable and unacceptable. I want to speak about the conservation of deer. I speak with a sad heart about the pictures on the front page of *The Independent*. The number of stags on the Quantocks have possibly been halved in the past few weeks. I deplore that and appeal to farmers and to the National Trust to work together.

Hon. Members may have noticed but may not understand why the Forestry Commission has today just renewed the licence that will enable the Quantock stag hounds to hunt again over its land. The commission has done that because it realises that the warnings about the problems for conservation are real. I speak not just for myself but with the backing of the opinion of the Exmoor National Park Committee, whose members are from all parties and are mainly non-hunting people as far as I can see. I also speak for the Exmoor Society, which is committed to the conservation and preservation of the ecology and wildlife of Exmoor, for the Quantock Deer Management Committee, and for the Exmoor Deer Forum, which was set up by the National Trust and has representatives on it of other conservation bodies.

[Mr. King]

Following the publication of the Bateson report, all those bodies said that we must not ban hunting before deciding on alternative deer management to put in its place. I should like to speak about the Bateson report before I explain why I am so frightened by the current situation. The hon. Member for Worcester recognised that the Bateson report is important. It is not the end of the matter, and it is unfortunate that the way in which it was handled by the National Trust allowed no debate in advance of the trust's decision. The report is extremely complicated and Professor Bateson himself said that he was surprised by some of the findings.

Mr. Dennis Turner (Wolverhampton, South-East): Will the right hon. Gentleman give way?

Mr. King: No. In view of the time limit, I cannot give way.

Others were even more surprised by those findings. One of the difficulties was that, understandably, all the Bateson report samples were taken from deer that had been killed. One understands why it was not possible to take samples from deer that had been hunted for some time and had escaped. The implication of Professor Bateson's report is that deer are so seriously damaged in every way during a hunt that their lives are seriously impaired. I asked whether any study had been carried out into carted deer in Ireland. I received a letter from a veterinary surgeon who has an interest in carted deer there. His letter states:

"some of the statements in the Bateson report are at variance with my professional experience . . . Many of the deer that are hunted in Ireland make apparently an uneventful recovery from the experience".

What is required from Professor Bateson is a serious study of those issues. Data were not published and it is far from clear that there is a unanimous view by scientists. These matters must be seriously examined.

The issue comes down to a balance of suffering. I try to avoid the more emotive descriptions in debates such as this, but the most tragic pictures are those of deer which have been shot in the face. Such animals cannot eat or drink, and are infested with maggots. When they are known to be alive, the only way to dispatch them is for the hunt to find them and put them out of their misery.

Farmers on Exmoor feed the deer. The deer live on the hill and come down to the farms to feed. The hunt moves them on, thus preventing them from concentrating in specific areas. Now in some areas there is no hunt to move them on. A deer can eat as much as three sheep can and a farmer can have as many as 100 deer on his farm. When faced with the income problems that farmers face, they will take the matter into their own hands, as they are entitled to do. Unfortunately, that has happened on Exmoor.

The House is not guilty yet of condemning the Exmoor herd. If hunting is banned, I believe that the warnings that have been given by all the conservation bodies will become a reality and that we may face extinction of the herd. Victor Bonham-Carter said:

"The wild red deer of Exmoor will indeed be shot and trapped to extinction should hunting be prohibited."

Richard Prior, the well-known naturalist, said:

"If the day dawns when hunting is prevented for any reason, the deer will start a slide to extinction from which all the statutes of the House of Commons will not save them."

If any hon. Member has an alternative deer management system, I should like to hear it. The House cannot now say that it did not know or understand the consequences of passing such a Bill. The survival of the last great truly wild red deer herd in England—the only one that we have left—is now at risk. Recognising the consequences of passing the Bill may not suit the prejudices of Labour Members, but they have now been told and warned by everyone who is concerned about conservation on Exmoor.

For the sake of the herd of red deer, which are one of the glories of our countryside, I beg Labour Members merely to study the facts and to be better informed before taking a decision—not in ignorance, but according to the reality of the dangers that we face, of which the clearest warning was given this week.

11.20 am

Dan Norris (Wansdyke): Thank you for calling me, Mr. Deputy Speaker, to make my maiden speech on an issue about which I feel strongly and passionately. In advance, I should also like especially to thank Opposition Members for listening to me, under the convention, because I know that they, too, hold strong views on the matter which do not necessarily accord with my own.

I should first like to pay tribute to my predecessor, Jack Aspinwall. Although I had great political differences with him, he worked hard for the constituency and was a good constituency Member of Parliament. Unfortunately, he was best remembered by many members of the public for injuring his back in a charity parachute jump, as some hon. Members may recall. Also, two years ago, he was terribly ill and close to death. I am sure that all hon. Members will support me in giving him their best wishes for a happy and healthy retirement. [HON. MEMBERS: "Hear, hear."] I know that Mr. Aspinwall would want to have been known as a good constituency Member of Parliament and as one who tried his very best. Without reservation, I can say that he was and he did.

People often ask why my constituency is called Wansdyke, thinking that it is a northern constituency with chimney stacks, smoke, satanic mills and all sorts of things. It is in the heart of southern England—in the south-west, near Bristol. Its northern edge includes parts of Bristol, moving across to Bath and down to the old Somerset coalfields. In no sense, therefore, is it northern.

One of the main towns in my constituency is Keynsham, which is best known for its large chocolate factory, which makes many well-known brands, such as Turkish Delight, Double Decker and other household names. The next largest towns are Midsomer Norton and Radstock, in the south of my constituency, in the old Somerset coalfields. The area has suffered considerably since many of those coalfields closed in the 1960s and 1970s.

One very bad legacy of the previous Conservative Administration was the poor state of repair of school buildings, especially in the southern part of my constituency. I am very grateful, and pleased to be able to say, that the new Labour Government have already made a difference. Already, more than £1 million of new

deal money to improve those school buildings has been injected into my constituency, lifting the hearts not only of the teaching profession, parents and pupils but of all my constituents.

In Wansdyke, 50 per cent. of people live in rural areas and 50 per cent. live in urban or town areas. It is therefore a very good barometer for this debate. Moreover, the letters that I have received well reflect the views, whether urban or rural, across the constituency. Back in 1991, and again last year, I asked people to write to me about their views on hunting animals with hounds. In total, I received more than 1,000 letters. Since the general election, I have received almost 800 letters. Of those letters, 80 per cent. expressed support for the Bill. It is even more interesting that the most overwhelmingly supportive letters have come from rural areas. That is surprising, but it is a significant fact.

The argument about town versus country certainly does not apply in north-east Somerset and south Gloucestershire, which I represent. Such an argument is completely inaccurate, and raising it was an own goal by the pro-hunt lobby, because it was flawed and did not truly reflect the nature of the countryside or of the town. The pro-hunt lobby made a big error by using that argument. Although all the objective evidence supports the passage of the Bill, I accept that the passions of those on both sides of the argument are sincere—a fact that is not always acknowledged.

Recently, like my hon. Friend the Member for Worcester (Mr. Foster), I went to a hunt. About two weeks ago, I went to a drag hunt, and, this week, I went to the Mendip farmers hunt, which is one of two hunts that serve my constituency. Some hon. Members may be aware that I rode a horse, Dolly, who was no less than a 15.2 hands beast. I am very pleased to say that she was gentle and did not throw me off—a possibility that had worried me. I am sure that all hon. Members will identify with me as I say that—as I rode over the hill to the meet, to see more media people than hunters—I saw in my mind the headline "Anti-hunt MP rides Dolly!" I was concerned about that.

I ask hon. Members to weigh the evidence on the issue. If they cannot do that, I ask them to consider the issue on moral grounds. We can always find an argument to support anything. Ultimately, however, it comes down to morality. Before voting, hon. Members should ask, "In a civilised society, how can anyone be allowed to kill an animal for pleasure?" It is as simple as that. I know that the overwhelming majority of my constituents believe that that is true, and I shall vote accordingly.

11.26 am

Mr. Alan Clark (Kensington and Chelsea): I am glad to follow the hon. Member for Wansdyke (Dan Norris), and I congratulate him on a lucid and informative speech. I also commiserate with him on the ordeal of having to make his maiden speech before a very crowded Chamber. It is bad enough to make a maiden speech when there are, as there usually are, three hon. Members in the Chamber, but to do it on an occasion such as this, before such a crowd, is a most commendable act of courage.

Throughout my political life, I have been committed to the cause of animal welfare. One of the first acts that I did on entering the Chamber, as the hon. Member for Hull, North (Mr. McNamara) will know, was to support in a maiden speech his Hare Coursing (Abolition) Bill. Currently, I am a sponsor of the Welfare of Pigs Bill, which is promoted by the hon. Member for Sunderland, South (Mr. Mullin). I believe that we are debating an issue that has to cross party divides.

During my period away from the House—from my own choice, I hasten to say—I was on a picket line at Dover docks. I also went to the funeral of Jill Phipps, an animal rights demonstrator, at Coventry cathedral. I hope that the House will realise that such activities are not likely to enhance one's standing with Conservative selection committees, although I was not then representing a constituency.

I must say—having, I hope, established my credentials on the issue—that this is a bad Bill. It is badly drafted. Nowhere in the text, for example, can be found the word "fox". Most of the text is devoted to penalties and to increased police powers. I do not understand how Labour Members—if they have read the Bill; perhaps they have not—can support a Bill that allows constables to make arrests without warrant and to stop and search. I thought that stopping and searching was one of the practices that Labour Members found most objectionable.

The Bill would also allow forfeiture of vehicles. Moreover, it confers draconian powers and discretion on the police. It is not an exaggeration to say that, on the Bill's literal terms, a family who go to a park with their children and a dog and are reported as possibly being about to use that dog to chase a wild mammal, such as a squirrel, may not only have their dog impounded—or, to use the euphemism frequently deployed in the text, "disposed of"—

Mr. Peter Bradley (The Wrekin): Will the right hon. Gentleman give way?

Mr. Clark: If the hon. Gentleman will excuse me, he might be able to intervene a little later. The 10-minutes rule applies. I must develop this theme because it is an important aspect of civil liberties.

The family could lose the dog and the car and be subject to draconian fines purely on the suspicion, not even of a police officer, but of a member of the public who reports the family to a police officer.

As the right hon. Member for Berwick-upon-Tweed (Mr. Beith) said, the penalties suggested in the Bill are grossly excessive. They are completely out of line with the Bill's aims. The powers that it confers on the police are grotesque, although I recognise that the issue arouses strong emotions.

The hon. Member for Worcester cited some extremely harrowing examples of what children have seen. My response to him is, how about a guided tour of abattoirs for schoolchildren? What about a guided tour of experimental laboratories where animals are confined and tortured for the furtherance of corporate profit? What worries me about the Bill is that it damages the cause of animal welfare. By taking one particular aspect in isolation, it focuses all the attention away from the real atrocities which are perpetrated daily, not for amusement—I fully accept that it is disreputable to torture animals for amusement—but in the pursuit of profit and so-called knowledge. The repetitious and brutal experiments and the conditions in stockyards across the country are such that the hon. Member for Worcester

[Mr. Clark]

would never take a party of schoolchildren from his constituency there to see what really happens. The real danger of the Bill is that it distracts attention from all that and focuses—*[Interruption.]* What have hon. Members done, as I have done, to further the cause of animal rights?

Mr. Paul Flynn (Newport, West): Will the right hon. Gentleman explain why, when he was a Minister in the Ministry of Defence, the number of experiments in defence laboratories increased from about 5,000 in 1992 to 11,000 last year?

Mr. Clark: The hon. Gentleman's statistics cover precisely the period when I was not at the Ministry of Defence. I left in 1992, and it is clearly a tribute to my personal restraint while in office that, from the moment I left, the number of experiments increased. I am ready to defend my ministerial career, but this is not the right time.

This is an issue on which there has to be some compromise. The Minister has to tell us what the Government are going to do. The absence from the Government Front Bench of so many dignitaries, the equivocal role of the Minister without Portfolio and many other facts have to be explained, but if some kind of restraint is to become law—not in this Bill but in some other form—there has to be a compromise. I have to tell my right hon. and hon. Friends, including my right hon. Friend the Member for Bridgwater (Mr. King), that they will have to cede some points. They have to fact the fact that stag hunting is utterly repellent and enormously offensive to many people.

The practice of digging out, stopping up and cubbing has to go, and the same is true of hare coursing. I voted in favour of the Bill introduced by the hon. Member for Hull, North to deal with hare coursing, but if there is to be a meeting of minds, I suggest that the hon. Member for Worcester and others who feel passionately about hunting with hounds have to move at least some way towards the centre so that something can be retained.

I do not want to get into the technicalities, as we do not have the time, but if the earths are not stopped up and if it is against the law to dig out the fox, the fox will nearly always win, and the element of sport returns. What is utterly despicable is that at the moment everything is weighted against the fox. That is what people find so offensive.

The Labour party has an enormous majority and can do anything it wants. If it chooses to do so, it can deploy the arrogance of power. One of my constituents wrote to the hon. Member for Worcester and was replied to in a manner that we are all often tempted to use, especially to constituents other than our own. The reply, which comprised only one line, stated:

"Your letter . . . amused me greatly. It has been some time since I have read such nonsense."

We are all tempted to respond in that way, but it is hardly the way to reply to a reasoned argument.

On this subject, we must to some extent subordinate emotion and introduce reason. Unless we find a compromise, we will find all the attention focused on something that is a distraction from the fundamental issues of animal welfare, which need daily to receive attention and correction.

11.35 am

Mr. Paul Flynn (Newport, West): We all have regard for the long record of compassion towards the animal kingdom shown by the right hon. Member for Kensington and Chelsea (Mr. Clark). However, he boasted in his diaries of, among other things, his ignorance of parliamentary procedure. He was clearly correct about parliamentary procedure because he should know that if there are problems with the Bill of the sort that he describes, they will be dealt with in Committee. That is the proper way to proceed.

I was surprised that the right hon. Gentleman followed what Labour Members have said by attempting to demonise certain species. Does he really believe that animals live according to the ten commandments, and that some, like the mink or the fox, are wicked, have unpleasant instincts and thus deserve to be treated barbarically? Animals live according to instinct—they aim to survive and to reproduce; we are the superior species.

The nub of the debate was brought out during the debate on the McNamara Bill. I was intervened on when I said that all hunters have to lose is their cruelty. They can keep the pageantry, the jobs and the—

Mr. Tim Collins (Westmorland and Lonsdale): What would the hon. Gentleman say to Mr. Nicholson, a constituent of mine, who has written to me to say that he will lose his job and that his three-year old son and baby will lose their home if the Bill is passed? That is not theory but practice.

Mr. Flynn: I would tell Mr. Nicholson that he will not lose his job, because the number of jobs will increase if hunters turn to drag hunting. It is nonsense for Conservative Members to talk about 35,000 jobs being lost when the activity employs fewer than 1,000 people.

If hunters turn to drag hunting, they can keep the pageantry, the horse riding and the dressing up in strange clothes. Everything can stay the same except that at the end of it there is no live quarry.

Mr. Collins *rose—*

Mr. Flynn: I am not giving way again.

Instead of having a live quarry, drag hunters have a trail laid by an intelligent human being. All they have to lose is their cruelty. The hon. Member for Romsey (Mr. Colvin), who was the hon. Member who intervened on me in the previous debate, said that there was a difference between hunting a live quarry and drag hunting. He said that having no live quarry was like kissing one's sister—there was no thrill. People who hunt want the thrill and the pleasure of seeing a live animal torn to shreds.

Some incidents in my constituency are the subject of a court case. A man from the hunt captured a fox from another part of the county, kept it in a milk churn for three days and then released it in front of the hunt. People were routinely capturing foxes, putting them in bags and releasing them in front of the hunt in order to ensure the long chase across the countryside before the animal was torn to pieces. That is the reality; it has nothing to do with pest control.

Foxes will reach their natural numbers, as they do in areas of the country where there is no hunting at all—in parts of Wales, for example—according to the amount of food available. They are also of use in forestry.

Perhaps the right hon. Member for Kensington and Chelsea was right about the increase in animal experiments in our military laboratories since he left the Ministry of Defence. Perhaps it was all due to the other members of the previous Government. Some of those experiments are essential, but any sensible, right-thinking human being will be revolted by experiments that involve pigs, sheep and monkeys being crushed, irradiated or strapped to trolleys and shot. The number of experiments has increased threefold in the past five years.

The debate is about how we treat other species and our relationship with them. The compassion and consideration that we show those species is a mark of our civilisation. We cannot treat them as quarries for our entertainment or pleasure. They are creatures like us, with nervous systems. They feel pain, suffering and fear, just as we do. We cannot treat them as targets or a collection of inert, non-suffering chemicals. That demeans us as human beings.

Animal faces remind us of human beings. Can we tell children that it is all right to subject them to the torment of a long, protracted chase that is a highly inefficient ritual? Can we tell them that it is all right to make a social occasion of a hunt, to have a few drinks, to make it a celebration and a major event in the social calendar? If we do, we demean ourselves as a species and a civilisation. We cannot tell other countries that their treatment of animals is barbaric. Our treatment of the nearly 2.5 million laboratory animals that are killed is a measure of our standing in the world.

We are also making a point with some force about the role of Back Benchers. This is the No. 1 Bill for Back Benchers and has the support of a huge majority of us, who were elected on this policy. It was a live issue in my constituency, as in many other rural constituencies. We fought the election on a promise of being more compassionate to animals. If the Bill is passed with a large majority today, no power in this House, the other place or 10 Downing street has the right to say that it should not become law. It must become law and we must stick to our manifesto promise to create a modern, compassionate Britain. That means a Britain free from cruelty to other species.

11.42 am

Mr. Peter Brooke (Cities of London and Westminster): It is a privilege to follow the hon. Member for Newport, West (Mr. Flynn), who is a former parliamentarian of the year. His remarks about drag hunting did not demonstrate a total understanding of the subject. No doubt we can return to that in Committee, for which I volunteer.

I also congratulate the hon. Member for Wansdyke (Dan Norris) on his maiden speech. I have walked a large part of the dyke, great stretches of which are devoted to sites of special scientific interest and nature reserves. He chose an appropriate subject for his maiden speech.

I declare an interest, having gone beagling while in Northern Ireland. I stopped when *The Irish Times* put the fact on its front page. The beagles and I were then under greater threat from unusually dangerous saboteurs.

I spoke in the debate on 3 March 1995. Those words are on the record and I shall seek to avoid repeating them, save to say that I patently speak as an urban Member and one of only two remaining examples of a temporarily endangered species—a Conservative Member in an inner-city seat. As my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark) has already spoken, we have certainly pulled our weight in the debate.

I am particularly conscious that the consequences of the Bill will impinge not on my constituents or those of my right hon. Friend the Member for Kensington and Chelsea, but on the rural community. Social scientists much to the left of me complained after the war of the effects of slum clearance on old people, which turned extended families into dispersed ones. I remark neutrally that that cause was pursued in the name of Greater London strategic planning. The effects on communities of our actions on fox hunting are smaller in scale, but potentially as seismic.

I have been a Londoner all my life, apart from evacuation, parts of my education, time in the Army and time spent abroad. My constituents who wish to see me continually during the week are as happy to see the back of me at the weekend as they are to see the back of the 700,000 daily commuters to the constituency. As an antidote to the metropolitan monopoly of discourse in this constituency, my wife and I have a shepherd's cottage in Wiltshire, where we are surrounded by sheep, pheasants, hares, deer, voles and foxes.

I understand the fox's place in the scheme of things. I derive pleasure from watching the fox in its habitat, and my admiration for its qualities of resource and adaptability are akin to Shakespeare's, who, in 33 references to the fox, is admiring of it in 31. I hope that my few immediate human neighbours do not regard me as that unlyrical creature, a townie, although I acknowledge that I am not a countryman in all senses of the word. Constituents have told me that townies are changing the countryside and imply that the Countryside Alliance is trading under a false banner.

I do not believe that. The "Reader's Digest Atlas" has a page devoted to hair colour, which demonstrates, 1,000 years after the event, a precise correlation with how far the Vikings got. In 1982, the Wiltshire Record Society published the judicial notebook of 500 cases tried by the resident magistrate in my former village from 1744 to 1749. The index of plaintiffs and prisoners shows a precise correlation with today's electoral register.

I quoted the written word in 1995. Hunting has produced the greatest body of sporting literature in our language after cricket. I might have added that Sartorius, the Herrings, Stubbs, Ferneley, Sir Francis Grant, Munnings and Lionel Edwards have similarly enriched our artistic heritage. I mention them again today, from Scott to Sassoon, because analogies are made with bear baiting, badger baiting and cock fighting. I cannot conceive the incomparable writing on hunting—from authors such as Fielding, Surtees, Trollope, Somerville and Ross, Conan Doyle, Kipling, Saki and Masefield—being devoted to any of those activities, and I cannot imagine any of those authors resisting their departure.

One agreeable by-product of the long forewarning of this debate is that I have had the chance to acquire economically at auction the great classic of 1784,

[Mr. Peter Brooke]

Peter Beckford's, "Thoughts about Hunting in a Series of Familiar Letters to a Friend", which writers on the fox say has not been superseded in two centuries.

Of more recent writings, the League Against Cruel Sports published some years back, but undated—I can find no entry later than 1990—a series of excerpts by acknowledged experts. It was a trifle unscholarly, not giving the pagination from the various publications, but with the great assistance of the House of Commons Library, I have tracked most of them down, not least to read them in context. I shall return to them in a moment.

The great rally in July assembled in my constituency. It was a model of decorum, showing the British at their best. Most of my constituents who have written to me have been courteous, although that spirit of hysteria evident among the supporters of the hon. Member for Worcester (Mr. Foster) in the Carlton Television debate the other night has crept into some correspondence. That attitude may have been responsible for the television poll having a different outcome from national polls.

Some of the lobbying organisations seem to have an Ecclestonian confidence that spending a million quid on the Labour party is a good each-way bet. I find the enthusiasm of the lobbying organisations for stimulating my constituents to write to me is matched by a reluctance of those organisations to reply to me when I send them sentences that treat on tendentious statements and end in a question mark. It is possible that they are paying me the compliment of treating all my questions as rhetorical, but total silence in riposte from people who claim to be in charge of what they call parliamentary affairs is not ipso facto persuasive. One is left to conjecture whether they do not know the answers or whether they know them, but do not like them.

It is striking that the scientific evidence, by which I have been greatly impressed, has been transformed since the 1960s by radio tracking and infra-red binoculars. Debate in the 1960s about whether dog foxes bring food for vixens and their cubs was sparse because of shortage of evidence. That situation has been transformed in the past 30 years.

Like many hon. Members, I immensely enjoyed, both for its scholarship and its narrative, David MacDonald's "Running with the Fox", published in 1987. I am vicariously proud that he should have been a fellow of my old Oxford college. Some of the most moving and impressive features of the book are the passages where he describes, in the process of his researches, working with farmers, both in Cumnor—the village from which my father took his title in another place—and at Ravenglass in Cumbria, where fox research had already been done. It is a tribute to Mr. Macdonald that his relations with farmers were so good, but it comes forcefully and vividly through his narrative that the farming community was overall implacably opposed to the fox as a pest.

Unless the fox becomes a protected species, which seems unlikely after the cormorant experience since 1981, the perception of farmers if hunting goes will be a critical factor to the survival of foxes in the relevant areas. There is a hazard in this House in being intellectually honest, in that one's concessions can be pocketed while the central point is ignored, but I concede that Vesey FitzGerald in the 1960s took the view that foxes in hunting areas would survive the end of hunting.

In this year of grace, David Bellamy has implied the opposite view. I have seen comparatively little scientific comment or prediction on this hypothetical aspect. It is ironic to allude to the uncertainty of this scenario as a shot in the dark in the era of lamping, but it is one of the sad concomitants of lamping that the marksman cannot tell whether he has a pregnant vixen in his sights.

Other aspects of hunting require further research, as was acknowledged by the Phelps report, but those of us who do not hunt but take a serious interest in conservation can reasonably require that there should be evidence that farmers have accepted the conclusions of the hon. Member for Worcester about the agricultural evidence elements. I remark in passing that, when he quoted the Ministry of Agriculture as saying that

"the Ministry does not consider foxes to be a significant factor in lamb mortality",

he notably omitted the next words:

"but it should be stressed that this is against a background of widespread fox control by farmers."

The alternative is that scientists deliver a convincing forecast of what will happen to foxes if hunting goes. Neither the hon. Member for Worcester nor his allies have convinced me. If hon. Members who support the Bill think that it is a paradox that more foxes will die if hunting goes, they betray the fact that they do not understand the countryside.

11.52 am

Mr. Colin Pickthall (West Lancashire): I have been waiting all morning for a convincing argument against the Bill of my hon. Friend the Member for Worcester (Mr. Foster), and, at last, the right hon. Member for Cities of London and Westminster (Mr. Brooke) has given us one. Apparently, it will bring about the end of English literature.

I congratulate my hon. Friend the Member for Worcester on his fortitude in introducing the Bill. It cannot be easy to undergo for months the abuse that has been heaped on him by blood sporters, and keep coming up smiling as he has done.

I wish to refer to a different sort of literature—an article in *The Observer* last week by John Mortimer, who accused my hon. Friend the Member for Worcester of following the example of Nazi Germany. I am sorry to have to quote this, but he calls my hon. Friend

"nasty snide little Foster . . . you little turd".

He was quoting the comedian Harry Enfield. In the circles where stand-up comedians and Members of the House of Lords move, that probably counts as Augustan satire.

Mr. Mortimer, or Lord whatever he is, goes on to say:

"Mr. Foster wishes to cram our overflowing prisons not only with middle-aged horsewomen and pony-club girls from the shires, but with unemployed miners".

He says that hunting with dogs is akin to

"Morris dancing, karaoke and synchronised swimming."

That is an example of the informed argument that the blood sporters say they want. The quotation contains the fascinating assumption that blood sporters are the sort of people who will not obey the law—an assumption that we do not share.

Mr. John Hayes (South Holland and The Deepings): Will the hon. Gentleman give way?

Mr. Pickthall: No.

In an open letter to Members of Parliament, one Robert Cooper claims:

"a ban on hunting would cause civil unrest for years to come."

Do threats to disobey the laws of the United Kingdom constitute a legitimate or persuasive argument for debates in Parliament? I hope not. He also accuses my hon. Friend the Member for Worcester of inciting mob rule, hypocrisy and a whole string of other juicy adjectives.

The Bill starts by stating:

"Any person who uses, causes or permits any dog to hunt any wild mammal shall be guilty of an offence."

The blood sporters have sought in the past six months to confine the argument mainly to foxes, and to maintain that foxes are vermin. Robert Cooper says that hunting

"is our traditional method of killing vermin."

Are stags and hares classed as vermin? They figure little in the arguments of the Bill's opponents.

I want to concentrate on hare coursing, but I have some general points. There should be a sound argument for hunting, although we have not heard one yet. We are told that hunting with dogs ensures the survival of foxes, but also that they need to be regularly destroyed by hunting because they are vermin. That argument is self-contradictory.

In the north-west, we have had a circular from the National Farmers Union that tells us:

"the hunt can be the best method of getting rid of the fox".

In the next breath, we are told:

"Many farmers consider that hunting with hounds is the most efficient form of control as the fox either escapes unharmed or is dispatched within seconds."

The best method of getting rid of it is one in which it often gets away unharmed. Again, the arguments cancel one another out.

We are told by blood sporters—

Mr. Gray: Will the hon. Gentleman give way?

Mr. Pickthall: No. The next time the hon. Gentleman comes to my constituency, tell me.

We are told by blood sporters that our opposition to hunting with dogs is emotional. Their arguments for hunting are totally unemotional, of course. I quote the NFU circular again:

"In the Lake District some visitors come specifically in the hunt season to hear the famous pub songs sung after a day's hunting—Do Ye Ken John Peel being the most famous example".

That is a coldly logical argument, of course. I have a fair knowledge of pub songs, which can range across piracy, rape, mass murder and so on. I look forward to seeing what "sporting" events are organised in the lake district so that visitors can come along and hear the associated pub songs.

Mr. Charles Drury of Abergavenny writes to us and tells us that

"unattended babies will no longer be safe in their own gardens."

Unattended babies should not be in the garden anyway, but it is a ludicrous point to make.

More sinister is the argument advanced by, for example, the Country Landowners Association:

"there is no more justification for a ban on hunting than there would be for a ban on the ritual slaughter of animals for the Muslim and Jewish communities."

He seems, at one level, whatever we think about ritual slaughter, to forget that those animals are slaughtered to be eaten, not for the pleasure in slaughtering them. At least the CLA avoided the incipient racism that is there in Robert Cooper's letter to us, where he bemoans the ritualised slaughter in the Jewish and Muslim communities as being

"for, very often, recent immigrants".

Blood sporters, desperate for arguments for retention of their activities, have concentrated—to some effect—on presenting the debate as one between the country and the urban areas. MORI's October poll has found that rural people support the Bill, with 57 per cent. of those in rural areas saying that they agree with its purpose.

I represent a largely rural seat, and have done since 1992. In my repeated efforts to get hare coursing made illegal—the Waterloo cup is held in my constituency—I have had massive and consistent support from my constituents. That support has been evenly spread between country areas and small towns, and it includes support from Altcar and Downholland, where the Waterloo cup is held, and where people are as disgusted by it as they are elsewhere in the constituency.

The huge correspondence that I, like other hon. Members, have had on the Bill has been analysed by my office, and it shows the same thing. Support for the Bill is spread perfectly evenly between country areas and towns. Of more than 800 letters, only four expressed opposition to the Bill, and all four of those, by coincidence, came from people who lived in towns.

The interchangeability of urban and rural life, which the right hon. Member for Cities of London and Westminster blundered into a few moments ago, has become incredible. People come from the rural areas into towns to shop, or for services; massive numbers of people go out of the towns and cities into the countryside, for hunting sports and other activities. I should love to know how many hunts were partially composed of Londoners, out in the countryside for their entertainment.

Blood sporters also talk about the individual right to choose and the rights of minorities. Of course one should protect the rights of minorities wherever possible but, although I hate to compare hunters with these categories, under the logic of that argument one might say that paedophiles, rapists or drug dealers were a minority. It is not logical to argue that because hunters are a minority they should be allowed to continue their activities.

The only argument that carries force is the argument about jobs. The number of jobs at stake has been wildly exaggerated, as the right hon. Member for Bridgwater (Mr. King) had the good grace to admit. Given the manifesto commitment and given our commitment as Members of Parliament, one would have thought that, from about 2 May, the people involved in such activities would have been looking to diversify somewhat into other jobs.

[Mr. Pickthall]

How can the right hon. Member for Henley (Mr. Heseltine) have the bare-faced hypocrisy to complain about legislation damaging jobs when he presided over the events that led to thousands of coal miners losing their jobs?

Mr. Gray: Will the hon. Gentleman give way?

Mr. Pickthall: No.

How can the right hon. Member for Henley complain when, year after year, his party presided over massive cuts in local government, which decimated jobs in many parts of the country? The Opposition's argument about jobs is unacceptable.

Our policy on land mines could come into the same category.

Hare coursing in my constituency is largely an urban matter. I am sorry to say that, in the middle of the country, its audience is mainly composed of representatives from the constituencies of my hon. Friends the Members for Bootle (Mr. Benton) and for Liverpool, Walton (Mr. Kilfoyle). It is not a rural activity.

The Bill is a good one, and I hope that it completes its passage—

Mr. Deputy Speaker: Order.

12.2 pm

Sir Nicholas Lyell (North-East Bedfordshire): I hope to provide the arguments that the hon. Member for West Lancashire (Mr. Pickthall) says have not been put, although I profoundly disagree with him.

I oppose the Bill, and I do so in principle because it is wrong to deprive people of their rights, liberties, livelihood and traditional way of life unless one has compelling reasons to do so. I oppose it because it will not help the fox or the deer or the hare. On the contrary, it will destroy what hunting of each type has helped to preserve—the balance of nature in our countryside.

The Bill will destroy what that wise countryman, our present Poet Laureate, Ted Hughes, recently called the pact between the farming community and country people and those animals—the pact whereby, in return for the right and opportunity to pursue ancient sports, those animals live in their natural habitat, with closed seasons voluntarily observed, in controlled but thriving numbers.

It is ironic that supporters of a Government who profess to believe in human rights, as I do, and who propose to incorporate the European convention on human rights into British law, now propose to remove them without considering with real care whether it is justified and proportionate to do so. To justify such a removal of rights, there must first be some objectively justified and compelling public interest reason. It is parroted like a mantra that that compelling public interest reason is the cruelty and barbarism which is said—I believe profoundly wrongly—to be unique to those sports.

Herein lies the illogicality of this bad Bill. The Bill's supporters accept fishing, and say that they will not attack it. They also accept shooting and the fact that foxes, deer and hares must have their numbers controlled and must all be somehow culled, and therefore killed. Clause 5 expressly preserves the right to use packs of dogs to flush out foxes from cover so that they may be controlled by shooting. The object is to preserve what are known as the "gun packs" of Wales and Scotland. Those packs of fox hounds, which are necessary for control, are used in exactly the same way as normal hunting packs, as that is the only way to flush out foxes from large woodland areas for control. Not only are hundreds of foxes necessarily shot but a number are certainly killed by hounds in the course of the shoot. Sadly, some are inevitably wounded, which never happens in hunting. In hunting, the fox is never wounded; it is either killed outright or it goes free. Why, then, is hunting said to be so barbaric and cruel?

The Bill is not only wrong in principle but badly drafted, and it would have side effects which it is hard to believe are intended. I have studied it carefully and found that, in future, citizens who walk their dogs on commons will need to keep them on a lead, for if they are permitted to chase rabbits or even to hunt in the long grass for mice or voles, their owners will be guilty of a criminal offence. If people are out on a rough shoot and their dogs flush out a hare, that will be a criminal offence under the Bill. If those who own or occupy land invite friends to shoot pheasants, partridges or pigeons and to bring their dogs with them, and if the dogs then chase rabbits, hares, or even voles, shrews or field mice, the dog owners will be guilty of a criminal offence with a penalty of up to six months' imprisonment.

Miss Ann Widdecombe (Maidstone and The Weald): My right hon. and learned Friend said that if, unintentionally, one allows one's dog to pursue a mammal defined in the Bill, criminal sanctions will follow. Clause 5(1) clearly states:

"In this Act 'hunt' means intentionally to course".

Sir Nicholas Lyell: I am sorry, but my right hon. Friend is wrong. I have not relied only on my own judgment on this matter, but have taken advice from two Queen's Counsel, who practise exclusively in criminal law, and they confirm the points that I am making.

Let us consider further the side effects for those caught up in this new criminality. One assumes that the police will act reasonably, and they usually will, but those suspected of any such offence are liable to arrest without warrant, and to have their cars or dogs detained by the police and their garages, gardens or outbuildings—anywhere but their homes—entered and searched without so much as a warrant.

On a different point, some say that drag hunting can take the place of fox hunting. I organised a drag hunt in my youth. It is fun for a good gallop, but it is no substitute for real hunting. There is none of the skilful art of venery, and there is no need for the huntsman to have the deep knowledge of country lore and of the fox and his habits that is possessed by real huntsmen.

Those who drag hunt enjoy jumping the fences, but they have no need to care for the habitat. They do not collect much of the fallen stock for the farmer. They are no substitute for the great tradition and way of life that would be lost.

In summary, the Bill is ill thought through. The topic is admittedly one of much controversy, and sincere views are held on both sides of the House. The Attlee

Government, the first Labour Government after the war, when faced with a similar situation, did not leave the matter to elective dictatorship. They set up an objective interdepartmental inquiry, which produced the Scott Henderson report. That report rejected the allegation that hunting was cruel and barbaric, and found that it had significant advantages over other methods of fox control—gassing, poisoning, snaring or shooting.

It is as wrong today as it was then to ram the Bill ahead without objective inquiry. If real inquiry were held, hunting would be vindicated, or at least those whose rights, livelihoods and traditional way of life are to be taken from them would know that they had had a fair hearing. I sincerely believe that hunting of all types would be vindicated. My plea to the supporters of the Bill is: stop; think again.

12.10 pm

Kate Hoey (Vauxhall): In the summer, when my hon. Friend the Member for Worcester (Mr. Foster) won the right in the ballot to introduce the Bill, I had no intention of speaking. I thought that he might have chosen a measure more relevant to bread-and-butter issues, after 18 years of Conservative rule. However, it was his choice.

Over the past months, as I have watched millions of pounds being spent on advertising by the promoters of the Bill, I have felt increasing concern about the untruths, the emotional hysteria and some of the facts.

I was born and bred in the country. I was brought up on a small farm. I understand what goes on in the country. I know about hunting. I do not hunt, and I have never hunted, but I understand the reasons for it and the benefits that it can bring to rural communities. The economic arguments for hunting focus on rural jobs, but most important to me is the role that hunting can have in helping to maintain the ecological balance in nature.

I believe in animal welfare. The farm on which I was brought up was pesticide-free and chemical-free long before the word "organic" was thought of. Hens, pigs and other animals were free range, and many were the litters of pigs that I helped to bring into this world. I need no lessons in animal welfare from anyone, but I have a vivid memory of the sight, early one morning in the fields, of a sea of white feathers sprayed all over the grass—the result of a fox's excursion into the chicken house. Not just one chicken had been killed to eat, but every single one had been routed and killed.

I do not want to hear any more romantic ideas about pretty little innocent foxes. They are pests and they need to be controlled. However, I accept that foxes are a natural part of country living. The irony is that those who supposedly care most for the well-being of animals and who want to stop those animals being hunted have failed to grasp the fact that not one fox will be saved by the Bill. Indeed, it has been pointed out repeatedly that unless farmers know that hunting takes place on their land, and without farmers' commitment to the hunt for whatever reason, the foxes will simply be massacred in whatever way is cheapest and most convenient, and most cruelly.

One cannot hunt unless there is a suitable habitat for the species concerned. That means that corners of fields are left fallow, hedges are not entirely grubbed out, edges of forests are planted with deciduous trees and chalk streams are maintained. Those habitats suitable for hunting are an example of biodiversity and support many other species. Once hunting goes, I am convinced that they will be at risk to commercial forestry and the desolate monoculture of agro-industrial farming.

We already face a countryside in rapid decline, with many once-familiar birds and mammals disappearing. Hunting is one of the few rural activities that has a beneficial effect on the countryside habitats. Conservationists the world over will affirm that, if there is no reason to sustain a habitat, sooner or later the pressures of making a living lead to its disappearance. It is nonsense to argue that drag hunting is a suitable alternative to hunting. Drag hunting does not require the maintenance of suitable habitats.

In hunting areas of the country, there are ancient woods whose local names are known instantly by hunting people. They survive only because they have always provided cover for foxes and are preserved for that reason. Significant areas of grassland have not seen a plough for generations and they are preserved because the owners are hunt supporters. There would be no reason to preserve such areas but for the pressure of local hunt supporters.

In the wake of BSE, the easiest way for farmers to make a profit from farm land is to clear and plough it. The cheapest way to divide fields is with barbed wire. Woods, grassland, hedges and walls are being destroyed at an alarming rate, and the abolition of hunting will greatly accelerate that process. Like it or not, the continuation of field sports—particularly fox hunting—is one of the best protections for the sort of countryside that people enjoy looking at, and living and working in, and where they choose to spend their recreation hours.

In an excellent article in *The Mail on Sunday* several months ago, Stewart Steven said:

> "MPs who are determined to ban hunting find themselves on the side of the most rapacious and unfeeling of country people, the agro-industrialists. Their profit comes from the flat and boring landscapes in which all natural life has been destroyed by their noxious chemicals. Compare them with rural people who hunt and shoot. They are not destroyers because their whole way of life depends absolutely on respect, understanding and tolerance."

We live in a nation that has legislation to protect minority groups from discrimination and to give them the freedom to enjoy their cultures and traditions without harassment. Therefore, I cannot understand why a country that prides itself on its pluralism and tolerance, and that is home to so many ethnic minorities whose cultures and customs have enriched our own so much, should be so prejudiced against its own rural inhabitants.

I respect the way in which some hunt supporters have recognised that they must change also. There must be dialogue. I welcome very much the booklet produced by the Wildlife Network. Its director, Jim Barrington, the former chief executive of the League Against Cruel Sports, began the dialogue by offering to work with pro-hunting groups to see whether we could find a way forward. He was then thrown out of the League Against Cruel Sports. That document should be read by everyone. It talks about getting rid of some of the abuses, such as terrier hunting and other practices, that I find distasteful. Genuine people who care about the country and about hunting do not support such practices. That is the way forward: it is through not legislation and banning.

No one—except vegetarians—can make a coherent case for banning hunting. All farming is cruel in some way: we have factory farming, calves are taken from their

[Kate Hoey]

mothers at birth, and animals are castrated, clipped and crated; forced to eat unnatural food and to bear unnaturally large litters, and dispatched to horrible abattoirs. There is so much cruelty in this country: we should be looking at that rather than trying to ban hunting.

If the Bill succeeds, we shall make criminals of many law-abiding, decent citizens. That is bad legislation. It is intolerable and intolerant. It will do nothing to stop real cruelty and it will ruin the countryside. I shall oppose it.

12.18 pm

Sir Brian Mawhinney (North-West Cambridgeshire): It is a pleasure to follow the hon. Member for Vauxhall (Kate Hoey) in the debate. I shall return to the substance of her remarks later. I do not discount the possibility that she and I hold broadly similar views because we were both raised in the same environment.

I congratulate the hon. Member for Wansdyke (Dan Norris) on his maiden speech, to which hon. Members on both sides listened with great approval. His generous comments about Jack Aspinwall were particularly appreciated on the Opposition Benches. The hon. Gentleman was right to say that Jack was considered to be a good constituency Member—and I was grateful to see those Labour Members of Parliament who served at the same time as Jack nodding their heads in agreement. The hon. Member for Wansdyke made a balanced speech and contained the emotion that he clearly feels about the subject, to the advantage of his speech. I hope to have the opportunity to listen to him on many more such occasions.

I also congratulate the hon. Member for Worcester (Mr. Foster) on his speech and on coming top in the ballot. It is a tradition to offer congratulations, although I have never quite understood why coming top in the ballot should be attributed to an hon. Member's personal qualities. Nevertheless, I congratulate the hon. Gentleman. He made a brave decision in choosing this Bill and he will certainly be remembered in the first year of this Parliament when others among the new intake are still struggling to make themselves known. I hope that he will enjoy the process that he has launched this morning, although I am not absolutely certain that in every respect he will. I will return to one or two of the points that he raised as I develop my own thoughts.

At the beginning of the debate, Madam Speaker encouraged us to try to stick to 10 minutes and she included Front Benchers in that stricture. I may not quite make that, but I will do my best and shall conduct my speech to maximise the time for others, who might wish to intervene to make their own if they catch Madam Speaker's eye.

On a personal level, I have never hunted in my life. I have not indulged in country sports, although I have a great interest in sport. The sports in which I have an interest are likely to take up all the free time that I shall have in the foreseeable future, so I do not approach the debate with any vested interest in country sports. I wish to make it clear that Conservative Members are not whipped today, and I assume the same to be the case for every party. We shall have a free vote, as is appropriate and traditional on such matters. I am therefore in no sense setting out an Opposition position on the Bill, although I shall draw on what I believe to be Conservative principles and instincts. At the same time, I shall respect the views of colleagues who, having those same principles and instincts, choose to vote differently at the end of the debate.

I wish to start by addressing the single biggest issue raised by the Bill. I begin by accepting that a majority of the citizens of this country disapprove of hunting with hounds, are genuine in their disapproval, feel strongly about the issue, see it as a moral issue and would support a ban criminalising it as an activity. However, the contrary argument is that those reasons do not justify depriving the individual citizen of the right to take part in a lawful activity, and I share the views of my right hon. Friend the Member for Henley (Mr. Heseltine) and of the right hon. Member for Berwick-upon-Tweed (Mr. Beith) that it would be a damaging day for all our freedoms if they were ever held to do so.

Hunting with hounds is a lawful activity that has been engaged in by ordinary men and women in the United Kingdom, and in other countries, for centuries. Indeed, most of the hunts still in existence in Britain today are at least 100 years old. Each person in this and every civilised country has now and always has had the right to engage in or to desist from those activities, according to his or her inclination. Those are freedoms inherent in the citizenship of a civilised society, as the hon. Member for Vauxhall has just said.

The freedom of each individual to hunt with hounds is no different in principle from the freedom of each individual to—or not to—fish, shoot, eat meat, drink alcohol, use tobacco, gamble or worship as he or she chooses. A free society is one that jealously protects the freedoms of its individual citizens. Indeed, one of the acid tests of a free society is the extent to which individuals and minorities are permitted to exercise their rights.

Mr. Desmond Turner (Brighton, Kemptown): Will the right hon. Gentleman give way?

Sir Brian Mawhinney: No.

The threat to the freedoms of individuals and minorities inevitably comes from majorities—or at any rate from more vociferous or powerful minorities posing as majorities—who hold different opinions from the minority. The individual people who make up that majority may lose sight of the fact that they, in other aspects of their lives, are also members of a minority.

It is essential for us all to realise that the protection of the unpopular minority interests of others is a vital part of our own freedom. One of the most important freedoms is the right to continue to be unpopular. We have traditionally looked to Parliament to protect these rights notwithstanding the acceptance on both sides of the House that Parliament has the power to abolish any right. That means that Parliament has the power to abolish freedoms. It has the power to act illiberally. It can ban hunting, fishing, smoking, the reading of certain books and the worship of any god, but the exercise of that power would diminish Parliament and our society would be less free. If Parliament is not to circumscribe freedoms improperly, it must decide to act only in accordance with principle.

I agree with my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell), who said that the only justification for the removal of a freedom is that the exercise of the freedom is

unacceptably harmful to society. There is no serious suggestion that hunting with hounds is seriously anti-social. It is an activity that is pursued by the widest possible range of law-abiding citizens of all ages and backgrounds. They pose no threat to public order, they cause no appreciable disturbance to their fellow citizens and they challenge no vital public interest.

The supporters of hunting would say that the activity that they pursue is sociable, disciplined, healthy and natural. However, it is essential for freedom's sake to recognise that it is not necessary for the protection of hunting that they should persuade anyone of that argument. That is because a ban can never be justified unless the proposers of the ban prove the opposite. They must show that hunting is positively harmful to society, and appealing to the strong disapproval of the majority does not prove that case.

I am pleased to say that there is no serious dispute in this debate about the need for control. The hon. Member for Worcester recognises the need for control. I believe that the initiators of previous Bills on this issue have not come to that recognition but the hon. Gentleman has, and that is made clear in the Bill.

Many bodies and the Labour party's rural policy documents recognise the need for fox control. One of the essentials of that recognition is that it is not possible in our world to control foxes without some element of suffering. The weakest part of the speech of the hon. Member for Worcester to which, as I hope he observed, I listened carefully without jeer or cheer, was that he did not at any time address the other methods of fox control—control which he recognises to be necessary—in comparison with hunting.

The hon. Gentleman made a big issue out of hunting and used many emotional descriptions. I do not blame him for that. I have no difficulty with him developing his speech in that way. However, by so doing he drew the more attention, if he will forgive the mixed metaphor, to the dog that did not bark. He did not address what should or could be the alternatives, and the level of suffering attached to those alternatives. Instead, he concentrated on the one issue. The House will have noticed—if I may put it this way without, I hope, sounding aggressive—that deficiency in the hon. Gentleman's speech.

The hon. Member for Vauxhall specifically understood that deficiency. She articulated it as effectively as I have heard in a long time. She supported the point made by my right hon. and learned Friend the Member for North-East Bedfordshire, who drew on his considerable legal experience. None of the species hunted with hounds is protected. Fox numbers have been increasing over the years despite all the culling methods now being employed. All the species now hunted with hounds need to be culled if we are to preserve the delicate balance of nature in the British countryside, which is the envy of the world. It is worth reflecting that the species currently hunted with hounds have been controlled successfully and healthily in the same traditional way for centuries.

Like my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke), I also spotted the fact that the hon. Member for Worcester quoted selectively from the Ministry of Agriculture, Fisheries and Food document. The quotation began with a sentence to which the hon. Gentleman did not make reference. It said:

"The Ministry's interest in foxes is as a predator of livestock, especially of lambs."

The hon. Gentleman did not mention that, but I am pleased that the Minister agrees with that statement. I grant that the hon. Gentleman accepted it in principle, because his Bill recognises the need for culling.

The hon. Gentleman quoted the second sentence of this passage, which states:

"On the basis of current evidence, the Ministry does not consider foxes to be a significant factor in lamb mortality".

He stopped there, creating the impression that the phrase ended with a full stop. His hon. Friends murmured their agreement. As my right hon. Friend said, there is no full stop—it is a semicolon. The sentence continues:

"but it should be stressed that this is against a background of widespread fox control by farmers."

The document goes on:

"Foxes can cause serious local problems for individual farmers and the Ministry therefore considers that foxes do need to be controlled to minimise lamb losses."

I do not want to get into a debate with the hon. Gentleman about this; I simply want to point out that, had he given the whole quotation rather than the selective half-sentence, it would have destroyed the essence of his argument. Hon. Members should always assume that someone else has the full quotation.

Having referred to farmers, I shall give the view of the National Farmers Union, as sent to me and, I am sure, to other hon. Members. Farmers, who tend to take an independent view of life, have come out against the Bill. A large majority of the union's membership believes that it should press for the retention of the present right to use dogs as a method of agricultural pest control. Its document says:

"The NFU believes that Parliament should change laws only where objective grounds for so doing in the public interest are established beyond reasonable doubt: in a country famed for its tolerance and the upholding of liberty, it would be wrong for minorities to be oppressed (and their lives made very much more difficult, including loss of livelihoods for many of them) following an emotive and well-financed campaign by the Bill's promoters."

Who or what will benefit from the Bill? It will not be the hunted species, for it has to be controlled, and that control will involve some suffering, whatever the methodology. It will not be Britain's unique and envied balance of wildlife, nor the conservation of Britain's landscape. It will not be the preservation of our rural heritage and its communities, nor the prosperity of rural businesses and trades and the creation of rural jobs. It will not be the survival of thousands of horses and hounds, nor the liberty of tens of thousands of law-abiding and decent people, virtually all of whom look after animals, whether domestic, farm or wild, and none of whom would countenance cruelty. It will not be leisure activity for rural people. Let us not forget that, even with mounted packs, 60 per cent. of followers use their cars or are on foot. For many retired people, this is their principal form of exercise and recreation. It will not be the farmer who, without the hunt, will have to replace and, in turn, pay for the collection of dead farm stock.

As the House will note, I have tried to approach the issue at what appears to me to be the most fundamental level. I, too, have received letters and, given the similarity of the content, I detect unseen hands behind letters on both sides of the argument.

The debate has featured an acceptable and appropriate degree of emotion. That emotion reflects even more unbridled emotion in the country as a whole. The issue,

[Sir Brian Mawhinney]

however, is not one of pure emotion; the issue is what reasoned judgment we ought to reach. Although it is not my usual practice, for once I consulted the national media, whose editorial viewpoint spans most of the political and social views in the country. I was impressed by the unanimity of judgment that they reflected. I will quote a few of them.

On 12 July, *The Independent* said:

"Nor, when disapproving of something, should we rush to ban it. Tough-minded liberalism allows much to continue that the liberal personality abhors."

On 10 July, *The Express* said:

"If we were wise, we shall wish failure on the Foster Bill. Not because we do not care for the fox. But because we care for freedom more."

The editor of the *Evening Standard* wrote:

"The issue is not foxes—it is that of personal liberty and the rights of minority cultures in a free society".

Simon Jenkins wrote in *The Times*:

"City-dwellers may hate hunting and feel repelled by the spectacle of the country community marching on London, but we must still defend their freedoms."

Mr. Dale Campbell-Savours (Workington): Could not all those arguments also be used in support of badger baiting?

Sir Brian Mawhinney: What they all address is the issue of fundamental freedom that the Bill has raised.

On 10 July, *The Times* stated:

"The countrymen who have marched on London should remind Members of the new Parliament, who will flourish their majority and mandate, that settled traditions and the liberties of minorities also have their claim. Using a Private Member's Bill to make outlaws of thousands who enjoy themselves as Britons always have, and to make unemployment statistics of thousands more, does not seem a One Nation measure."

According to Hugo Young in *The Guardian*,

"Hunting is in danger of taking its place on the altar where offerings are burned before the god of British uniformity."

The Bill's Committee and Report stages will allow the specific issues in it to be examined with care and in detail. I look forward to that process, which I believe will assist the Bill's progress. The issue before us, however, is not just the issue of fox hunting: the primary issue is the historic role of fox hunting in protecting freedom—a freedom in which individuals may not themselves participate. We are talking about protecting the freedom to take part in activities of which we may disapprove. If Parliament does not defend freedom, who is to defend it?

The hon. Member for West Lancashire (Mr. Pickthall) quoted from John Mortimer's article in *The Observer* last Sunday. I was intrigued that he chose to quote all the nasty bits about the hon. Member for Worcester. I want to quote not the nasty bits about the hon. Gentleman, but the part of the article dealing with the principle on which this debate turns:

"Mr. Foster and his adherents are entitled to hate fox hunting and to try to persuade those who practise it to desist. What they must not do is to call for those who hold contrary opinions to be locked up.

The great moral flaw in this Bill is not understanding that a penal sentence requires a consensus in our society. The convicted murderer, rapist and fraudster all have to admit, in their hearts, that their punishment is just and deserved. But a huge body of decent opinion does not regard fox hunting as a crime. The man or woman engaged in the sport, which is arguably a valuable part of traditional country life, cannot be made to think of himself or herself as a criminal just because Mr. Foster's Bill says so. If this bizarre legislation ever finds its way on to the Statute Book it will be seen as a gross miscarriage of justice."

I bow to Mr. Mortimer. He has put it better than I could, and I endorse his sentiment.

12.40 pm

Dr. Ian Gibson (Norwich, North): I have found it exciting this morning: there has been a whiff of class struggle in the air.

Scientists are used to being despised and discredited when they challenge the accepted wisdom, and when they confirm what everyone says they knew anyway. That has been no less true where scientists have attempted to add some rational debate to sport hunting.

On 29 October, an Adjournment debate on the matter documented some of science's arguments, and we have heard some more today. Letters and individual scientists—none of whom has, to my knowledge, done any work in this sector—have been quoted to argue against the eminent researches of Patrick Bateson and his group. He and his staff, Elizabeth Bradshaw in particular, have worked at King's college, Cambridge, a university that many Conservative Members have told us is the equal of the Ivy League in terms of research. One could not say, therefore, that anything bad has come out of Cambridge or Oxford. Bateson is part of that tradition.

Bateson's group concluded that hunted deer are subjected to high stress levels. He acknowledged that the stress, suffering and pain are defined in terms of human subjective experience, and he asserts that such projection of human experience and emotion can be made transparent by building a profile of both behavioural characteristics and the physical processes involved. Indeed, he is brave and says that, on occasion, the animal must be given the benefit of the doubt—a somewhat revolutionary concept compared with some of the arguments that we have heard today.

Bateson's work, which was commissioned by the National Trust, studied the effect of hunting on red deer in Exmoor and the Quantocks. It involved taking blood samples from deer that had been chased by hounds and shot. The deer had run an average of 20 km over three hours. The physical studies showed that cortisol—a hormone that is a scientific compass for stress in human beings as well—blood sugar and lactate levels rose as oxygen levels fell, due to overworked muscles. Red blood cells broke down to release haemoglobin into the bloodstream, and muscle enzymes leached into the blood.

Cortisol levels were 10 per cent. higher in deer chased by hounds than in animals shot by stalkers. Blood lactate levels reached peak levels after 5 km of chase, and dropped as the lactate was used to fuel muscle activity. The consequence was that, after 15 to 30 km, energy stores were completely depleted—some hon. Members have said that that was surprising and unpredictable. Haemoglobin spilled into the blood after a few kilometres of chase.

Those are the facts. Let me turn to some of Bateson's critics, many of whom spoke in the Adjournment debate on 29 October. The work has been reviewed by peers,

and stood the test of conference scrutiny, unlike much of the work quoted by Conservative Members in trying to rubbish Bateson. It has been described as pioneering, illustrative and conclusive.

As the Bill's promoter, my hon. Friend the Member for Worcester (Mr. Foster) said, 14 well-respected scientists endorsed Bateson's methods and unanimously said that hunting deer made demands upon muscles to pathological levels. I understand that none of the critics disputes these physical findings.

I stress two other observations by Bateson. He states that the stress level indicators in shot deer as opposed to the hunted deer were lower even when two shots were actually fired. He also concluded that 5 per cent. of stalked deer got away. A greater proportion of deer that were chased by hounds escaped, and it is Bateson's hypothesis that they endured suffering for various lengths of time.

That work is being followed up. Those deer would have to be added to those that were hunted to death in terms of the suffering that is inflicted on the animal population. Bateson's hypothesis was that shooting caused less suffering, and he stated that total suffering would be reduced if hunting by hounds was completely banned.

In the Adjournment debate I mentioned, the hon. Member for South Cambridgeshire (Mr. Lansley), who has just entered the Chamber, asked whether anything in Bateson's report suggested that mental stress was experienced by the deer in addition to the physiological aspects which have been mentioned. I have been in touch with Sir Patrick Bateson, who states:

"It is not correct to say"—

as was recorded in *Hansard*—

"that we were exclusively concerned with the physiological aspects of hunting. We also monitored the behaviour of the hunted deer."

His information to me points to some of the behavioural patterns that were experienced by deer when the hunts were milling around. He states:

"severe behavioural measures have a direct bearing on interpretation of the physiological evidence. For instance, deer tend to circle in the course of a hunt, returning to the home range which they know well."

Bateson has carried out a comprehensive study of the behavioural and physiological effects of suffering and, I would say, the cruelty inflicted on the deer.

Mr. Nick St. Aubyn (Guildford): Will the hon. Gentleman give way?

Dr. Gibson: No. I have only 10 minutes of facts which will be a surprise to the hon. Gentleman. I will see him in the bike shed afterwards.

The work of MacDonald and Johnstone of Oxford has also been mentioned. They are the leading international experts in the field, and we have heard about the brilliant book that was written by MacDonald on foxes. Their scientific studies on the socio-economic infrastructure of rural communities is second to none in terms of the analysis of the effects of hunting on foxes. Their conclusion is that fox hunting is not even sufficient to protect game birds, and that other methods will be necessary. They conclude:

"Fox hunting is a sport and certainly not a method of fox control."

I might argue with them about that. The conclusion goes on:

"It certainly does not control in population dynamics terms the number of foxes that are in any particular community."

I say to my hon. Friend the Member for Vauxhall (Kate Hoey) that MacDonald also concludes that hunting is not the major factor in allowing farmers to carry out hedgerow maintenance and development and countryside preservation. Many other political initiatives are being taken to encourage people to keep hedgerows intact. They are important ecologically.

Science shows that deer—and, I would guess, all mammals—suffer stress from hunting of any kind, and that that results in many deleterious effects. It is an unacceptable pursuit in a civilised society. I would define hunting as cruel, callous and unnecessary.

12.48 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): Hon. Members have been asked to be brief, so I shall focus on just two aspects of the Bill. First, the House needs to be clear about the nature of all traditional country sports. The sports of angling, fox hunting, stag hunting, beagling and shooting are all intrinsically the same, and have identical characteristics.

I come to the debate with a degree of personal knowledge. I have shot all my life. I have shot thousands of pheasants, and I beagled. I have participated on many occasions in fishing. I am also a supporter of fox hunting, although I do not ride to hounds. I know that all those activities, without exception, involve a degree of suffering.

I tell hon. Members who try to argue that fishing does not involve suffering that they are wrong. They have only to examine the 1979 and 1994 reports of the Royal Society for the Prevention of Cruelty to Animals—I can send them copies if they do not have them—to learn that the RSPCA's conclusion is that fish feel pain, and that one cannot draw a sensible distinction in terms of pain between the activities.

If the RSPCA's conclusion is right, there is no intellectually sustainable case for distinguishing between those activities. All of them are right, or none of them is right. I believe that all of them are right.

Mr. Gray: Will my right hon. and learned Friend give way?

Mr. Hogg: I will not give way at this juncture.

My right hon. Friend the Member for Kensington and Chelsea (Mr. Clark) and my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell), the former Attorney-General, drew attention to the penalties that are to be attached to fox hunting. The penalties are substantial fines and the prospect of imprisonment. Hon. Members must ask themselves whether it is appropriate to impose such penalties on people who are pursuing activities that are manifestly not in the range of those that should be subject to the criminal law.

One way in which to judge the matter is to ask oneself the question, how would we react if fishermen were subjected to such penalties? On a Sunday, all of us go for walks down by the river, on the Trent, and to the dikes—

[Mr. Hogg]

[Interruption.] Labour Members may not go walking in the country, but I do. I go to the Trent, and I see angling ponds. I visit lakes, and I see dikes. I also see families fishing together. I ask myself whether such people should be the subject of a criminal law, and the answer is: manifestly not. If that is true of fishermen, why in all conscience should we try to subject fox hunters or others, such as beaglers, to such a penalty?

My second point is very similar to that made by my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), and goes to the rights of minorities in free societies. In a free and tolerant society, minorities have rights that they are entitled to assert against the majority. That tolerance requires us to be tolerant of activities of which we may disapprove.

A free society is not one which says that people have rights that happen to be conferred on them by the majority. That is neither a free nor a tolerant society. Sophisticated constitutions recognise that fact, which is why many societies have bills of rights entrenched in those constitutions, to ensure that majorities cannot oppress minorities.

Mr. Geoffrey Clifton-Brown (Cotswold): Does my right hon. and learned Friend agree with the message sent to me by very many of my constituents who support hunting, telling hon. Members who will vote for the Bill's Second Reading, "We do not seek to ban those activities that you participate in—so, please, exercise tolerance towards our activity, and do not seek arbitrarily to criminalise it"?

Mr. Hogg: I entirely agree with that message.

One may disapprove of many things in society. Like my right hon. Friend the Member for Suffolk, Coastal, I do not like ritual slaughter. When I was Minister of Agriculture, I was pressed to ban it, but I took the view that the rights of the Jewish minorities and those of the Muslim community overrode other considerations.

The same applies to many other activities. I have no time for obscenity, I find blasphemy pretty disagreeable, I am not very keen on boxing, and I well understand that abortion raises serious moral questions, but my conclusion is that these things are best left to the individual, because, in a tolerant and free society, people have the right to make moral decisions for themselves. They have a right to choose between the good and the bad, the worthy and the unworthy. It is for them to decide, not for the criminal law to impose its own restrictions.

Mr. Campbell-Savours *rose—*

Mr. Gordon Prentice *rose—*

Mr. Hogg: No, I shall not give way.

For that reason, I believe that the Bill is a very serious erosion of political and personal liberty, and I shall vote against it on that basis.

12.55 pm

Angela Smith (Basildon): I congratulate my hon. Friend the Member for Worcester (Mr. Foster) on introducing the Bill. Contrary to reports that it is a bad Bill, it is in fact an excellent Bill. Indeed, the Public Bill Office made compliments about its drafting.

I have listened to the arguments deployed in the debate, and what has struck me is that so many of them have been contradictory and somewhat misleading. I am sorry that the right hon. Member for Kensington and Chelsea (Mr. Clark) is no longer in the Chamber, because some of his points should be corrected. He said that people would be prosecuted for chasing a squirrel in a park. However, if he had read the Bill, he would know that, as squirrels are rodents, they are specifically excluded from the Bill. He also said that the powers in the Bill are draconian—

Mr. Desmond Swayne (New Forest, West) *rose—*

Mr. Hayes *rose—*

Angela Smith: No, I am not giving way. I have 10 minutes; many hon. Members wish to speak, and there is little time.

The right hon. Member for Kensington and Chelsea said that the powers in the Bill were draconian. He should be aware that they are the same as those provided in the Protection of Badgers Act 1992, which were accepted under a previous Government and are working well. The power to seize vehicles is rarely used; it is an ultimate power, not an automatic one.

It has been said that a fox is a pest and needs to be controlled, but fox hunting has been around only for the past 250 years. What happened before then? Were we knee-deep in foxes in the middle ages? I suspect not.

There are artificial earths where foxes are encouraged to breed. We cannot have it both ways—either the fox is a pest or it can be encouraged to breed. Fox hunting does nothing to control the fox population. My hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) mentioned mink hunting and the terrible problems that mink cause, which mean that mink still has to be hunted to be controlled. If mink hunting is so effective, why do we still have these problems? It is clearly a wholly ineffective method of mink control.

I shall deal now with hare coursing. I attended the Waterloo cup competition with my hon. Friends the Members for West Lancashire (Mr. Pickthall) and for Hull, North (Mr. McNamara). We were told that the hare was in a state of serious decline. The House may be surprised to know that the Waterloo cup's budget includes an item for restocking, which means transporting hares to Liverpool to ensure that there are adequate hares to be coursed for the competition. Coursing supporters are advised not to identify with the hare as it may spoil their enjoyment of the event—I suggest that it would.

We have heard much about minority rights. It has been said that minorities have a right to hunt, to torture and to kill our wildlife, but the same argument was deployed by badger and bear baiters. Minorities have rights, but they do not have the right to cause suffering to our wildlife. We, as the majority in the House, must stand up for the majority of people in the country and make our views heard.

We all know that the Bill should be given a Second Reading with a good majority. The danger is that there may be an attempt to stop it in another place. The only hope that fox hunters have for the survival of their sport is to use parliamentary procedures. Right is on our side. We have a majority in the House and, if the House

expresses its will and if a majority of hon. Members support the Bill today, it should not be obstructed in another place.

We have a mission to modernise the country. [*Laughter.*] Conservative Members may laugh, but we want to move forward. Instead of bleating on about losing their so-called sports—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order.

Angela Smith: Thank you, Mr. Deputy Speaker. I repeat: we have a mission to modernise the country. It is important that we bring ourselves up to date. Instead of bleating on about losing their so-called sport, hunters should be astonished that it has lasted so long. It has lasted until the 20th century, but it will not continue into the 21st.

Mr. Deputy Speaker: Order. Before I call the next speaker, I should like to say that there are streams of people coming to the Chair, asking about their place in the queue. I cannot hear the debate. I am enjoying the debate, so perhaps they could refrain from approaching the Chair.

12.59 pm

Miss Ann Widdecombe (Maidstone and The Weald): I congratulate the hon. Member for Worcester (Mr. Foster) on his choice of subject. I particularly congratulate him on his courage in introducing a controversial Bill so early in his time in the House.

I also congratulate the hon. Member for Wansdyke (Dan Norris) on his maiden speech and on having the courage to make it in such a debate. His predecessor, Jack Aspinwall, was much respected on both sides of the House. I am grateful for the tribute paid to him.

Having started on that friendly note, I should like to engage in one of my favourite sports—trying to flush out the Prime Minister. The hon. Member for Worcester told the House that the Prime Minister supported the Bill. I am pleased to hear that. Does that support extend to making parliamentary time available? I hope that I shall be assisted in the resolution of that query by the spokesman for the Opposition. I hope that he will help me to flush out the Prime Minister.

Mr. Ivor Caplin (Hove): Spokesman for the Government.

Miss Widdecombe: That is true. It takes a lot of getting used to, and it will not last long, anyway.

On 15 April—hon. Members may recall that that was in the middle of the general election campaign—the current Prime Minister, in his then role of Leader of the Opposition, wrote to the current Minister for Sport, the hon. Member for West Ham (Mr. Banks). He said:

"Our policy is to have a free vote in Parliament on whether hunting with hounds should be banned by legislation. If such a vote is passed, it will be a decision made by Parliament and parliamentary time will be made available for appropriate legislation to progress in the normal way."

I repeat:

"parliamentary time will be made available".

If the House passes the Bill—or at least gives it a Second Reading, as it is unlikely to pass the Bill—I hope that the Prime Minister will honour his promise and will make time available, not for a measure on licensing or some other watered-down proposition, but for the measures in the Bill. We have heard a lot of talk about what the upper House will do. I want to know what the Prime Minister will do if Parliament votes—

Mr. Peter Bradley: Will the right hon. Lady give way?

Miss Widdecombe: No. The hon. Gentleman is not the Prime Minister.

I have a couple of concessions to make about the Bill. It may not be the most perfectly drafted Bill in the world, but it is a pretty good attempt. If it is possible for a lawyer of the eminence of my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) to interpret clause 5 in a different way from what was intended, we shall tidy that up in Committee. What is the Committee stage for? That is a common plea in private Members' legislation, and one that I have often made—and Labour Members have not granted it. One does not need perfection the first time, because the Committee stage is designed, elementarily, to clear up such problems.

Yes, the fox is exceptionally cruel. When it goes into a hen-house it is concerned not only with getting a good supper but with having a horrible time with the hens. Does that mean that we should take our standards from the fox? Is it proposed that, because a fox eats a couple of guinea pigs in a nasty way, the House should take its standards from the fox? I find that proposition amazing, as I have some of the other arguments advanced today.

It is argued that if we abolish hunting we will abolish jobs. If we abolish crime, we will put all the police out of work. If we abolish ill health, we will put all the nurses and doctors out of work. Does anyone seriously suggest that we must preserve at all costs crime and ill health because they keep people in jobs?

We are told that there must be consensus before we lock people up, that if there is a large body of opinion that says that something is okay, we must not lock up the practitioners. What about the legalisation of cannabis? A sizeable body of opinion, with which I am totally at odds, says that cannabis is all right. I defend to the hilt society's right to lock up the purveyors of cannabis. I defend also to the hilt—although this will not be so acceptable to Labour Members—our right to lock up people who did not pay their poll tax when it was a lawfully levied tax.

If this democratically elected House decides that hunting is against the law, it is our right to exact penalties against those who fight the law. We will be penalising not the fact that they like to hunt but the fact that they break the law. I do not believe that the sort of people who tell me that they want to carry on hunting are the sort who would wilfully break the law. There seems to be an underlying assumption that such people will go out breaking the law. Frankly, I doubt it. If Parliament changes the law, I believe that people will largely obey it and that we are entitled to take action against those who do not.

It is important to ask ourselves a simple question. Is hunting so wrong that we wish to abolish it? If it is, all else flows from that. We do not need to be concerned about jobs or liberties to do wrong; we need only ask whether it is so wrong that it should be abolished.

[Miss Widdecombe]

My problem with hunting is not that I contest the right of farmers to practise pesticide. Hunting is a most ineffective pesticide. Its supporters have tried to have it both ways by saying that they do not kill too many foxes but also that they kill so many that it is a good pesticide. In fact, nine tenths of fox control is done by shooting, not hunting.

Hunting is not a pesticide, so we must ask what it is. It is cruelty. I am not against killing foxes or culling deer. I am against the chase, the cruelty involved in the prolonging the terror of a living, sentient being that is running for its life. They laugh at it, apparently. When the deer is running, can feel the hounds closing in and knows that its strength is not going to last, it is uproariously funny. If it is so funny, why do not those who favour hunting take a trip to Kenya and stand unprotected in a lion reserve and see if they enjoy the hunt? I admit that I might enjoy watching it. Prolongation of terror is wrong. Those who practise it when there are alternatives that are already widely practised do wrong. Yes, the scenes of a hunt are splendid, so splendid that they are all over my dining room curtains, but they are colourful scenes of olde England, and in olde England, not in modern Britain, they belong. *[Interruption.]*

Mr. Deputy Speaker: Order. Hon. Members should not clap after a speech. It is not necessary.

1.9 pm

Mr. Kelvin Hopkins (Luton, North): Mr. Deputy Speaker, I hesitate to make my maiden speech after that magnificent speech by the right hon. Member for Maidstone and The Weald (Miss Widdecombe), but I thank you for calling me to speak. I am very pleased to speak during this important debate, because I am a lifelong and passionate opponent of hunting. I wish to express my strong support for the Bill.

It is customary in a maiden speech to mention one's predecessors. The seat of Luton, North has changed in name and shape on several occasions in recent times and has been represented by several notable Members, two of whom are still hon. Members of the House.

John Carlisle retired from Parliament before the May election, having represented Luton, North and Luton, West for 18 years. Often controversial and outspoken, he was a good constituency Member, who spoke his mind in the House and elsewhere. However, we held opposite views on almost every issue.

Suffice it to say that I was a founder member of the Luton Anti-apartheid Group, that I supported the idea of the all-woman shortlist to increase the number of women Members and that I welcomed the ban on handguns. Older hon. Members will need no reminding that John Carlisle had very different opinions on such matters.

Those differences of view seemed to be of little consequence to at least one local voter who spoke to my son as he emerged from the polling station on 1 May. He said that he had come to vote for "that John Carlisle" but that, as he was not standing, he had voted for me instead. For all our political differences, John Carlisle was very charming to me and I wish him well in his retirement from the House.

My predecessor was my hon. Friend the current hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore), a personal friend for 26 years whom I served as both constituency party chair and campaign organiser in three general elections. I am delighted that I am now able to join him in the House as a colleague as well as a friend. My hon. Friend is a forceful and compelling speaker, a doughty champion of many causes over the years and a strong civil libertarian.

Before 1974, most of what is now Luton, North was in the seat of South Bedfordshire, and its Member was the current hon. Member for South-West Bedfordshire (Sir D. Madel). I congratulate him on his appointment to the Opposition Front-Bench team and I am extremely pleased that he is in the Chamber on the occasion of my maiden speech. He took the seat in 1970 from Gwilym Roberts, another personal friend for whom I have the warmest regard. If I have a mentor in national politics, it is Gwilym Roberts, who first suggested in 1971 that I might seek to stand for Parliament. It has taken 26 years for his encouragement to bear fruit, but he was one of the first to congratulate me after 1 May.

Luton, North has a number of distinctions, including that of being the smallest constituency in the eastern region. It comprises many good homes, fine parks, excellent schools and colleges. The Luton and Dunstable hospital not only serves my constituents but is strategically placed next to the M1 and provides a vital accident and emergency centre. Luton, North borders much pleasant Bedfordshire countryside—especially the attractive Warden hills—but itself includes no rural areas.

Luton, North is very much a 20th-century constituency. Before 1930, it was mainly farmland, and the names of its major estates—Lewsey farm, Marsh farm and Bramingham farm—betray their recent rural past. Former hamlets and villages such as Challney, Leagrave and Limbury are now substantial residential areas.

There is much of interest in the physical geography of Luton, North. It provides the source of the River Lea at Five Springs near Sundon Park, and the northern edge of the constituency marks the watershed between the Thames basin and the Great Ouse.

Remains have been found of early settlements, from the stone age right up to Saxon times. The River Lea in the constituency formed one boundary of the Danelaw, and the name Luton derives from the old Norse name meaning simply the "town of the Lea". The constituency is crossed east-west by the ancient Icknield way, and north-south by the modern M1.

However, the most significant feature of the constituency is its people. There are many old Lutonians, but many thousands more have come to Luton from other parts. These include Ireland and the West Indies, India and Pakistan, and especially Kashmir. They include Bangladesh, the continent of Europe, Sri Lanka and elsewhere. Many Scots, Welsh and northern English people have also made their homes in the town. We are a fascinating mixture in Luton, and if there is one word to describe us all it is "friendly". We enjoy our cultural variety and get along well with each other. I am pleased that my children have grown up in such a diverse and interesting community. After 28 years, Luton is definitely home as well as the town that I help to represent in the House.

Luton built its reputation on hatting and still makes hats, but for much of the century the town has been a centre for large-scale manufacturing, with SKF, Electrolux and Vauxhall Motors, among other companies. Since 1979, many thousands of manufacturing jobs have been lost to the town. I have spent the past few weeks trying to prevent the final closure of the Electrolux plant in my constituency. On the positive side, London Luton airport is growing rapidly and is a burgeoning success for the town. The local economy has diversified, but I still believe that a strong manufacturing sector is vital for Luton and for Britain. I do not accept that gearing our whole economy to the financial services sector and the City of London promises a viable future for our country.

Luton has a fine new university and its thousands of students have brought new life to the town. For four years, I chaired the governing body of its previous incarnation, Luton college of higher education, and in 1993 I was delighted to be made an honorary fellow of the university. Barnfield college is one of the largest and best further education institutions in the country with a superb, newly opened technology centre. The young people of Luton are especially fortunate to have access to a splendid sixth form college whose dedicated staff provide a quality of post-16 education that is second to none. Their success goes on year after year and I am proud to be associated with it as a college governor.

Luton has a good Labour council that does its best to serve local people, sometimes in difficult circumstances. The town offers a variety of cultural and sporting activities, and we play hard and enjoy ourselves. Our football team, the Hatters, has seen great days. They will come again, especially once we have our new multi-purpose stadium.

At its heart, however, Luton is about work. Tens of thousands of people came to Luton for jobs, to make a living and to give their families a decent life. That is why I regard it as my job to campaign above all for employment in the town—for new jobs to replace those lost in the past two decades. Unemployment has blighted the lives of many of our people in recent years and I want nothing less than to bring full employment back to Luton. Some of those new jobs will be found in new industries, but many jobs of the future will be found in the services, including the public services. Luton and Dunstable hospital, local mental health services, social services, education and leisure services should, in the longer term, seek to employ more people so that we can have smaller classes in schools, better care for the elderly and a wider range of health provision.

I was one of a small number of new Members who confessed to an interest in economics. Being any sort of economist is not an admission that one makes lightly. The 20th century has seen a catalogue of economic policy blunders that have had devastating social and political consequences. Defending sterling's link to gold in 1931 brought down a Labour Government and contributed to the misery of the 1930s. The exchange rate mechanism debacle also brought a surge in unemployment and led directly to the Conservatives' defeat this year.

Economic policy is often dictated by fashion, prejudice and political predisposition, but rarely by rationality or even common sense. Thus economists have earned themselves an unfortunate but justified reputation for incompetence. However, some economists get it right. They are often mocked by the political establishment and resented when proven later to have been correct, while the incompetents' transgressions are frequently overlooked and forgiven. I hope to make a modest contribution to the economic debate during my time in the House. I also hope to be among those whose judgment in economic matters is more accurate than fashionable. The modern fashion for neo-liberalism will bring yet more tears to the world before its gurus and their incantations are finally rejected.

For 30 years after the second world war, we achieved full employment, rapid economic growth and a welfare state based on the principle of universality. We gave hope and optimism to our children and provided security for our pensioners. In more recent decades, free market nostrums and monetarist dogma have made the world less secure and more unhappy for millions of our citizens, especially the poor. The Government have a duty to create and sustain employment for their people, to redistribute income and wealth, to promote equality and social justice, and to eliminate poverty. The free market, left to itself, will achieve none of those.

Democracy is not just about voting; it is about economic power. Abdicating power to the market undermines and devalues democracy, and gives comfort only to those for whom democracy is a threat. The House is the focal point of our democracy, and I am privileged to be a Member of it. I shall try to use my time in the House to good effect, to the benefit of my constituents and to the ends to which I have referred.

I am grateful for having been given an opportunity to speak in this debate. Britain has a proud record of campaigning for animal welfare. We can, and do, take a lead in the world on animal rights issues and against cruelty to animals, but our influence is undermined when others can point to the cruelty that we permit to continue in our country, as dogs are unleased to hunt animals to death. I congratulate my hon. Friend the Member for Worcester (Mr. Foster) on his Bill. It has my unqualified support and should be passed into law forthwith.

1.20 pm

Sir Richard Body (Boston and Skegness): It is truly a privilege to be the first to congratulate the hon. Member for Luton, North (Mr. Hopkins) on his maiden speech. Those of us who have heard very many maiden speeches will agree that we have just heard a model of what a maiden speech should be.

I did not think until now that anyone could be lyrical about Luton, but all of us who have just heard the hon. Gentleman must now be persuaded that that town is a much more interesting and attractive place than some of us had hitherto believed. I also thank the hon. Gentleman very much for what he said about his predecessor, John Carlisle.

In the few precious minutes left to me, I shall raise the problem that we face with drag hunting. It has been claimed on several occasions in the press, in advertisements and in the debate that drag hunting could provide the jobs that would be lost if other forms of hunting come to an end as a result of the Bill, and that it is a humane alternative to the other forms of hunting.

For 25 years, I have been master of a pack of drag hounds, as defined in the Bill. I am now superannuated and I am chairman of the hunt committee. More important than that, I am chairman of one of the two associations that represent the interests of that form of hunting.

[Sir Richard Body]

I shall illustrate the problem with the example of the Berks and Bucks drag hounds, which is not untypical of most packs. As the name suggests, it hunts throughout the whole of Berkshire and Buckinghamshire, a large part of Oxfordshire, Hampshire and Wiltshire—in five counties. In language that we can perhaps more readily understand, that huge area encompasses no fewer than 20 constituencies, and also the areas covered by eight packs of fox hounds.

The drag hounds hunt just one day a week; the packs of fox hounds always two or three days a week, over a slightly longer season, giving a ratio of 1:20. For every one day's drag hunting, there is in that vast area fox hunting for some 20 days.

Hon. Members may ask why drag hunting cannot be expanded twentyfold. I shall explain. We require to hunt on grassland. Over the past 25 years, I have never been able to persuade a farmer to allow 30 or 40 horses to gallop over his precious winter wheat, which is already two or three inches high, or over any of his other arable crops. The farmers wish for the drag hounds to be only on pasture. In the past 25 years, large parts of our countryside have been taken over by the plough for growing arable crops. I assure the House that it is extremely difficult to find sufficient grassland to enable a pack of drag hounds to operate. A satisfactory day's hunting requires three lines of about three miles each—that is about nine miles of almost continuous grassland that avoids motorways, other main roads and railways.

Drag hunting is even more difficult now. Over the past 15 years, farmers with substantial amounts of grassland have turned to grazing sheep. The lambing season coincides with the hunting season, and no farmer is particularly enthusiastic about having a pack of drag hounds and 30 or 40 followers galloping through a flock of pregnant ewes. To my certain knowledge, farmers have been very generous in accommodating those packs of drag hounds and blood hounds that operate in the country. They usually agree to one day's hunting in the course of a year.

However, it is inconvenient for farmers to allow the hounds to come more frequently. Almost invariably, they must move stock on the morning of the hunt and ensure that fences are repaired and made stock proof afterwards. If conditions are wet, 30 or 40 horses will churn up the turf. Farmers are generous in allowing drag hunts on their land, but few are willing to allow them to occur more than once in a season. Therefore, it follows that it is impossible to increase the number of drag hunts per year and thereby accommodate, with the existing packs of drag hounds, the 400 or so people who go fox hunting—indeed, the hunts are already oversubscribed.

It is unrealistic to extend the scope of drag hunting—and, in many ways, I regret this. A large number of members of my association—all of whom have the responsibility of preparing the countryside for packs of drag hounds and blood hounds—agree with me. I have been authorised to say on their behalf that the scope for increasing drag hunting is very limited. We could introduce probably only about 10 more packs of drag hounds into the countryside. That situation will continue as long as we have limited grasslands and other areas that are suitable for drag hunting.

I hope that some hon. Members remember the late Reggie Paget, the former Labour Member of Parliament for Northampton. He was brought up as a countryman and to treat animals humanely. Throughout his time in this place, he applied a test to legislation involving animal welfare of any kind. He would ask: will it decrease or increase the total amount of suffering in the whole animal kingdom? He would disregard all other factors and apply only that test. I believe that this Bill fails that test.

Like Reggie Paget, I disapprove of shooting foxes. Long ago, when I was 14 and fox hunting had been curtailed for the duration the war, 20 of us went out with our shotguns to destroy as many foxes as we could by flushing them out in the way that the Bill permits. We were at it all day and, by the afternoon, we had shot four foxes outright. However, we saw at least 20 other foxes. We had shot at them also, and they clearly all perished later.

I hope that hon. Members appreciate that, when one uses a shotgun to try to kill a fox, a pellet will pierce the skin, drive the fur into the bloodstream and set up gangrene. Death follows as sure as night follows day. That death may take one week and usually takes at least five or six days. Many years ago, after that fox shoot, I saw a fox dying of gangrene and I resolved then that, once I took control of any farmland, I would never allow the shooting of foxes. I am glad to say that I have held fast to that, even though I have lost all my free-range chickens.

1.29 pm

Mr. Barry Sheerman (Huddersfield): I join the congratulations to my hon. Friend the Member for Luton, North (Mr. Hopkins) on his maiden speech. It was excellent, but I became worried towards the end because I thought that he would not pull the fox out of the hat. He did so in the last minute. I was encouraged to learn that, in my hon. Friend, we have a critic of some of the economic orthodoxy of our day and someone who will be an articulate champion for fresh thinking on the economy.

Like everyone else who has spoken in the debate, I am not a hunter. I wonder where the hunters are.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Sheerman: No, although I recognise a hunter.

I have never hunted and all the time I have been in Parliament I have been a supporter of every Bill that decreases the amount of cruelty to animals. Indeed, I supported all three of the most recent Bills. However, I do not want people to think that I am anti-hunt: I am against cruelty to animals. Many people have criticised the position of my hon. Friend the Member for Worcester (Mr. Foster) and claimed that his supporters are anti-hunt, but I do not believe that to be the case.

I have always been a passionate advocate of decreasing the violence that people do to animals and I wish to be assured by my hon. Friend the Member for Worcester, as the Bill progresses, that we have the right answers. Decreasing cruelty is a good aim and I am sold on the idea that we must stop stag hunting. I am convinced by all the arguments. I believe that we must stop hare coursing, because I am convinced by all the arguments. On the subject of fox hunting, I wish to ensure that the alternatives are better than the methods that we wish to prohibit.

I do not go along with the libertarian argument, because I agree with the right hon. Member for Maidstone and The Weald (Miss Widdecombe), who spoke with such passion, that this sovereign Parliament has in the past stopped people doing ghastly things that they thought were all right for many years. That included badger baiting and hunting, which I detest.

I share another passion with many hon. Members on both sides of the House, and that is a concern about our rural environment. Many of the thoughtful speeches today have pointed out that we are living at a time when our rural environment is at risk in the worst possible way. If we go into the countryside now, and walk by a stream or river or down a tiny country lane, the most significant indicator of the demise of the country and rural environment is the lack of birdsong. Who would have thought that we today would no longer think it commonplace to hear the common hedge-sparrow, the skylark or the song thrush? What have we done to our environment when so many creatures that were plentiful only a few years ago have disappeared? A number of common small mammals have also disappeared or become endangered species.

The former Conservative Government were responsible for allowing a free market in the careless expansion of the urban environment and supermarkets. Let the market decide what can be concreted over and what can then be built. That was the philosophy of the previous Government for most of their 18 years. As a result, dreadful things happened to our environment. We must haul back that damage and put things right.

Labour is not blameless, but under the Conservative Government we saw the growth of a sort of agriculture that is the most inhumane that anyone could imagine. However, we are all responsible for that. We like to go to supermarkets to buy meat that is nicely packaged in plastic. I am a meat eater so I am guilty, but what agriculture, the food chain and the processors in the food industry have done to the rural environment is shocking.

We do some ghastly things to animals, and too often behind closed doors. People should go—certainly Members of Parliament—to an abattoir to see what goes on. If Members do not do so, they are not doing their job properly. I was talking to a junior Minister—one of an entirely different breed—who went to see something about training in an abattoir. For a long time he was pretty much destroyed by that experience. He gave up eating meat for at least a week. Despite that slightly humorous aside, there is something desperately wrong with the rural environment and we must work extremely fast to get it right.

We must maintain a partnership that is aware of the dangers and does something dramatic about them before it is too late. I recognise that there is great passion on both sides of the debate. It appears from the results of most of the polls of which I am aware that two thirds of the people are against hunting with dogs, with about a third being in favour. That is a considerable majority and a substantial minority. If we are to tackle the problems that we see in the rural environment, men and women of good will on both sides of the argument must carry things forward through the Bill and out the other side, as it were, by working together. That is important. There is great passion, but an understanding of the other point of view must pervade the Bill. I hope that that becomes evident as we consider the Bill in Committee.

I live, as estate agents say, betwixt town and country. I know, as a Yorkshire Member, that the small towns of Yorkshire are close to the rural environment. We do not see much fox hunting in my part of the county, but we do see the ghastly terrier gangs, which come extremely quietly, sometimes at night, with their packs. They dig out foxes. They also dig out badgers when they can get away with it. They do the most despicable things with their dogs to those poor dumb animals.

I do not want the Bill introduced in a crude way that will swell the numbers of those who engage in an unacceptable way of hunting. Let us ensure that we do not have a planned and assigned sport that is much more cruel than anything we have seen so far. The hunting that we see now is something to which we have become accustomed and it must not be replaced by something that is much more terrible.

I shall be trying to balance the two criteria to which I have referred. I want to ensure that we preserve our rural environment and diminish cruelty to animals. If we all work together in adopting that approach, we can take some positive steps. There is the possibility that the Bill will become an extremely good measure. I hope that it will include flexibility and that the promoter and his supporters will work with the rest of us to ensure that it is an excellent measure.

1.38 pm

Mrs. Jackie Ballard (Taunton): I, too, congratulate the hon. Members for Wansdyke (Dan Norris) and for Luton, North (Mr. Hopkins) on having the courage to make their maiden speeches in such a heated and well-attended debate. I congratulate the hon. Member for Luton, North especially on so successfully managing to take up the powerful and effective speech of the right hon. Member for Maidstone and The Weald (Miss Widdecombe).

I support the Bill, but I intend to confine my remarks to deer hunting. There are three packs of deer hounds in the United Kingdom, two of which are based in my constituency. That gives me the right and the responsibility to speak on the subject. The vast majority of my constituents are opposed to deer hunting. I have received almost 1,000 letters and numerous petitions on the subject, including one specifically opposing deer hunting that was signed by more than 14,000 people.

At the countryside rally in Hyde park, and later when my advice surgery in Dulverton was lobbied, the cry was, "Listen to us." Hon. Members may have the impression that that is the authentic voice of the countryside, but it is not—no more than the Conservative party is the true voice of the countryside.

A small number of people get pleasure from chasing wild animals. Deer are chased for hours on end until they are caught and shot, or escape having suffered untold stress and pain. When opinion polls show that there are as many people in rural areas who oppose hunting as there are in urban areas, the supporters of hunting redefine what they mean by rural. They say that only people who live in villages on Exmoor or in the Quantocks have the right to decide on the future of deer hunting—and by that they mean only the people who were born and brought up there, not people who have moved from elsewhere—and that the rest of us should keep out of their business.

[Mrs. Jackie Ballard]

I will quote from one of the many letters that I have received from rural people. A farmer in Huish Champflower says:

"I have lived in the country all my life, I was in the farming community—I have always worked with animals. I was in the Young Farmers Club, and I married a farmer. I hunted when I was young, and I do know the real facts of life about hunting."

She strongly supports the Bill and asked me to vote for it.

I have received many such letters from people who live on Exmoor and are opposed to deer hunting, but who are frightened to speak out. If they live in small, isolated communities, they are subject to powerful pressures to conform, especially if the most influential local landowners and employers support hunting.

Hunting deer with hounds is not the majestic spectacle portrayed on calendars, table mats or even the dining room curtains of the right hon. Member for Maidstone and The Weald, which show people on horseback wearing red coats, a magnificent stag standing at bay and disciplined hounds at the master's feet. I will quote from a letter written by a constituent from Brompton Regis, in the heart of hunting country on Exmoor, who has

"seen at close quarters the pitiable state of the hunted deer—the glazed eyes, the heaving flanks, the lowered head and hanging tongue, the stumbling, aching gait—and also the frenzy of blood lust which grips the followers when the kill is near."

Why does deer hunting take place? Many of its supporters say that without it the deer herd would die out. Yet hunting deer with hounds was banned in 1959 in Scotland, where all necessary culling is carried out by stalkers and guns. Those who have the welfare of the deer at heart agree that wild deer numbers need to be controlled: without management their numbers would expand, and without resources to feed on they would do increasing damage to farmers' crops.

How should deer numbers be controlled? On Exmoor and in the Quantocks, 1,000 red deer are already culled annually by rifle. The hunt accounts for only 150 deaths a year. Many deer manage to outrun the hounds and escape death—or, at least, instant death. However, the Bateson report showed that deer which escape have suffered severe stress and pain during a three to six-hour chase. Bateson's conclusions were unequivocal, and we have already heard about them in the debate.

Deer management groups are already in existence on Exmoor and in the Quantocks. With proper management, the red deer can thrive without being hunted. Contrary to the assertion of the right hon. Member for Bridgwater (Mr. King), herds of red deer in south-west England, Cumbria, East Anglia and the Pennines are not hunted, so none of them is controlled by hunting. In Scotland, it is illegal to control deer by any means other than shooting. Red deer numbers in Scotland have risen from 150,000 in 1900 to 300,000 in 1989.

What are the other excuses for hunting deer? Some people say that deer hunting is a tourist attraction on Exmoor and that jobs would be lost without it. Tourists are attracted by the beauty of the Exmoor scenery, the attractive villages and excellent walking, and by the chance of seeing the majestic stags and hinds in the wild—and there might be many more visitors if they did not fear the awful spectacle of an animal being chased to its death by a pack of hounds, people on horseback and distant, four-wheeled followers.

A high percentage of people who live in rural areas are opposed to hunting not only on animal welfare grounds, but because of the disruption to their lives caused by the entourage of hunt followers and their vehicles, which block narrow country lanes on hunt days. Many of my constituents have told me how much they resent the cap that is thrust through their car windows as they wait in a queue of traffic. The cap belongs to the hunt, and constitutes a request for a donation. It is sometimes difficult for those who live in small communities to refuse to make a donation and thus to be marked out as not supporting the hunt.

Another plea of the hunt supporters is that without the hunt they would have no social life, because the hunt organises whist drives and balls, as well as point-to-points and other events. In the local paper this week, a supporter of the Devon and Somerset staghounds and sometime resident of Exford, Mrs. Anne Heseltine, is quoted as expressing concern that young mothers would have no social life without hunting—no safari suppers or whist drives. They could always join the Tory party: I believe that it, too, has whist drives and safari suppers.

I have even had a letter from a local general practitioner warning of the increase in psychiatric disorders that will result if hunting is banned. Perhaps a little more imagination is needed if people are to find organisations to join and social events to support that do not have at their heart an activity that most people find objectionable. In truth, there are many more activities to enjoy on Exmoor, and there are no good reasons for allowing deer hunting to continue.

I cannot end without referring to individual liberty. While most Liberal Democrats will vote for the Bill enthusiastically, some of my hon. Friends have told me that although they oppose hunting—especially deer hunting—they will not vote for the Bill because they consider it to be an infringement of personal liberties. I ask them to think again about personal liberty and the notion of freedom. When deer are farmed, they are subject to the same animal welfare legislation as other farmed species. The farmer cannot take it into his head to chase his stock around the field before they are sent for slaughter. The domestic pet owner cannot torture his cat or dog for entertainment.

The law already interferes with personal liberty to protect other sentient beings. Deer are as sentient as any farm animal or domestic pet and they need the House's protection from the barbaric sport of hunting. Deer hunting is cruel and unnecessary, and Parliament now has the chance to enable England to catch up with Scotland and consign it to the history books.

1.46 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): We have had a good debate. I know that this is a cliché, but I think that the House is often at its best when it is to have a free vote, and is debating issues on their merits and not necessarily on a party political basis—which, for the most part, is what it has done today.

My right hon. and hon. Friends and I made a manifesto commitment that there would be a vote on banning fox hunting, and that it would be a free vote. That manifesto commitment will be met today: hon. Members are free to vote according to what they think, and to what their consciences tell them.

I especially noted four speeches today. As is normal, I congratulate my hon. Friend the Member for Worcester (Mr. Foster) on his good fortune in drawing No. 1 in the ballot. I have never been so fortunate myself—although I suspect that, given what has happened over the past few months, my hon. Friend considers it a rather mixed blessing. His speech showed great courage, and also thoroughness: it was clear that he had researched the matter very thoroughly. He had considered all the issues, and taken them into account wherever possible in drafting the Bill. I think that the House enjoyed his speech, and I think that his constituents will be rightly proud of him.

In a maiden speech, my hon. Friend the Member for Wansdyke (Dan Norris) spoke knowledgeably and—as I am sure the House observed—without notes. That is very brave in a maiden speaker. He spoke about his constituency, and about some of the issues—particularly this issue—that he had researched on horseback. He paid a generous tribute to his predecessor, Jack Aspinwall. A little-known fact about Jack Aspinwall is that he was born, some time before me, a few streets away from where I was born. I am not sure whether that distinguishes him—or me, for that matter—any further, but I have some connection with him and I know that he was well respected in the House and in his constituency. I am sure that the House and my hon. Friend's constituents will look forward to more speeches from my hon. Friend, who spoke in the best traditions of the House.

My hon. Friend the Member for Luton, North (Mr. Hopkins) displayed a deep knowledge of his constituency—which many of us now share—and spoke in particular about the recent political history of the region and the effect of the previous Government on its economy. Again, it was a well-researched and knowledgeable speech, and I expect that we will hear much more from him.

Another speech that I wanted to mention was that of the right hon. Member for Maidstone and The Weald (Miss Widdecombe), who unfortunately is not in her place. I shadowed her when I was an Opposition spokesman.

Mr. Nicholas Soames (Mid-Sussex): The Minister has the marks to prove it.

Mr. Howarth: The hon. Gentleman is right and I will explain what I mean by that in a minute. His long period in government made its mark on him as well, which hon. Members will no doubt observe.

Unknown to the right hon. Member for Maidstone and The Weald, I once entered a competition to try to visit as many prisons as her. She had visited every prison in this country before I had visited even half of them, so I gave up on that competition, but it shows her commitment. She made a passionate and witty speech. Whether it agreed with her or not, the whole House will have appreciated her sincerity and courage.

Mr. Simon Hughes (Southwark, North and Bermondsey): Will the Minister give way?

Mr. Howarth: I will not give way to the hon. Gentleman, because I do not think that he has been here for much of the debate.

Mr. Hughes: I have.

Mr. Howarth: As the hon. Gentleman gives me that assurance, I give way.

Mr. Hughes: Before the Minister goes on, will he deal with the central point that he has to address: the prospect of the Bill being allowed through Parliament this Session? The Labour manifesto was clear. It said that there would be a free vote. The Minister needs to tell the House whether the clear implication is that, if there is a majority, the Bill will be allowed to pass into law.

Mr. Howarth: If the hon. Gentleman exercises a little patience—the whole House exercises endless patience when he gets up to speak—he will in due course receive an answer to his question.

The Bill hinges on two matters of substance, which have been debated. They are both legitimate and we should be concerned with both. The first is the effect of hunting with hounds on the quarry, whether it be deer, foxes or hare. Basically, the question that the House and each Member has to answer is: is hunting with hounds unnecessarily cruel?

Two speeches answered that question differently, but convincingly. My hon. Friend the Member for Norwich, North (Dr. Gibson) coolly and dispassionately reviewed the scientific evidence, as he did in a debate on 29 October. The whole House should have listened to the intelligent and cool way in which he reviewed that evidence.

Basically, I agree with the balance of what my hon. Friend says. The Bateson report on foxes and other forms of hunting and those by MacDonald and Johnstone use proper scientific measurement to make it clear that an unacceptably high level of cruelty is involved in those forms of hunting. My hon. Friend made that point dispassionately, and the House has to deal with those arguments before it makes a decision. I think that he tipped the argument in favour of a ban. As a result of his speech and the evidence that has been published, it seems clear that those forms of hunting are unacceptably cruel, and that now is the right time to make changes.

Mr. Nicholls: The Minister is coming to a matter that will concern people throughout the country, let alone in the House. Surely the point about fox hunting is not that it is devoid of cruelty but that all the alternatives, such as gassing, snaring and shooting, are more cruel. We have heard about badger baiting, and so on. There is no question of having to control the badger and, anyway, baiting would not be the correct way to do it. As I say, surely the alternatives are more cruel than what has been proposed.

Mr. Howarth: The hon. Gentleman should know that, as I understand it, gassing is already illegal. I shall shortly deal with the management of foxes, and I acknowledge that foxes cause damage. The question that the hon. Gentleman and those who share his view must answer is whether the chase itself is sufficiently cruel to make fox hunting unacceptable. The evidence that was presented by my hon. Friend the Member for Norwich, North proves beyond reasonable doubt that the chase itself is cruel enough to make the banning of fox hunting acceptable.

Mr. Gray: Will the Minister give way?

Mr. Howarth: No, because the time for my reply is limited. The hon. Gentleman should be patient. The last

[Mr. Howarth]

time we debated this matter I think that I gave way to the hon. Gentleman more than once. In the past I have been generous with him on this issue.

Mr. Gray: Not with me.

Mr. Howarth: The speech by the right hon. Member for Maidstone and The Weald contrasted with that of my hon. Friend the Member for Norwich, North, but was equally valid. She used a combination of common sense and colour, enabling her to make the more passionate case. She graphically described hunting with hounds and her speech was received with great respect on both sides of the House. All hon. Members should have listened to the right hon. Lady.

In the late 20th century as we move to a new millennium, the spectacle of hunting is unacceptable. The idea of people riding horses and chasing a pack of hounds to hunt down, sometimes in the most cruel way, a quarry that is sometimes killed in the most appalling way is beyond the scope of most people to understand. They wonder how it can possibly be considered a sport.

The speeches by my hon. Friend the Member for Norwich, North and by the right hon. Member for Maidstone and The Weald bear out what most of the British public think: that it is repugnant for such practices to continue. Both science and sentiment are on the side of my hon. Friend.

The second matter that must be debated is the so-called country versus town issue. I immediately make two concessions to those who argue in favour of the countryside. I agree that, if the Bill receives its Second Reading and reaches the statute book, there will be some job losses, although I do not know how many. As the right hon. Member for Maidstone and The Weald said, sometimes changes have to be made and sometimes they will dislocate parts of the economy and some people may lose jobs.

Mr. Dafis: Will the Minister give way?

Mr. Howarth: No.

Some of the wilder estimates of job losses that have been put about are ludicrous. There may be some job losses, but the Bill will not destroy the rural economy or change the face of Britain as we know it. It is a sensible measure that has the support of most of the British public and, I suspect, the overwhelming support of the House.

I shall deal with the town versus country argument of some Opposition Members. They seem to suggest that because they represent deeply rural constituencies only they have the right to speak up—*[Interruption.]*

Mr. Deputy Speaker: Order. There are far too many conversations in the Chamber. The Minister must be allowed to be heard.

Mr. Howarth: Thank you, Mr. Deputy Speaker.

Conservative Members seem to believe that only they can speak for rural England. My hon. Friend the Member for Bolsover (Mr. Skinner) just said that he represents a rural constituency. If Conservative Members examine the demography of most United Kingdom constituencies, they will discover that the real voice of rural Britain is represented by those on the non-Conservative Opposition Benches and on the Government Benches. A simple fact after the general election is that most of rural Britain is no longer represented by the Conservative party.

Hon. Members who, like me, have rural areas in their constituencies will know from their postbag that the overwhelming majority of letters from rural areas express support for the Bill. The idea that rural Britain is outraged by the Bill is unacceptable, inaccurate and wrong.

Sir Peter Emery (East Devon): Will the hon. Gentleman give way?

Mr. Howarth: I will give way to the right hon. Gentleman. It will be the last time that I give way.

Sir Peter Emery: I have been in the House for the entire debate, and one point has not been made which will be of considerable importance to hon. Members on both sides of the House. The British Horseracing Board has made it absolutely clear that it opposes the Bill because of the effect that a hunting ban would have on point-to-point racing, on other racing and on other countryside activities that are of considerable importance to jobs and that have nothing whatever to do with hunting.

Mr. Howarth: I have received the same correspondence from the British Horseracing Board, which makes the point that development of certain types of horse racing—such as hunting point-to-point and national hunt racing—*[Interruption.]* Hang on. If the right hon. Gentleman will listen, I will reply to his question. There is probably some strength in the board's argument, but there are alternative ways of training horses so that they can participate in national hunt racing. I do not accept that there is only one way of preserving national hunt racing.

The argument is that foxes are a pest, and that farmers and livestock maintenance require some means of control. We accept that point. Foxes must be controlled. I do not believe, however, that there is only one means of controlling them. The right hon. Member for Maidstone and The Weald made exactly the point that foxes must occasionally be culled because of their effect on farmers' livestock, but there are more than one means of exercising such control.

Miss Widdecombe: Will the Minister give way?

Mr. Howarth: I will give way, for the last time, to the right hon. Lady.

Miss Widdecombe: I apologise to the hon. Gentleman that I was not in the Chamber for the beginning of his speech; perhaps he covered my point and I missed it. Will he tell me, please, whether the Government will provide parliamentary time in this Parliament for the measures?

Mr. Howarth: The right hon. Lady is entitled to ask that question, as I have not yet answered it, although I was about to do so.

I should like to deal with the matter of the Bill's future progress if, as seems likely, it receives a Second Reading. I will take the argument to its conclusion in the manner that I think is most appropriate.

As I said, the Government gave a manifesto commitment that we would allow a free vote on the issue. Today is that occasion, and the opportunity for us to realise our manifesto commitment. My right hon. and hon. Friends will have a free vote on the Bill. The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) made it clear that Conservative Members would have a free vote. I welcome that.

If, as I suspect, the Bill receives a Second Reading, it will have a Committee stage, which is the normal procedure for private Members' Bills. There is no time limit on that Committee stage. I do not invite hon. Members to use the Committee stage to hold up every other private Member's Bill in the queue, but it is the stage at which the Bill—as the right hon. Member for North-West Cambridgeshire said—can be examined in detail and at which any difficulties can be ironed out. Subsequently, on a designated date, the Bill will have a Report stage and a Third Reading in the House. The Government agree that that is quite right.

If those procedures are followed, and if those Conservative Members who have expressed concern about the Bill continue to do so but in a way that does not delay the Bill's progress in Committee or on Report—in other words, if they do not deliberately use delaying tactics—there is no reason why the Bill should not complete all its stages in this place. [HON. MEMBERS: "So the answer is no."] I am glad that Conservative Members have reacted in that way. Why do they suddenly lead us to believe that we will need more than the designated time for the Bill to complete all its stages? Is it their intention to delay it? I see several Conservative Members nodding in agreement.

Mr. Dominic Grieve (Beaconsfield): When a Bill as bad and pernicious as this comes before the House, I will use every possible device to delay it, as it is discriminatory and wholly wrong.

Mr. Howarth: We are now at the heart of the matter. The hon. Gentleman has made it clear that, no matter how much time the Bill had, he and his colleagues would not support it in any circumstances but would use the procedures of the House—*[Interruption.]*

Mr. Deputy Speaker: Order. The right hon. Member for Maidstone and The Weald (Miss Widdecombe) should not be shouting; she has made her case.

Mr. Howarth: I give way to the right hon. Lady for the last time.

Miss Widdecombe: My question is terribly simple: if the Bill runs into difficulty, just as Bills that I have introduced have been obstructed by Labour Members in the past, will the Government give it Government time?

Mr. Howarth: That is a hypothetical question, but I will deal with it by answering the point made by the hon. Member for Beaconsfield (Mr. Grieve). The hon. Gentleman made it clear that, however much time the Bill has, Conservative Members will try to thwart it. Indeed, when I suggested that earlier, several Conservative Members nodded in agreement. They will use every delaying tactic available to them to stop the Bill passing all its stages in this House and moving to another place. They are already deeply unpopular in this country, and if they thwart the will of the House which is to support a Bill that has been given a Second Reading and which has the overwhelming support of the British public, they will sink into even greater unpopularity.

The same condition—*[Interruption.]*

Mr. David Trimble (Upper Bann) *rose—*

Mr. Deputy Speaker: Order. We have had good order all day, so let us keep it that way.

Mr. Trimble: My point relates not to the subject matter of the Bill but to the remarkable doctrine that the Minister seemed to enunciate. He seemed to be saying that, if a Bill is given a Second Reading, it must become law, irrespective of what the House decides. Surely that is not right.

Mr. Howarth: I gave way to the hon. Gentleman because I thought that he might have a sensible point to make, but he did not. I was not saying that at all. My point was that, if Conservative Members want to thwart the legitimate will of the House by using parliamentary delaying tactics to stop the later stages of the Bill, and several Conservative Members suggested that that was the case, they will have to answer not just to their own constituents but to the British public. The public do not want Conservative Members using parliamentary tactics to delay legislation that is popular and which will, I think, shortly be given a Second Reading. That is an entirely different principle from what the hon. Gentleman suggested.

Let us suppose that the House passes the Bill through all its stages, as I suspect that it will. What will happen when the Bill goes to another place? There are 324 Conservative hereditary peers. Many of them have said that they will use another place to defeat the Bill by whatever means are available to them. Nothing could more eloquently support our argument that hereditary peers should not have those powers. If the Lords want to take on the House of Commons, let them do so. They will find that the public believe what we believe—that hereditary peers should not have that right.

I hope that the Bill will be given a Second Reading today.

Mr. McNamara: Will my hon. Friend give way?

Mr. Howarth: I cannot give way to my hon. Friend. I am about to conclude.

I hope that the Bill receives a Second Reading. It will have my support. I hope that the House will deal with it fairly and properly in Committee and on Report, so that the will of the House and the will of the British people is accepted.

Mr. David Hinchliffe (Wakefield) *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House proceeded to a Division—

Mr. Garnier (*seated and covered*): On a point of order, Mr. Deputy Speaker. The closure motion is wholly unnecessary. There are 20 minutes left until a Division needs to be called.

Mr. Deputy Speaker: The hon. and learned Gentleman knows that that is a matter of discretion for the Chair. I have used my discretion.

Mr. Garnier: I am appealing to your discretion, Mr. Deputy Speaker. There was no question of the Bill being talked out. I invite—

Mr. Deputy Speaker: Order. That is the hon. and learned Gentleman's opinion. There is now a Division. Perhaps the hon. and learned Gentleman may wish to take part in that Division. It is up to him. I shall now put the Question again.

Question agreed to.

Question put accordingly, That the Bill be now read a Second time:—

The House divided: Ayes 411, Noes 151.

Division No. 100] **[2.14 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Amess, David
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Atkinson, David *(Bour'mth E)*
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Day, Stephen
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fatchett, Derek
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gale, Roger
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken

Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheffld Heeley)*
Milburn, Alan
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Randall, John
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Widdecombe, Rt Hon Miss Ann
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Wise, Audrey
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Dennis Turner and
Mr. Joe Benton.

NOES

Ainsworth, Peter *(E Surrey)*
Ancram, Rt Hon Michael
Arbuthnot, James
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Campbell, Menzies *(NE Fife)*
Cash, William
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Dafis, Cynog
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Golding, Mrs Llin
Goodlad, Rt Hon Sir Alastair
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harvey, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Hoey, Kate
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Ieuan Wyn *(Ynys Môn)*
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Redwood, Rt Hon John

Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Ross, William *(E Londy)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'rns)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Temple-Morris, Peter
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Trimble, David
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. Peter Atkinson.

Question accordingly agreed to.

Bill read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Remaining Private Members' Bills

COMMUNITY CARE (RESIDENTIAL ACCOMMODATION) BILL

Read a Second time, and Bill committed to a Committee of the whole House.—[*Mr. Singh.*]

PESTICIDES BILL

Read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

FIREWORKS BILL

Read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Mr. Bernard Jenkin (North Essex): On a point of order, Mr. Deputy Speaker. I am sorry to disrupt the business of the House. I am named as a sponsor of the Community Care (Residential Accommodation) Bill, which has just received a Second Reading, but there must have been some kind of error because I am not a sponsor of that legislation.

Mr. Deputy Speaker (Mr. Michael J. Martin): That matter will be examined.

Mr. Jenkin: It is a serious point of order.

Mr. Deputy Speaker: It must be—the hon. Gentleman raised it. It would assist the Chair if hon. Members would be seated or leave the Chamber so that I may conduct the business of the House properly.

PUBLIC HOUSE NAMES BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday next.

HAIRDRESSERS REGISTRATION (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

COORDINATED UNIVERSAL TIME BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 February.

WIDENING OF THE M25 MOTORWAY BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 12 December.

TELEVISION LICENCE PAYMENTS (AGE EXEMPTION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 12 December.

ANIMAL HEALTH (AMENDMENT) BILL

Read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

COMPANIES (MILLENNIUM COMPUTER COMPLIANCE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 12 December.

PREVENTION OF DELAY IN TRIALS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 23 January.

HARE COURSING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 12 December.

CHRONICALLY SICK AND DISABLED PERSONS (AMENDMENT) BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 16 January.

WAR WIDOWS AND PENSIONERS (EQUAL TREATMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 12 December.

SOCIAL SECURITY COMMITTEE

Ordered,

That Siobhain McDonagh be discharged from the Social Security Committee and Mr. Paul Goggins be added to the Committee.—*[Mr. McWilliam, on behalf of the Committee of Selection.]*

Southend Unitary Authority

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

2.38 pm

Mr. David Amess (Southend, West): I am very pleased to have this opportunity to raise the important issue of Southend acquiring unitary status in April next year.

For a number of years, I was privileged to talk about another constituency, and, as far as I was concerned, that constituency was the finest new town in the country. Little did I know that it would later be my good fortune to represent the town that I believe, by the time of the millennium, will be the finest seaside resort in the country. I welcome the support of several hon. Members, including the hon. Member for Braintree (Mr. Hurst), who is a constituent. I also welcome the support of my hon. Friend the Member for Bournemouth, East (Mr. Atkinson), who used to be a county councillor in Southend.

Southend has an image that is not justified. It is a magnificent seaside resort that, for whatever reason, has been unfairly maligned by what I would describe as the chattering classes. It has the unique facility of the longest pier in the world—1.5 miles. Although, some years ago, a ship went into the end of the pier and it suffered a couple of fires, I am delighted to tell the House that, thanks to the enterprise of local businesses, it has now been restored to its former splendour, and is a great attraction for day trippers.

Southend also enjoys the finest education system in the country. I do not wish to do battle with the Minister for London and Construction, who will reply to the debate this afternoon, but I—as a Conservative—believe in choice, and Southend certainly provides choice. It has state schools, private schools, grant-maintained schools and Church schools, which are all of great benefit to local residents.

Southend is also blessed with the most picturesque parks anywhere in the country. I pay tribute to the parks department of Southend council for the magnificent way that it maintains the local planted areas. They are a great credit to the department, considering how many day trippers visit. Although some criticism has been made of local communications, we enjoy a local airport, we are very near to the M25, and we also—thank goodness, now that we have privatised the Fenchurch Street line—have an improving railway service. I was proud to travel on the new rolling stock this morning.

Southend is the largest town in Essex, and it is a tragedy that Essex county council has never recognised that fact in the grant that it has allocated to the services provided in Southend. We have a population of 167,000 people and a wide economic base, but, sadly, Southend suffers the highest level of unemployment in Essex—far higher than the constituency that I used to represent. In the wards of Belfairs, Chalkwell, Leigh, Milton, St. Lukes, Thorpe and Victoria, unemployment rates for young people between 17 and 24 are as high as 25 per cent.

Southend obtained the borough charter in 1892, and Southend-on-Sea achieved its present size in 1933. We enjoyed the present borough status from 1914 to 1974, although I am not fully aware of what went on

[Mr. David Amess]

between the outgoing Conservative Government and the incoming Labour Government that meant that Southend lost borough status. My wife is a Southend girl, and her family were born and educated there. Unlike her, I am new to such matters, but I understand from many local residents that they were not entirely pleased about losing Southend's borough status. In 1992, the borough centenary celebrations took place.

My hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor) wished to be present to contribute to this short debate, but—although he stayed for the vote on the Wild Mammals (Hunting with Dogs) Bill—he has a surgery at 4.30 and it was impossible for him to stay. He certainly supports my brief remarks. In the last Parliament, he was a great supporter of Southend becoming a unitary authority, as was Lord Kelvedon, who held a celebration last night in the Arlington rooms because he served the constituency that I now represent for four decades. Therefore, I can take no credit for Southend becoming a unitary authority in April. However, I shall tell the Minister my feelings about unitary status for Southend.

I was a councillor for four years, many years ago, in Redbridge, and Southend will have exactly the same responsibilities as those of Redbridge. When I represented my former constituency—I hope that the hon. Member for Braintree will not take offence at this—I found that there was continuing confusion among constituents about the responsibilities of Essex county council. I have found similar confusion among my present constituents.

Many representatives in Southend feel that they have been short-changed by Essex county council over many years. Their impression is that overall resources have been directed to the north of the county rather than the south. They believe that we in the south have suffered especially in terms of education, social services and investment in the highways.

Inasmuch as Labour, Liberal Democrat and Conservative councillors would welcome what will happen next April, I wish to pay tribute to the leader of the Conservative group, Councillor Charles Latham and his deputy, Councillor Howard Brigg, who did much of the work, together with other parties, to try to make what will happen in April a success. I pay tribute to one retiring Conservative county councillor, Lew Trevelyan, who has served his area so well. I pay tribute also to County Councillor Paul White.

Without wishing to provoke the Minister, I should put on record at the outset the political complexion of Southend and of Essex county council. An annual report dropped through my door this morning, which states that there was no change following the local elections on 1 May. That is not my understanding of the situation. Sadly, from my point of view, the Conservative party did not do terribly well in the general election. However, as for Essex county council and Southend borough council, we Conservatives did extremely well, making gains from both the Labour and Liberal Democrat parties.

Essex county council is controlled by the Liberal Democrat and Labour parties together, but, because Thurrock and Southend are to go unitary in April, the county council will become Conservative again without an election.

Southend borough council is another matter. There are 18 Conservative councillors, 14 Liberal Democrat councillors and 7 Labour councillors. The Liberal Democrat and Labour councillors have some agreement on how they should run the authority, but outside the elected representatives—in other words, the activists in Southend—there seems to be much unhappiness that the Labour party is currently supporting the Liberal Democrat party. Perhaps we shall hear the likely outcome of that in due course.

I have received representations from Leigh parish council, a very new council. The council feels that it was rather unfortunate that Southend as a whole was not parished last year. Leigh is the one and only parish council, but I am proud to have it in my constituency, with its excellent chairman, Councillor Johnson and the deputy chairman, Councillor Dolby.

The council wishes me to say that it feels that unitary status—I know that the Minister cannot say anything until a statement is made next week—is not being accompanied by the money that is needed to set up and run a unitary authority. That point comes from Conservatives.

The council is especially concerned about education and social services. It feels that the view of the public will be affected by first impressions. In other words, it wants Southend to get off to a good start next April. It feels that, if there is not sufficient money to do the job properly, an unfair first impression will be created, which will cause many problems for the administration. It makes a good point about the size of the local authority. All parties have complained about the fact that, whereas at the moment there are 39 Southend borough councillors and 11 county councillors, after next April there will be just the 39 borough councillors.

The previous Conservative Government listened to Labour-controlled Thurrock council and enhanced the number of local councillors, but they did not listen to Southend borough council. I make that point having had no hand in that decision.

When Michael Portillo, the former Member for Enfield, Southgate, was the Minister responsible for local government and I was privileged to be his parliamentary private secretary, we held wide consultations about the future of local government. I am concerned about what has happened to local government. I have never been in favour of officer-led authorities: I believe that elected representatives should run local authorities.

If all parties were honest, they would say that it is difficult to get people—I have to be careful how I put this—who have the widespread experience to make the best councillors. I am not denigrating the councillors who currently give up their valuable time, but being the leader of a council is a full-time job, as is being the chairman of housing, of education or of social services, and I believe that those people should be paid a salary. Unless they are, we will not attract the best councillors, and we will end up with officer-led authorities.

As I am pinching more time than perhaps I should, I do not expect the Minister to respond to many of the points that I have made, but perhaps he will write to me later. I ask him to consider carefully the representations that have been made about the size of the authority.

Leigh parish council is concerned about the cockle industry, which is a major potential problem for the town and the borough. It is based in Leigh and is internationally

renowned. It is under severe pressure on the number of working days and the areas that can be fished. The Minister with responsibility for such matters has been very courteous, and has recently met a delegation. We are concerned about the new, tighter restrictions that will be placed on yields as from 1 January 1998. The town council in Southend and the Government should work together, so that we do not lose the traditional industry that is very important to a number of well-known families in the town.

Last year, when my hon. Friend the Member for Banbury (Mr. Baldry) was the Minister responsible for fishing, he came to Leigh, and we had a useful meeting in the town. He listened to the pleas of the industry, which hoped that moneys would become available through the European Community to dredge the creek, which is important for the viability of the local industry.

Leigh parish council also makes points about transport, which is a controversial area. I was involved in transport issues in previous Parliaments, and the usual attitude was "not in my backyard". Everyone wanted more cars, but they did not want their areas to be spoiled by new roads. Everyone wanted more aeroplanes, but they did not want the airways to affect their area. Everyone wanted more trains, but we can all remember the big row in Kent when we wanted to build the channel tunnel.

We have a serious problem in Southend. Any fair-minded person must accept that Essex county council has not treated us well, and has not invested in our roads. I pay tribute to the former chief executive in Southend, Douglas Moulsham. The new chief executive, George Krawiec, is very concerned, and has written to the Minister about this matter. He believes that a larger unitary authority should have been created to include Rochford and Castle Point. That is not my point of view, and it was not possible for various reasons. We will have to work with their highways authority, and he believes that that may cause grave problems. Leigh parish council is very concerned about the A130. I know that Friends of the Earth takes a different view, but local businesses are extremely worried about transport problems.

In the last Parliament, I raised the issue of Leigh fire station several times. It is a local fire station that has been there for 100 years. We have had big demonstrations about it—I was assaulted on one of the so-called peaceful marches—and Essex county council allowed a stay of one year. Given the new unitary arrangements, I am very worried about the future funding of that fire station.

I give the House due notice: if I, for one—and I know that I speak for other hon. Members—get wind of any future threat to Leigh fire station, I will keep returning to the subject as a matter of urgency, until the House may tire of it. We need the fire station. It has given comfort to a huge number of residents for many years, and we will not be fobbed off with its being turned into a training centre.

Let me now deal with the scandal involving education. It sickens me to listen to members of the Liberal Democrat party, who have campaigned in election after election on the basis that they will—as if one could—earmark a penny to be spent on education. We have discovered that schools in Southend have been starved of funds by an underspend of £3.2 million on the standard spending assessment. I have a long list of capital projects from which my constituents could have benefited.

We are finding all that out only now, when the books are being examined and we are moving towards unitary status. An underspend of £3.2 million is not good enough. I know that the Minister will not be able to respond to me in detail, but I ask him to use whatever influence he can use—he probably does not have too much influence with the Liberal Democrat party, but he has influence with the Labour party—to put the matter right.

The Labour party abolished the assisted places scheme to reduce class sizes. Labour Members should come to Southend: they would see that we have no room for any children in any of our schools. Every secondary school is full, and every primary school is full. Westborough school, in my constituency, has nearly 800 pupils, and the headmistress has not even got a room. How will the Labour party help us with that problem? We have been starved of £3.2 million, and we want something done about it. The chief executive has described it as—these are not my words—"an absolute disgrace".

I am also extremely worried about social services. My constituency ranks 31st out of 659 in terms of the number of senior citizens, and it contains the highest number of residential and nursing homes. Two weeks ago, 72 beds in Southend hospital were blocked—although, thank goodness, I was told today that the number has fallen to 53. We have a crisis on our hands.

I will not go into the details of the difficulties between the three parties in regard to the funding of private homes; I will simply say that I understand that the Labour party now accepts the facts. In April, Essex county council will no doubt change its policy. It should be realised, however, that everyone's life is of equal importance, regardless of age. My constituents badly need help with social services.

I apologise for taking up so much time. My final point concerns the Palace theatre. We have a magnificent theatre in Southend, West, and I was shocked to discover the unfairness involved in its funding. That is relevant to the fact that the authority is to become unitary.

The Palace theatre receives from the Eastern arts board £45,000. The theatre in Ipswich receives £322,750, the theatre in Colchester £230,000 and the one in Watford £204,500. What makes me even more angry is that Southend is the second biggest contributor of subscriptions to the Eastern arts board. If we consider the plays that these theatres put on and the high unemployment in Southend, that is scandalous. I ask the Minister to have a word with his colleague to find out whether that can be put right.

I welcome Southend acquiring unitary status in April. I know that all political parties are determined to make a success of it, but, unless some hard decisions are taken shortly on funding, the House will tire of me making many points about all the issues that I have raised. As we approach Christmas, I ask the Minister not for charity, but for fairness for Southend.

3 pm

The Minister for London and Construction (Mr. Nick Raynsford): I congratulate the hon. Member for Southend, West (Mr. Amess) on his success in the ballot. I am glad of the opportunity to respond—albeit briefly—to his points and to the representations that he and others have made to my Department about the number of councillors for Southend-on-Sea council once it obtains full unitary status in April.

[Mr. Nick Raynsford]

I am a little surprised to hear the hon. Gentleman say that Southend-on-Sea does not have sufficient resources to perform its responsibilities as a unitary authority, and allege that it has been short-changed by Essex. The disaggregation of the authorities' budgets to allow for unitary status was carried out with the full involvement of all the Essex authorities, and agreed by all of them.

I have a letter dated 4 September from Mr. Andrews, Southend's borough treasurer, in which he states:

"There are no areas of disagreement between Southend and Essex County Council".

The hon. Gentleman admitted that he was new to Southend, but perhaps he should check his facts with the authority before making allegations in the House.

Many of the other issues that the hon. Gentleman raises are essentially local matters, and, as such, matters for the authority, but I will endeavour to address some of the key ones concerning education, social services, the fire service and the theatre, before dealing with the substantive issue of the number of councillors needed to enable the authority to discharge its new responsibilities as a unitary authority.

I was a little surprised to hear the hon. Gentleman allege that class sizes were too large, and that resources were insufficient for education in Southend. That is, of course, a matter for my right hon. Friend the Secretary of State for Education and Employment, but the figures available to me show that, in Southend, primary school total capacity is 14,246 and current pupil numbers are 13,570 and expected to increase to only 14,030. That implies continuing spare capacity in Southend primary schools.

I am informed that secondary school total capacity in Southend is 11,781 places. Current pupil numbers are 10,193, and are expected to increase to 10,776. The Southend shadow authority did not bid for additional places in the recent Department for Education and Employment annual capital guideline.

The hon. Gentleman suggested that there might be a shortfall in funding for social services, without referring to the additional £300 million for the national health service that was announced by the Government this autumn. We have made it clear that, where the need is for social care, funds should be transferred to local authorities. It is for health authorities locally to determine, in consultation with social services, the best use of resources between health and social services.

Fire service funding is, of course, a matter for my right hon. Friend the Home Secretary, and decisions on individual closures are a matter for the local fire authority. The proposed closure will have to be approved by the Home Secretary, and he will approve a closure only if the authority has consulted on it and my right hon. Friend is satisfied that national fire cover standards will be maintained.

The hon. Gentleman spoke about the Palace theatre. This is a matter for Eastern arts board and for my right hon. Friend the Secretary of State for Culture, Media and Sport. That will need to be taken up with the relevant authorities. The hon. Gentleman also asked about the number of councillors. I have carefully considered the arguments and the letter from the chief executive of Southend-on-Sea borough council to the Deputy Prime Minister. We will be responding to that letter shortly.

I am not persuaded by the arguments. In measuring the work load of local authorities, it is not the number of councillors that is pertinent but the number of electors each councillor represents. That is certainly the measure that is used by the Local Government Commission for England. The councillor to elector ratio in seven other unitary authorities is higher than that of Southend-on-Sea, and another three have a similar ratio.

One of the seven is Portsmouth, which has the same number of councillors as Southend—39—yet has a larger electorate by some 12,000. Southend does not have the highest ratio by a long way, and it is hard to see why it should take precedence in the programme of work that is currently in hand to look at the electoral arrangements in all authorities. I recognise that that may be disappointing for the hon. Gentleman, so it might help if I say a little about the review process and where we are today.

The Local Government Commission looked at the electoral arrangements in Southend-on-Sea as part of the structure review of all local authorities in England. It recommended unitary status for Southend. After receipt of the final report—which I understand had the support of the local authority, the Conservative party and the hon. Member for Rochford and Southend, East (Sir T. Taylor) who represented the seat for many years, was mentioned by the hon. Gentleman and is widely respected—the previous Administration, I am sure, gave proper consideration to all the issues, including the fact that no change in relation to the electoral arrangements was proposed.

Despite the no doubt real, if transitional, pressures caused by the transfer to unitary status, we have no record of any other shire council seeking additional councillors. To our knowledge, no other authority has suggested that it needs more councillors solely because of its new responsibilities as a unitary authority. After all, one of the aims of the structure review, and one of the stated benefits of unitary status, is to reduce bureaucracy and improve the co-ordination and quality of services by streamlining arrangements and cutting out the duplication of effort and the inefficiencies that are sometimes involved in the two-tier process.

Local authorities being reorganised are expected to take the opportunity to improve efficiency and improve the quality and co-ordination of local services, thereby reducing bureaucracy. There should be scope for efficiency savings, although I recognise that much will depend on the approach that is adopted by local authorities and how they rise to the challenge.

It is right, of course, that these matters should not be set in stone. A programme of periodic electoral reviews is undertaken by the Local Government Commission for England, the independent body that is charged with undertaking such reviews. It is interesting to note that the intention of such reviews is to ensure that the ratio of electors to councillors should, as far as possible, be the same in every electoral area—

The motion having been made after half-past Two o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at seven minutes past Three o'clock.

Written Answers to Questions

Monday 17 November 1997

ENVIRONMENT, TRANSPORT AND THE REGIONS

Workplace Injuries

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 27 October, *Official Report*, column *721*, on workplace injuries, what estimate he has made of the proportion of the increase in major injuries reported between 1995–96 and 1996–97 which is accounted for by the extension of the definition of major injuries in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. [14472]

Angela Eagle: Based on provisional figures for 1996–97 it is estimated that at least 45 per cent. of the increase in major injuries to employees, and all of the increase in major injuries to the self-employed reported to HSE and local authorities between 1995–96 and 1996–97 is accounted for by the extension of the definition of major injury in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. The remaining 55 per cent. of the increase in major injuries to employees could be due to extensions to the definition of injuries reportable under RIDDOR 1995. These cannot be separately identified since they are classified within general categories previously reportable as major injuries.

Figures for 1997–98 will be available next summer. At that stage we will be able to make a better assessment of the effects of the changes brought by RIDDOR 1995. However, there is no room for complacency, any accidents at work are unacceptable and we have asked the Health and Safety Commission to analyse the statistics further and to try to identify the main influences.

Bridge Strengthening

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 27 October, *Official Report*, columns *713–14*, relating to bridge strengthening, how many bridges on the trunk road network have been strengthened to date; when he expects local authorities to complete their assessment of their bridge stock; and by what criteria and by whom decisions on which require strengthening will be made. [15033]

Ms Glenda Jackson: With regard to bridges on the trunk network, the position at 1 April 1997 was that 528 had been strengthened. Work on the strengthening programme continues and I shall write to my hon. Friend in due course providing an update on progress.

The vast majority of local authority assessments will have been completed by 31 March 1999. However, it seems likely that a small number, on roads of less strategic importance, will remain to be assessed in 1999–2000. It is for local authorities to decide, in the light of local needs and circumstances, whether to strengthen individual bridges or to make use of alternative measures such as weight restrictions or traffic management.

M6

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to make an announcement on the widening of the M6. [15644]

Ms Glenda Jackson: The two schemes for widening the M6 between Junctions 11A and 19 are subject to consideration within the strategic trunk road review which my right hon. Friend announced in June. We expect to announce the outcome of the review next year.

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the expenditure by *(a)* his Department, *(b)* its agencies and *(c)* its non-departmental public bodies on official hospitality for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997. [15230]

Angela Eagle *[holding answer 11 November 1997]:* Figures for years (i) and (ii) are not available. Figures for the Department and its Agencies, where these are available, for years (iii) to (x) are as listed. This information is not held centrally for Non-Departmental Public Bodies and the information could be gathered only at disproportionate cost.

£000

	Department	*Agencies*
(iii) 1990–91	92	14
(iv) 1991–92	131	27
(v) 1992–93	389	36
(vi) 1993–94	408	23
(vii) 1994–95	359	102
(viii) 1995–96	253	111
(ix) 1996–97	318	130
(x) 1 May to 30 September 1997	115	44

Sites of Special Scientific Interest

Caroline Flint: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the new sites granted SSSI status by English Nature in each year since 1990. [15675]

Angela Eagle: An up-to-date list of sites notified since April 1991 (when English Nature was set up) has been deposited in the Libraries of the House.

Telecommunications Developments

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce procedures to enable local planning authorities to extend the 28 day limit in their determination of prior approval for telecommunications developments; and if he will make a statement. [15662]

Mr. Raynsford: An application for prior approval determination in respect of telecommunications development provides the local planning authority with

the opportunity to say whether they wish to approve, within 28 days, details of its proposed siting and appearance. Currently we have no plans to extend the 28-day period allowed.

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the 28 day prior notification limit for telecommunications developments on *(a)* consultation with parish or town councils and councillors, *(b)* the opportunities for comment from local residents and *(c)* the opportunities to negotiate and amend proposed schemes; and if he will make a statement. [15663]

Mr. Raynsford: Where an application for prior approval determination is to be made, Appendix E to the Department's Circular 9/95 emphasises the importance of discussions between the operator and the local planning authority to minimise any difficulties about the proposal and avoid delay in processing the application. It also encourages publicity for such proposals so that people likely to be affected can make their views known to the local planning authority. It is important that authorities make satisfactory arrangements to enable them to deal with these applications. The Department's Code of Best Practice on telecommunications prior approval procedures as applied to mast/tower development provides guidance on how local planning authorities and operators can co-operate to make it easier for prior approval applications to be dealt with effectively within the 28 day period allowed.

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce national guidance in respect of *(a)* the circumstances in which the public health impact of telecommunications developments should be a planning consideration and *(b)* the weight which should be given to public health issues by local planning authorities; and if he will make a statement. [15665]

Mr. Raynsford: Planning Policy Guidance note 1 advises local planning authorities that any consideration which relates to the use and development of land is, in principle, capable of being a planning consideration. The issue of whether, in any individual case, a particular matter is a material consideration will depend on the prevailing facts and circumstances. It is for the body determining the application (usually the local planning authority) to decide which are the material considerations applicable in the first instance. This is the planning position. Any organisation engaged in telecommunications development should comply with Health and Safety legislation.

Medium-density Fibreboard

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the findings of the Medical Research Council's Institute for Environment and Health's preliminary assessment of health risks associated with the domestic use of medium-density fibreboard. [16069]

Angela Eagle: The Medical Research Council's Institute for Environmental Health has not yet undertaken a formal assessment of the risks associated with the domestic use of medium-density fibreboard. Without wishing to prejudice the outcome of the assessment, the Institute has expressed the preliminary opinion that inhalation of dust from operations involving medium-density fibreboard is more likely to be an occupational rather than a domestic hazard. Although inhalation of any dust is to be avoided (especially very fine particles which can reach the deep lung) the Institute does not consider occasional "DIY" activities involving medium-density fibreboard to pose a particular risk. Good working practice when cutting or sanding medium-density fibreboard, would be to wear a suitable dust mask or where possible, perform this work out-of-doors. Like other types of particle board, medium-density fibreboard can give off formaldehyde gas (used in resin bonding) but only in exceptional cases is this likely to cause problems.

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions what steps his Department is taking to encourage the use of *(a)* alternatives to medium-density fibreboard and *(b)* low or zero formaldehyde emission fibreboard in do-it-yourself home construction. [16065]

Angela Eagle: The Department does not consider medium-density fibreboard a risk to health to individuals involved in do-it-yourself activities. Therefore, the Department does not have a policy to encourage the use of alternatives.

Like other types of particle board, medium-density fibreboard can give off formaldehyde gas (used in resin bonding) but only in exceptional cases is this likely to cause problems—such as acute sensory irritation. However, fibreboard with low or zero formaldehyde emissions is available on the market and my Department is encouraging its use in general advice to professionals and the public.

London Government

Mr. Simon Hughes: To ask the Secretary of State for the Environment, Transport and the Regions if he will *(a)* publish and *(b)* place in the Library on or before 17 November (i) a list of those individuals and organisations that have responded to the Green Paper on the future on London government and (ii) the evidence submitted by them. [15883]

Mr. Raynsford *[holding answer 13 November 1997]:* By 1 December we will place in the House of Commons Library a list of individuals and organisations who responded to the Greater London Authority consultation exercise. We will place copies of the correspondence in the Department of the Environment, Transport and the Regions main library, 2 Marsham Street, SW1P on the same day.

Sewerage Maps and Records

Helen Jackson: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has received for the transfer of maps and records of the sewerage network from the relevant local authorities to the statutory undertakers; and what response he plans to make. [15632]

Angela Eagle *[holding answer 13 November 1997]:* No such proposals have been received. Under section 199 of the Water Industry Act 1991 sewerage undertakers are required to keep records of the location and other relevant particulars of every sewer or disposal

main vested in the company. Such records should include particulars shown on 31 August 1989 on sewer maps kept by local authorities under section 32 of the Public 32 of the Public Health Act 1936.

Sewerage undertakers are not required to keep maps or records of sewers which have not been adopted.

Social Housing

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions pursuant to the Answer of 3 November 1997 *Official Report*, column *54*, if the results of the feasibility study to develop an economic model of the demand and need for social housing between 1996 and 2000 will allow for the unprotected expansion in the private rented sector since 1991. [16401]

Mr. Raynsford: The economic model of the demand and need for social housing developed by the feasibility study estimates the numbers of households in the private rented sector for England between 1991 and 2006. The model allows for an expansion of the private rented sector in the period 1991 to 1995 and the aim is to be able to model a range of scenarios for 1996 to 2006.

Waste

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the correlation between the level of waste collected per head of population by waste collection authorities and the size of dustbin available. [15708]

Angela Eagle: Figures provided by district councils in a new DETR/Welsh Office survey of municipal waste management suggest that weekly arisings per household are up to 3kg higher in areas where households are provided with wheeled bins than in areas provided with plastic sacks. However, a direct relationship between bin size and waste volume cannot be assumed, as there are other factors which can influence the amount of waste generated, for example the socioeconomic characteristics of households and the type of housing. Local authorities may take these factors into account in any decision to introduce wheeled bins in a particular area.

Environmental Information Regulations

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to limit further the exemptions relating to the holding of information under the Environmental Information Regulations 1992; [15705]

(2) if he will appoint an independent commissioner in respect of the Environmental Information Regulations 1992; [15702]

(3) if he will require privatised utilities to comply with requests for information under the Environmental Information Regulations 1992; [15700]

(4) if he will make it his policy to create a list of relevant persons in respect of the Environmental Information Regulations 1992; [15701]

(5) what steps he plans to take to secure greater public access to information under the Environmental Information Regulations 1992. [15703]

Angela Eagle: The Government are committed to a policy of greater openness, including improving public access to environmental information. A Freedom of Information Act is a key pledge in our manifesto. Issues relating to access to environmental information under the Environmental Information Regulations 1992, are now being carefully considered in the context of that wider legislation. My right hon. Friend the Chancellor of the Duchy of Lancaster will be publishing a White Paper shortly.

We are determined that there should be no abuse of exemptions relating to the disclosure of information, and the nature of any exemptions is therefore being considered very carefully in the work on a Freedom of Information White Paper. Making any exemptions subject to a harm or public interest test is an option being considered.

As to establishing an independent commissioner, the Freedom of Information White Paper will set out the Government's proposals for an independent appeals procedure on freedom of information issues generally, including environmental information. The establishment of an Information Commissioner is being considered.

The option of listing bodies to ensure clarity about the coverage of freedom of information legislation, including the status of privatised utilities, is also being considered.

Virgin Resources

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to encourage the reduction in use of virgin resources. [15709]

Angela Eagle: Prudent use of natural resources is an integral part of the Government's approach to sustainable development. We are currently reviewing the previous Government's Sustainable Development Strategy and a consultation paper is planned for early next year.

Areas which the Department of the Environment, Transport and the Regions is currently pursuing include:

- programmes for improving energy and environmental awareness which aim to encourage more sustainable patterns of consumption;
- an aim to increase the proportion of waste managed by options towards the top of the waste hierarchy, defined in the 1995 Waste Strategy *Making Waste Work* as reduction, re-use, recovery (including recycling, composting and energy production) and finally disposal;
- research on efficient use of aggregates and increased use of recycled and secondary materials, and a trial Aggregates Advisory Service. These initiatives will help to take forward policies for the sustainable use of minerals set out in the Department's existing Minerals Planning Guidance Notes; and
- support for the Government's commitment to sustainable management of woodland resources and an expansion of woodland cover, together with activities promoting the increased use of biomass wherever possible as a renewable source of energy.

Tree Damage

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has *(a)* commissioned and *(b)* evaluated

in relation to the damage caused to native (i) oak and (ii) ash trees arising from *(a)* air pollution and *(b)* climate change. [15685]

Angela Eagle: An annual survey of woodland tree condition in the UK is carried out on behalf of my Department. While there was evidence of decline in the health of woodland oak over the period 1989 to 1993, this trend has been reversed during the past four years. Previous analysis for this survey has indicated that air pollution, such as acid deposition and low level ozone, could account for only a small proportion of the observed changes in tree health. Other stresses, including climatic factors, such as drought stress, are thought to be of much greater significance. Ash, which grows on lime-rich soils, is not susceptible to damage from acid deposition.

Other research and monitoring, commissioned by my Department into the health of non-woodland trees, however, does show that both native ash and oak have experienced damage in recent years, probably due to drought stress. It is too early to say whether recent warm, dry years are a part of a long-term climate change, but they give an indication of the kind of damage which could, in future, become more prevalent.

Genetically Modified Organisms

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the risks his Department considers for assessment purposes with respect to applications for the release of genetically modified organisms for *(a)* field-testing and *(b)* marketing. [16198]

Angela Eagle: The potential hazards and risks considered for field testing and marketing of genetically modified organisms are as follows: capacity to survive, establish and disseminate; potential for gene transfer; products of expression of inserted genes; phenotypic and genotypic stability; pathogenicity to other organisms; and, potential for any other effects including non-target effects. In accordance with the advice of the Advisory Committee on Releases to the Environment detailed information on the risk assessment has been published by the Department as DOE/ACRE Guidance Notes and these have been placed in the House of Commons Library.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if it is his Department's policy to differentiate between risk assessment and hazard assessment with respect to the interaction of genetically modified organisms with their environment. [16155]

Angela Eagle: An assessment of the potential hazards is an integral part of the risk assessment with respect to the interaction of genetically modified organisms with their environment. This approach to the risk assessment is in accordance with the advice of the Advisory Committee on Releases to the Environment. Detailed guidance on the risk assessment has been published by the Department as DOE/ACRE Guidance Notes and placed in the House of Commons Library.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what *(a)* risk and *(b)* hazard assessments have been (i) performed and (ii) evaluated by his Department with respect to genetically modified soya that has been treated with glyphosate-based herbicide. [16149]

Angela Eagle: The hazard and risk assessment performed by Monsanto Europe for their consent application to market soya beans genetically modified for tolerance to glyphosate-based herbicide has been evaluated by the Department and the statutory Advisory Committee on Releases to the Environment. The application was then forwarded to other European Member States for evaluation and following their agreement, the Department granted a consent on 7 May 1996 for import, storage and processing of the genetically modified soya beans. The procedure followed to assess this application was in accordance with the Genetically Modified Organisms (Deliberate Release) Regulations 1992.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what safeguards exist to prevent the horizontal gene transfer of patented genes from genetically modified crops to certified organic crops. [16151]

Angela Eagle: The frequency of horizontal transfer of any genes of genetically modified crops to certified organic crops is very low and no formal safeguards exist to prevent this occurring with respect to the release of genetically modified crops. Where gene transfer between compatible species (vertical transfer) is feasible, consent conditions (including isolation distances) can be imposed to minimise undesirable effects.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what arrangements exist to monitor the horizontal transfer of patented genes to wild species. [16153]

Angela Eagle: The frequency of horizontal transfer of any genes to wild species is very low and no formal arrangement exists to monitor this with respect to the release of genetically modified organisms.

Releases to the Environment

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the advisory bodies his Department would consult in advance of a decision to invoke Article 16 of Directive 90/220. [16200]

Angela Eagle: My Department would consult the statutory Advisory Committee on Releases to the Environment.

Right to Buy

Mr. Webb: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to include bungalows for elderly and disabled people with the right-to-buy scheme. [16483]

Mr. Raynsford: Disabled or elderly people are already able to buy bungalows under the right-to-buy scheme, unless the dwelling is sheltered accommodation which is specially built for people with disabilities, or let to elderly people and part of a group of dwellings with support services or facilities provided nearby. Under paragraph 11 of Schedule 5 to the Housing Act 1985, landlords may exclude from the right to buy non-sheltered bungalows if

they were first let to elderly people before 1990 and are particularly suitable for such people; however, tenants who disagree with their landlords have a right to appeal to the Secretary of State against such decisions. Housing which has been adapted to make it suitable for disabled people is not excluded from the right to buy.

Local Government Commission for England

Mr. McNulty: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to undertake a review of the Local Government Commission for England; and if he will make a statement. [16713]

Ms Armstrong: We have today set up a finance, management and policy review of the Local Government Commission for England (LGC), as part of a programme of reviews of non-departmental public bodies.

This review will be conducted in two stages. The first will be a "prior options" study focusing on whether the functions carried out by the LGC are needed and, if so, whether those functions are best undertaken by the LGC or some other body. Subject to the outcome of this first stage, the second stage will consist of a more detailed review of the LGC's structure, funding, financial management and methods of operation.

I have appointed Robert Hazell, Director of the Constitution Unit in the School of Public Policy at University College London to undertake the prior options study. To oversee the review, I am establishing an Advisory Group, on which we are inviting representatives from the Local Government Association; Departmental officials and the Chairman and Chief Executive of the LGC will also serve on the Group.

In carrying out the study it is intended that Mr. Hazell will consult with a wide range of interested parties and would welcome written representations from anyone who has views on the Commission and its work.

Coastguard

Mr. McNulty: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the search and rescue co-ordination provided by Her Majesty's Coastguard. [16728]

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the coastguard service; and if he will make a statement. [16176]

Ms Glenda Jackson: To improve still further the high level of service provided by Her Majesty's Coastguard I am able to announce today that I have endorsed a strategy for HM Coastguard which involves a substantial investment in new technology and which will take the Service into the next century. That investment will introduce operational flexibility which will increase the safety of those who use our sea and shores, and will improve the effectiveness and efficiency of an already highly proficient Service. The key to the strategy is the introduction of digital communications technology at Coastguard rescue centres and remote radio sites to replace aging equipment. Once the new technology is in place HMCG will be able to concentrate their operational expertise within fewer rescue co-ordination sub-centres by closing the rescue sub-centres at Oban and Pentland (Orkney) by the end of 1999, and Tyne-Tees and Liverpool by the end of 2000. Portland and Solent rescue sub-centres at present in unsuitable buildings will be bought together under the same roof by March 2002.

By carefully planning the process we expect to be able to achieve the reduction of staff by a combination of natural wastage, early retirement and early severance. Staff and trade unions will be closely involved in the implementation.

Official Hospitality

Mr. Amess: To ask the Secretary of State for the Environment, Transport and the Regions what has been the total expenditure on official hospitality by his Department in the current session. [12583]

Angela Eagle *[pursuant to her reply, 4 November 1997, c. 138]:* The correct figure for total expenditure is £103,000.

FOREIGN AND COMMONWEALTH AFFAIRS

Diplomats (Private Education)

Mr. Todd: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to review funding for the private education of diplomatic personnel provided by his Department; and what is the estimated cost of such funding in the current financial year. [15823]

Mr. Tony Lloyd: An independent review of Diplomatic Service allowances was carried out last year by Sir Derek Hornby. The review confirmed the need for allowances to ensure continuity of education for many Diplomatic Service children. It also recommended some adjustments in the way the allowances are administered. Further detailed work is being carried out on these recommendations. The cost to this Department for the education of Diplomatic Service children worldwide during the current financial year is estimated to be £10.9 million.

Yangtse Dam

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Chinese Government concerning the environmental impact of the damming of the Yangtse. [15732]

Mr. Fatchett: We have not raised the "Three Gorges" project with the Chinese.

Chagos Archipelago (Mineral Rights)

Mr. Collins: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the ownership of mineral rights around the Chagos Archipelago. [15829]

Mr. Tony Lloyd: The mineral rights on the continental shelf around the British Indian Ocean Territory (Chagos Archipelago) are vested in the Crown. But the Territory and the mineral rights will be ceded to Mauritius when the Territory is no longer required for defence purposes. Meanwhile we have no intention of allowing mineral prospecting.

Camilla Carr and Jon James

Mrs. Virginia Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has obtained about Camilla Carr and Jon James; and what steps are being taken to ensure their will-being. [16036]

Mr. Tony Lloyd: I refer the right hon. Member to the reply I gave to the hon. Member for Hereford (Mr. Keetch) on 10 November 1997, *Official Report*, column *389*.

There has been no news of Camilla Carr and Jon James for several weeks. We do not know who has taken them, or where they are held. Their employers, the Centre for Peacemaking and Community Development, and we are doing what we can, in the difficult conditions of Chechnya, to contact anyone who may be able to help secure the couple's safe release.

Ngawang Sangdrol

Mr. Peter Bradley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will press the Government of the People's Republic of China for the early release of the Tibetan nun Ngawang Sangdrol. [16050]

Mr. Fatchett: We are deeply concerned about many individuals detained in China, including Tibetans. We take every opportunity to raise with Chinese authorities our concerns about religious and political freedoms in Tibet. I last did this when I met the Chinese Vice-Foreign Minister on 3 November.

Human Rights (India)

Ms Jenny Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the report by the United Nations Human Rights Committee's inquiry of 30 July into breaches of human rights in India. [15932]

Mr. Fatchett: Parties to the International Covenant of Civil and Political Rights are obliged to report to the Human Rights Committee every five years. The inquiry to which my hon. Friend refers is the Committee's routine examination of India's latest periodic report. We welcome the Indian Government's constructive responses to the points of concern raised by the Committee.

CULTURE, MEDIA AND SPORT

Film Industry

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport what assessment his Department has made of the impact of the Budget on the United Kingdom film industry's capacity. [15444]

Mr. Tom Clarke: The introduction in the Budget of accelerated 100 per cent. write-off on film production and acquisition has been widely welcomed as an incentive to increase investment and hence capacity. The British Screen Advisory Council has estimated that the new tax relief will generate a 31 per cent. increase in investment in film production over the next three years.

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport what percentage of United Kingdom and co-produced films were *(a)* released nationally, *(b)* released in the West end and arthouses only and *(c)* unreleased in the last year for which figures are available. [15445.]

Mr. Tom Clarke: In 1995, 23.1 per cent. of United Kingdom and co-production films were released nationally; 34. 6 per cent. were released in the West End and arthouses only; 42.3 per cent were unreleased.

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport (1) what plans his Department has to encourage the wider distribution of a greater number of United Kingdom and co-produced films; [15446]

(2) what discussions his Department has had with the main film distributors in the United Kingdom to encourage a greater distribution of United Kingdom and co-produced films. [15447]

Mr. Tom Clarke: We have established an all industry working group, headed by myself and Mr. Stewart Till, President of International at PolyGram Filmed Entertainment, with the aim of doubling the domestic market share for British films. The working group includes representatives from several of the main distributors in the UK and has also invited evidence from the distribution sector. The recommendations of the Film Review will be published early next year.

Tobacco Advertising

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport if there are proposals to alter the extent or content of advertising in broadcast or non-broadcast media for any categories of products other than those contained in the forthcoming White Paper on Tobacco. [15625]

Mr. Fisher: The Government have no such proposals. The Independent Television Commission and the Radio Authority produce detailed guidelines for broadcasters on the scheduling and content of broadcast advertisements. These are reviewed from time to time in consultation with Government and broadcasters, but no reviews are currently under way or planned. For non-broadcast advertisements, the advertising industry also produces a code of practice for advertisers which is administered by the Advertising Standards Authority. The industry is currently conducting a general review of the code.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport what is his estimate for the expenditure by *(a)* his department, *(b)* its agencies and *(c)* its non-departmental public bodies on overseas travel for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997; and if he will provide a breakdown to show (1) air fares and (2) other expenditure relating to overseas travel. [15207]

Mr. Chris Smith *[holding answer 11 November 1997]:* The available information on expenditure on overseas travel and subsistence is given in the following table:

£000

	1992–93 (actual)	1993–94 (actual)	1994–95 (actual)	1995–96 (actual)	1996–97 (actual)	1 May–30 September 1997
Department for Culture, Media and Sport	86	99	161	133	163	33
Historic Royal Palaces Agency	Nil	1	5	17	22	10
Royal Parks Agency	n/a	Nil	Nil	Nil	Nil	Nil

A breakdown in the format requested and information on our non-departmental bodies is not held centrally and could only be provided at disproportionate cost. An estimate of the expenditure for the earlier years, prior to the establishment of my department in April 1992 and Royal Parks becoming an Agency in April 1993, is not available.

Creative Industries Task Force

Mrs. Virginia Bottomley: To ask the Secretary of State for Culture, Media and Sport if he will list the members of the creative industries task force. [16035]

Mr. Chris Smith: The membership of the task force is as follows:

Secretary of State for Culture, Media and Sport (Chairman)

Minister and officials from:
The Department of the Environment, Transport and the Regions
The Foreign and Commonwealth Office
The Department of Trade and Industry
HM Treasury
The Department for Education and Employment
Department of Social Security
The Scottish Office
The Welsh Office
The Northern Ireland Office
The Minister without Portfolio
HM Government's Chief Scientific Adviser.

Officials from:
The British Council
The Office of Science and Technology
No. 10 Policy Unit
The Department for Culture, Media and Sport
Lord Puttnam
Richard Branson
Alan McGee
Paul Smith
Waheed Alli
Gail Rebuck
Eric Salama
Janice Hughes.

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport what is his estimate of the expenditure by *(a)* his Department, *(b)* its agencies and *(c)* its non-departmental public bodies on official hospitality for (i) 1980–81 (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997. [15206]

Mr. Chris Smith *[holding answer 11 November 1997]:* The available information is given in the following table:

£000

	1992–93 (actual)	1993–94 (actual)	1994–95 (actual)	1995–96 (actual)	1996–97 (actual)	1 May–30 September 1997
Department for Culture, Media and Sport	22	18	15	26	41	7
Historic Royal Palaces Agency	18	17	16	46	33	18
Royal Parks Agency	n/a	9	26	17	14	11

Information on our non-departmental bodies is not held centrally and could only be provided at disproportion cost. An estimate of the expenditure for the earlier years, prior to the establishment of my department in April 1992 and Royal Parks becoming an Agency in April 1993, is not available.

Publicity and Advertising

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport what is his estimate of the total expenditure on all forms of publicity and advertising by *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies for (i) 1993–94, (ii) 1994–95, (iii) 1995–96, (iv) 1996–97, (v) the 1997–98, year to date, (vi) the 1997–98, full year estimate and (vii) the 1998–99 planned expenditure. [15209]

Mr. Chris Smith *[holding answer 11 November 1997]:* The Department for Culture, Media and Sport (formerly the Department of National Heritage) has incurred no expenditure on advertising over the past six years, except in respect of advertising for vacant posts.

Figures for publicity expenditure over this period are as follows:

1993–1994: £25,000
1994–1995: £57,000
1995–1996: £348,000
1996–1997: £609,531
1997–1998: £112,705 (to date)
£500,000 (estimate)
1998–1999: allocations have not yet been made.

Expenditure by the Department's agencies and non-departmental public bodies on publicity is a matter for each individual body within the parameters of their grant in aid allocations.

Broadcasting

Mr. Todd: To ask the Secretary of State for Culture, Media and Sport what plans his Department has *(a)* to ensure maximum commercial access to opportunities for digital broadcasting and *(b)* to prevent monopoly control of (i) critical technology and (ii) customer data. [15826]

Mr. Fisher: The Government encourage commercial access to the opportunities for digital broadcasting via terrestrial, cable and satellite delivery by maintaining the lightest regulatory regime compatible with protecting the public interest and with the capacity constraints of each delivery platform. Those with proposals for digital television services may approach the digital terrestrial multiplex operators; companies holding cable franchises or operators of digital satellites. Authority to provide programme content on digital broadcasting services is via the appropriate programme service licences, which are available effectively on demand from the Independent Television Commission to any fit and proper applicant. Plurality of voice is underpinned by the requirement that no single person may control licences which together have more than 15 per cent. of the total television audience.

General competition law provides powers to act against the abuse of monopoly position or anti-competitive behaviour. The new Competition Bill will introduce two prohibitions which will prove a highly effective deterrent against cartels and abuses of dominance. The provisions of the Broadcasting Act 1996; the Advanced Television Service Regulations 1996 and the Class Licence for the running of telecommunications systems for the provision of conditional access services granted on 7 January 1997 by the Secretary of State for Trade and Industry under section 7 of the Telecommunications Act 1984 collectively safeguard the use of critical technology and customer data.

PRIME MINISTER

Civil Service

Mr. Peter Bottomley: To ask the Prime Minister which advertisements for Civil Service positions other than for departmental heads of information require applicants to be in sympathy with Ministers. [15731]

The Prime Minister: There is no question of appointments to the permanent Civil Service requiring applicants to be in sympathy with Ministers. The first Civil Service Commissioner in a recent letter to the press has emphasised that candidates for advertised posts are judged solely on their merits in the context of the job specification. Recruitment to the Civil Service follows the fundamental principle of selection on merit.

Tobacco Sponsorship

Mr. Peter Bottomley: To ask the Prime Minister (1) if sports and pastimes other than Formula One motor racing were invited to make a presentation relating to partial exclusion from a comprehensive tobacco sponsorship ban; [16112]

(2) what discussions he, other ministers or government advisers have had on tobacco sponsorship with representatives of international sports and pastimes other than Formula One motor racing. [16111]

The Prime Minister: My hon. Friend the Minister for Sport and officials at the Department for Culture, Media and Sport and the Department of Health have met with representatives from governing bodies of sports currently in receipt of tobacco sponsorship. These meetings were at the initiation of the Department and will help determine how we achieve an end to the advertising and promotion of tobacco at sports events while minimising any damage to the sports concerned. The Government are also engaged in discussions with their EU partners on these issues. In addition, the Government will publish a White Paper next year setting out their plans for a range of measures to tackle tobacco consumption.

Mr. Peter Bottomley: To ask the Prime Minister, pursuant to his oral answer of 12 November 1997, *Official Report*, columns 898–99, if he will list those Ministers whose knowledge of the donation referred to by him gave rise to a possibility of a conflict of interest; and if he will list the meetings attended by those Ministers with the donor or his representatives. [16463]

The Prime Minister: No conflict of interest arose for any Minister.

Mr. Peter Bottomley: To ask the Prime Minister (1) when he and his advisers or Ministers have met representatives of Formula One motor racing; [16109]

(2) how government meetings with representatives of Formula One motor racing were arranged; and who took the initiative in each case. [16110]

The Prime Minister: I refer the hon. Member to the reply I gave to the hon. Member for Mid Worcestershire (Mr. Luff) on 12 November 1997, *Official Report*, columns *898–99*.

Civil Contingencies Committee

Mr. Baker: To ask the Prime Minister on how many occasions since 1 May the Civil Contingencies Committee has met; and what matters have been discussed. [15691]

The Prime Minister *[holding answer 3 November 1997]:* It is not the practice to disclose details of proceedings of the Civil Contingencies Committee.

Mr. Baker: To ask the Prime Minister what is the membership of the Civil Contingencies Committee. [15692]

The Prime Minister *[holding answer 13 November 1997]:* The composition of the Civil Contingencies Committee is as follows:

Home Secretary (Chairman)

Head of the Economic and Domestic Secretariat, Cabinet Office (Deputy Chairman)

The Prime Minister's Chief Press Secretary

Representatives of:

Department of the Environment, Transport and the Regions

HM Treasury

Home Office

Department for Education and Employment

Ministry of Defence

Department of Health

Department of Culture, Media and Sport

Northern Ireland Office

Welsh Office

Office of Public Service.

Its terms of reference are:

"To co-ordinate the preparation of plans for ensuring in an emergency the supplies and services essential to the life of the community; to keep these plans under regular review; to supervise their prompt and effective implementation in specific emergencies; and to report as necessary to the appropriate Ministerial Committee".

Political Party Funding

Mr. Peter Bottomley: To ask the Prime Minister if he requires lobbyists and people asking ministers directly to make decisions favouring particular interests to disclose *(a)* in private and *(b)* in public any substantial help, services or funding provided to the minister's political party. [16114]

The Prime Minister: Ministers are required to take decisions on the merits of each case, not on the basis of whether the people concerned have provided assistance or funding to their political party.

Mr. Peter Bottomley: To ask the Prime Minister if he will incorporate in the rules for ministers a requirement for disclosure before September 1998 of knowledge by ministers of help, services or funding exceeding £5,000 provided before May 1997 to the minister's political party. [16113]

The Prime Minister: I have asked the Committee on Standards in Public Life—chaired by Sir Patrick Neill—to undertake a wide ranging review of party funding and make recommendations to the Government.

Yemen

Mr. Vaz: To ask the Prime Minister if he will make a statement on his recent meeting with the President of Yemen. [16471]

The Prime Minister: President Saleh's visit was the first by a Yemeni president to the UK. We discussed a number of bilateral and regional issues on 11 November, including trade and economic co-operation, UK aid to Yemen, the situation in Iraq, and Yemen's application to join the Commonwealth. I welcomed President Saleh's recent political reforms, and thanked him for the Government of Yemen's help in securing the release of the British hostage who was kidnapped in Yemen last month.

Environment Agency

Mr. Blizzard: To ask the Prime Minister which Department has lead responsibility for the Environment Agency. [16211]

The Prime Minister: My right hon. Friend the Secretary of State for the Environment, Transport and the Regions is the lead Minister responsible for the Environment Agency.

Telephone Tapping

Mr. Baker: To ask the Prime Minister pursuant to his answer to the hon. Member for Walsall, North (Mr. Winnick) of 30 October 1997, *Official Report*, column *861*, on the interception of telephones of hon. Members, if the policy applies to other forms of electronic surveillance. [15728]

The Prime Minister: I can confirm that the policy described in my previous Answer applies in relation to the use of electronic surveillance by the Security Service as well as to telephone interception.

TREASURY

Investors Compensation Scheme

Mr. Letwin: To ask the Chancellor of the Exchequer what representations his Department has made to the Investors Compensation Scheme in respect of its handling of compensation for Knight Williams and Co. clients. [15944]

Mrs. Liddell: Officials keep in touch with developments in the Knight Williams case but the handling of claims for compensation is a matter for the Investors Compensation Scheme itself.

Economic and Monetary Union

Mr. Mitchell: To ask the Chancellor of the Exchequer, pursuant to his oral statement of 27 October, *Official Report*, columns 583–84, concerning the constitutional issues relating to European economic and monetary union, if he will list the issues; what published sources Ministers of the Crown assessed in reaching their conclusions; what consultations they had with constitutional lawyers concerning their assessment; and if he will place in the Library the written documents relating to that assessment. [15031]

Mr. Gordon Brown: As I said in my Statement to the House, joining the single currency would involve a pooling of national sovereignty in relation to aspects of economic and monetary union pursuant to the relevant provisions of the Treaty of Rome as amended by the Treaty of Maastricht. Provided this step was endorsed by Parliament in accordance with the provisions of the European Communities (Amendment) Act 1993 and had been endorsed by the people in a referendum, my right hon. Friend the Prime Minister and I are satisfied that there is no overriding constitutional bar to participation by the United Kingdom in stage 3 of economic and monetary union.

Public Expenditure

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer when he intends to revise the Government's public expenditure plans for *(a)* 1999–2000 and *(b)* 2000–01; and if he will make a statement. [13291]

Mr. Darling *[holding answer 6 November 1997]:* New plans for 1999–2000 and 2000–01 will be announced following the conclusion of the Comprehensive Spending Review.

Low Pay

Mr. Pond: To ask the Chancellor of the Exchequer (1) how many and what percentage of (i) male and (ii) female employees had total earnings below the lower earnings limit for national insurance contributions; and what percentage of these were part-time workers in *(a)* 1980, *(b)* 1990 and *(c)* the most recent available [illegible] [15509]

(2) if he will list for April 1997 the number and proportion of manual, non-manual and all part-time employees on adult rates earning less than *(a)* £4.61, *(b)* £6.15 and *(c)* £6.60 per hour excluding overtime for (i) men, (ii) women and (iii) in total for (1) each county and unitary authority in England, (2) each unitary authority in Wales, (3) each London borough, (4) each unitary authority in Scotland, (5) Great Britain as a whole, (6) England as a whole and (7) each Government office region; [15555]

(3) how many and what percentage of (i) male and (ii) female employees with total earnings below the lower earnings limit for national insurance contributions are *(a)* under 18, *(b)* 18 to 24, *(c)* 25 years or older and *(d)* below pension age; [15508]

(4) if he will list for April 1997 the number and proportion of *(a)* full-time, *(b)* part-time and *(c)* all employees in Great Britain whose earnings excluding overtime payments are less than (i) £4.61 an hour, (ii) £6.15 an hour and (iii) £6.60 an hour, broken down into (1) 16–17, (2) 18–24, (3) 25–44 and (4) 45–65-year-olds; [15556]

(5) if he will list for April 1997 the number and proportion of manual, non-manual and all full-time employees on adult rates earning less than *(a)* £4.61, *(b)* £6.15 and *(c)* £6.60 per hour excluding overtime for (i) men, (ii) women and (iii) in total for (1) each county and unitary authority in England, (2) each unitary authority in Wales, (3) each London borough, (4) each unitary authority in Scotland, (5) Great Britain as a whole, (6) England as a whole and (7) each Government office region; [15558]

(6) if he will estimate the average weekly hours of work and average hourly and weekly earnings of men and women with total earnings below the lower earnings limit for national insurance contributions; [15510]

(7) what proportion of men and women with total earnings below the lower earnings limit for national insurance contributions have been in their current employment for over 26 weeks; [15623]

(8) if he will list for April 1997 the number and proportion of *(a)* full-time, *(b)* part-time and *(c)* all employees on adult rates of pay in Great Britain whose earnings excluding overtime payments are less than (i) £4.61 an hour, (ii) £6.15 an hour and (iii) £6.60 an hour, broken down by standard occupational classification and by standard industrial classification; [15557]

(9) if he will estimate the *(a)* number and *(b)* percentage of (i) men and (ii) women with total earnings below the lower earnings limit for national insurance contributions whose annual earnings exceed £1,600 in the last year for which figures are available. [15513]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Chris Pond, dated 17 November 1997:

The Chancellor of the Exchequer has asked me, as the Director of the Office for National Statistics, to reply to your recent questions (15508, 15509, 15510, 15513, 15555, 15556, 15557, 15558 and [illegible] earnings.

The available information, from the New Earnings Survey April 1997 and the Labour Force Survey, is given in the attached tables.

Information for employees earning below the lower earnings limit whose annual earnings exceed £1600 is not available. The LFS does not collect such data and the NES sample largely excludes employees earning below the lower earnings limit.

I will arrange for a copy of this letter and the attached tables to be placed in the House of Commons Library.

AGRICULTURE, FISHERIES AND FOOD

Genetically Modified Foods

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food if he will ensure that genetically modified foods are labelled as such. [15842]

Mr. Rooker: I refer my hon. Friend to the reply given to the hon. Member for Lewes (Mr. Baker) on 9 June 1997, *Official Report*, columns 356–57.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what evidence his Department has evaluated with respect to *(a)* the effects of changes in the composition of diet and *(b)* the effects of genetic modification of food on the toxicity of pesticide residues in the human body; and if he will make a statement. [16203]

Mr. Rooker: When applications for pesticide approvals are evaluated, or existing approvals are reviewed, food consumption patterns are routinely taken into account. This information is derived from the National Food Survey and other sources.

No approvals have been granted for the use of any pesticide specifically on a genetically modified crop. Where the genetic modification would be expected to alter the way the crop metabolises the pesticide, the resultant risks would be assessed. This is most likely to be an issue with genetically modified herbicide tolerant crops and I am taking steps to ensure that such new uses of herbicides will require specific evaluation.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what advice his Department has received from the Advisory Committee on Novel Foods and Processes with respect to elevated oestrogen levels in genetically modified soya. [16202]

Mr. Rooker: When the Advisory Committee on Novel Foods and Processes carried out its safety evaluation of the genetically modified soya produced by Monsanto—the only soya which it has evaluated to date—it found no differences in oestrogen levels compared with traditional soya.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what research his Department has *(a)* commissioned and *(b)* evaluated with respect to elevated oestrogen levels in genetically modified soya. [16197]

Mr. Rooker: When the Advisory Committee on Novel Foods and Processes evaluated the safety of the genetically modified soya produced by Monsanto, it found no differences in oestrogen levels compared with traditional soya and there was therefore no reason to commission further research on this point.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what advice his Department has received from the Advisory Committee on Novel Foods and Processes with respect to the bla gene in Ciba-Geigy's genetically modified maize line CG00526-176. [16199]

Mr. Rooker: The report of the Advisory Committee on Novel Foods and Processes on this genetically modified maize is contained in Appendix XII of its Annual Report for 1996, a copy of which is held in the Library of the House.

Animal Feed

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food if he will ensure that farm feed products are labelled so as to reveal their full contents. [15827]

Mr. Rooker: Ingredient listing of compound feed, either by specific ingredient or by category, has been a requirement of EC legislation since 1991. Commission Directive 97/47/EC, which takes effect in the UK in the New Year, deletes the "Land Animal Products" category and requires any animal material still permitted in compound feed to be separately identified. The European Commission is now considering the complete removal of the category option, which would receive UK support.

EU Presidency (Priorities)

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the United Kingdom's agriculture, fisheries and food priorities for the period of the United Kingdom's Presidency of the European Union. [16348]

Dr. John Cunningham: There is still some substantive agriculture, fisheries and food business to be completed under the Luxembourg Presidency. It would, therefore, be inappropriate to go into the detail of priorities for the UK Presidency at this time.

Unpasteurised Milk

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food which European countries currently allow the use of unpasteurised milk in the production of dairy products of any type. [16378]

Dr. John Cunningham: All members of the European Union allow the use of unpasteurised milk in the production of dairy products. This is permitted and closely controlled by the EC Milk and Milk Products Hygiene Directive.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his reasons for seeking to bring the English and Scottish policies into line on the use, consumption and production of unpasteurised milk. [16379]

Dr. John Cunningham: Having studied the issues closely, the independent Advisory Committee on the Microbiological Safety of Food has expressed concern about the microbiological quality of unpasteurised cows' milk for drinking and has recommended that the sale of such milk be banned in England, Wales and Northern Ireland. Consequently, I have initiated a public consultation on a proposal to ban the sale of raw cows' milk for drinking, which aligns with the policy in Scotland.

Fish Stocks

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his scientists' 1997 assessment of the state of fish stocks which are subject to annual consideration in terms of total allowable catches and community quotas; and if he will list the changes in that assessment from the 1996 assessment. [16380]

Dr. John Cunningham: The scientists of the Ministry's agency, the Centre for Environment, Fisheries and Aquaculture Science, monitor fish stocks in order to contribute to the annual assessments made by the International Council for the Exploration of the Sea (ICES). The 1997 ICES' assessments are expected to be published shortly.

Food Standards Agency

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food when he expects to publish his White Paper on the Food Standards Agency. [16386]

Dr. John Cunningham: As soon as possible.

Organic Farming

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the compensation available to farmers of certified organic crops in the event of the spread of a patented gene to that crop by a process of horizontal gene transfer. [16150]

Mr. Rooker: The issue of compensation for farmers of certified organic crops affected by actions on neighbouring farms is a civil matter to be pursued between those concerned.

Hill Livestock Compensatory Allowance

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food when he expects to announce the outcome of his consideration of the rates for Hill Livestock Compensatory Allowance in 1998. [16377]

Dr. John Cunningham: I expect to make an announcement within the next month.

Departmental Relocation

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what is his current estimate of the costs involved in moving his Ministry's offices from Whitehall Place to Nobel House. [16388]

Dr. John Cunningham: The latest estimate of the costs involved in moving my offices, and those of officials, from Whitehall Place to Nobel House remains at £120,000.

Quarantine

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food when he expects to publish his conclusions on the quarantine [illegible] [16381]

Dr. John Cunningham: I have asked Professor Kennedy, Professor of Health Law, Ethics and Public Policy at University College, London to carry out an assessment of alternatives to quarantine and of the current policy of quarantine. The assessment will consider the risk of introduction of rabies into the United Kingdom, the practical aspects of enforcement and the costs and benefits involved. The assessment will take several months. I will publish Professor Kennedy's report, and will thereafter hold a full public consultation.

WALES

Military, Security and Police Equipment Sales

Ann Clwyd: To ask the Secretary of State for Wales (1) what discussions he has had with the Welsh Development Agency about the Government's policy on the sale and supply of military, security and police equipment to oppressive regimes; and if he will place the minutes of the meeting in the Library; [15750]

(2) what *(a)* instructions and *(b)* policy guidelines he has issued to the Welsh Development Agency about the Government's policy on the sale and supply of military, security and police equipment to oppressive regimes; and if he will place copies of them in the Library. [15754]

Mr. Hain: Neither my right hon. Friend nor I have had any discussions with the Welsh Development Agency on this matter, but Welsh Office officials have written to the Agency to ensure that they are aware of the Government's policy announced by my right hon. Friend the Foreign Secretary which requires defence exporters to take account of ethical considerations. A copy of that letter has been placed in the Library.

National Health Service

Mr. Barry Jones: To ask the Secretary of State for Wales when he expects to announce the new configuration of NHS trusts; and if he will make a statement. [16101]

Mr. Win Griffiths: Our plan is to consult formally on a new shape of trusts in Wales over the summer of 1998. I hope to be able to make an announcement early in October 1998.

Mr. Barry Jones: To ask the Secretary of State for Wales how much extra money he has announced for the NHS since 2 May; and if he will make a statement. [16103]

Mr. Win Griffiths: I recently announced an additional £9,548 million for health authorities this year to alleviate pressures on emergency admissions and hospital waiting lists. This is in addition to the package of measures for primary care which I announced in the summer for which I have set aside £2.5 million and funding of £1.747 million to improve cancer services. We have also earmarked an additional £60.2 million for the NHS in 1988–99.

Schools Budget

Mr. Laurence Robertson: To ask the Secretary of State for Wales if he will list for each local education authority in Wales for each of the three recent years *(a)* the actual expenditure on service strategy and regulation, *(b)* the actual expenditure within the general schools budget on education, management and administration, *(c)* the outturn expenditure within the general schools budget, *(d)* the outturn expenditure within the potential schools budget, *(e)* the outturn expenditure within the aggregate schools budget and *(f)* the number of pupils in the relevant year. [16095]

Mr. Hain: Information is available up to and including 1995–96. The details which relate to the former county councils are as follows:

Expenditure by Welsh LEAs

	SSR (£k)	*Admin (£k)*	*GSB (£k)*	*PSB (k)*	*ASB (k)*	*Pupil Number*
1993–94						
Clwyd	352	1,725	135,373	111,116	95,906	62,008
Dyfed	*	1,529	139,792	114,048	96,363	56,369
Gwent	555	1,734	169,795	140,482	119,164	72,445
Gwynedd	390	682	86,131	70,727	60,520	35,059
Mid Glamorgan	696	2,447	220,211	183,546	158,243	96,181
Powys	*	0	42,332	36,313	33,411	18,725
South Glamorgan	63	1,286	132,463	111,343	97,503	65,041
West Glamorgan	1,303	1,570	130,449	110,561	92,267	58,368
Wales Total	3,359	10,973	1,056,546	878,136	753,377	464,196
1994–95						
Clwyd	359	1,262	145,458	118,145	99,312	62,878
Dyfed	*	1,301	148,092	120,145	101,431	56,889
Gwent	642	2,000	176,436	145,710	123,273	73,706
Gwynedd	400	695	90,206	74,613	65,455	35,533
Mid Glamorgan	696	554	234,886	192,712	169,859	97,166
Powys	352	54	52,609	39,326	35,161	19,112
South Glamorgan	57	1,232	146,848	120,456	105,131	65,544
West Glamorgan	1,962	1,552	145,961	119,690	103,545	58,848
Wales Total	4,468	8,650	1,140,496	930,797	803,167	469,676
1995–96						
Clwyd	366	1,116	153,770	121,636	103,150	63,246
Dyfed	*	1,139	152,134	123,267	104,514	56,988
Gwent	1,031	1,711	244,161	198,025	174,638	74,416

Expenditure by Welsh LEAs

	SSR (£k)	Admin (£k)	GSB (£k)	PSB (k)	ASB (k)	Pupil Number
Mid Glamorgan	696	175	153,661	126,924	109,912	97,653
Powys	1,758	56	54,935	41,177	36,350	19,586
South Glamorgan	78	1,553	157,600	126,681	109,669	66,306
West Glamorgan	2,007	619	142,456	124,132	109,766	58,792
Wales Total	6,336	7,100	1,152,023	939,131	815,488	473,009

Notes:
SSR = Gross expenditure on service strategy and regulation (source (RO1 returns).
— * SSR figures for Dyfed and Powys (1993–94 only) are not separately available.
Admin = Actual expenditure on management and administration in education department.
—Powys figures are admin costs for special schools only—funding is delegated to primary and secondary schools.

GSB = General schools budget)
PSB = Potential schools budget)
ASB = Aggregated schools budget)
} Source: section 42 out-turn statements.

Pupil Number = Number of full-time equivalent pupils on roll in primary, secondary and special schools in January.

Hill Livestock Compensatory Allowances

Mr. Jack: To ask the Secretary of State for Wales (1) what representations he has made about the projected incomes for 1997–98 for Welsh hill farms to other Government Ministers; and if he will make a statement; [16382]

(2) if he will make a statement on the reasons underlying his support for applying the 1996 levels of hill livestock compensatory allowance in 1998. [16383]

Mr. Win Griffiths: The Government are in the process of deciding the HLCA rates for 1998. My right hon. Friend and I met both Welsh farming unions recently and heard their concerns about hill farming in Wales. I share much of that concern, as I made clear in my speech in the House on 5 November.

It is also important not to raise false expectations. The Government have indicated that they intend to live within public expenditure targets set by the previous Government. That Government provided an extra £60 million for HLCAs in 1997 only.

NORTHERN IRELAND

Health and Social Services

Mr. McGrady: To ask the Secretary of State for Northern Ireland what reference was made to *(a)* the Robson statistics on deprivation and *(b)* geographical rural isolation in the formulation of the capitation system of funding for health and social services boards. [15050]

Mr. Worthington: The Robson statistics on deprivation are not suitable for use in the capitation system of funding health and social services boards as they do not enable finance to be allocated in proportion to the need for health and social care. This is because differences in Robson statistics are not proportionate to differences in deprivation. For example, an area with a Robson score twice that of another area may not necessarily be twice as deprived. In addition, Robson is not the most focused measure of health and social care need. It is a very broad measure of general deprivation, combining a large number of indicators from areas such as environment and education as well as health and social care.

The Capitation Formula Review Group has recommended continued use of the existing rurality adjustment while specifically commissioned research in this area is completed.

Greenhouse Gas Emissions

Mr. Stunell: To ask the Secretary of State for Northern Ireland if she will list *(a)* her Department's policies and initiatives designed to reduce carbon dioxide emissions and *(b)* the departmental policies and initiatives designed to reduce other greenhouse gases; if she will estimate for each the annual reduction in tonnage of greenhouse gas emissions achieved in the most recent year for which figures are available compared with those for 1990; and what estimate she has made of further reductions, or increases, predicted for 2000 and 2010, assuming continuation of current policies. [15540]

Mr. Paul Murphy: I refer the hon. Member to the United Kingdom's Second Report under the UN Framework Convention in Climate Change which was published in February 1997. It reports the UK's progress in implementing its programme for reducing greenhouse gas emissions and gives a projection of what the programme is expected to deliver by 2000. The report projects forward what the current programme is expected to achieve to 2020.

Chiropody and Podiatry

Angela Smith: To ask the Secretary of State for Northern Ireland if she will list those health authorities which have notified her Department of *(a)* reductions or increases in chiropody services in 1996–97 relative to 1995–96 and *(b)* planned reductions or increases in chiropody services in 1998–99. [15377]

Mr. Worthington: Health and Social Services Boards and Trusts are not required to notify the Department of reductions or increases in particular services. It is for Boards and Trusts to assess the needs of their populations in respect of health and personal social services, including chiropody services, and to provide services accordingly in the light of available resources and local priorities.

Angela Smith: To ask the Secretary of State for Northern Ireland what were the total numbers of *(a)* face to face contacts and *(b)* initial contacts, with chiropody and podiatry staff for (i) 1996–97, (ii) 1995–96 and (iii) 1994–95.

Mr. Worthington: The total number of contacts with Chiropody/Podiatry staff in Northern Ireland is shown in the following table. Information on initial contacts is not separately available.

Year	*Total contacts*
1994–95	262,350
1995–96	297,612
1996–97	312,684

Angela Smith: To ask the Secretary of State for Northern Ireland if she will make a statement on the guidelines that are issued and health needs assessments that health authorities undertake to ensure the availability of chiropody and podiatry services to meet the needs of their local populations. [15367]

Mr. Worthington: It is a matter for Health and Social Services Boards and Trusts to carry out appropriate needs assessments of their local populations, including their need for chiropody services. In seeking to meet that need they have to take into account the total resources available to them, but Boards and Trusts have been asked to give priority to elderly people, those with disabilities, expectant mothers, schoolchildren and people with diabetes.

Angela Smith: To ask the Secretary of State for Northern Ireland what was the NHS expenditure on NHS chiropody and podiatry in *(a)* 1996–97, *(b)* 1995–96 and *(c)* 1994–95. [15376]

Mr. Worthington: This information is not available in the exact form requested. The following table discloses expenditure on chiropody and podiatry by the Northern Ireland Health and Personal Social Services Boards for 1994–95 and 1995–96. The expenditure on chiropody and podiatry for 1996–97 is not yet available.

This information has been extracted from supplementary statements produced by HPSS Boards and HSS Trusts to provide further analysis of the expenditure disclosed in their annual financial accounts. The format of these statements was revised in 1995–96. Prior to this the information requested was not separately identified on the financial returns and is therefore not available for every HSS Trust/HPSS board.

Chiropody and podiatry expenditure for Northern Ireland 1994–95 to 1995–96

Year	*Chiropody and podiatry £*
1994–95	3,297,279
1995–96	3,569,148
1996–97	Not available

1. The information for 1994–95 was provided by the Health and Social Services Trusts and Health and Social Services Boards' Directly Managed Units with the exception of North Down and Ards Trust who are unable to provide the information.
2. The information for 1995–96 has been extracted from the analysis of expenditure reported in the Financial Return Statements (FR22) for the Health and Social Services Trusts and Health and Social Services Boards' Directly Managed Units.

Angela Smith: To ask the Secretary of State for Northern Ireland if she will list the budget for each health authority or health board allocated for spending on chiropody and podiatry services in *(a)* 1997–98, *(b)* 1996–97 and *(c)* 1995–96. [15375]

Mr. Worthington: Health and Social Services Boards' general allocations are not hypothecated and it is for individual Boards and general practitioner fundholders to use their funds to best meet the health needs of their local regulations. Spending on specific services can only be determined accurately in retrospect once a Board and Health and Social Security Trust accounts have been completed.

Angela Smith: To ask the Secretary of State for Northern Ireland what are the staffing and personnel figures by all NHS grades and whole-time equivalent staff for chiropody and podiatry for the years *(a)* 1996–97, *(b)* 1995–96 and *(c)* 1994–95. [15368]

Mr. Worthington: The information requested is set out in the table.

Chiropody staff in Northern Ireland at September

	1994		*1995*		*1996*	
	Headcount	*WTE*	*Headcount*	*WTE*	*Headcount*	*WTE*
Unit Senior Manager 11	1	1.00	1	1.00	0	0.00
Technical Instructor 3	0	0.00	1	1.00	1	1.00
Area Chiropodist Chf 2	2	2.00	1	1.00	1	1.00
Chief Chiropodist 2	3	3.00	3	3.00	2	2.00
Chief Chiropodist 3	10	10.000	12	12.00	8	7.93
Chief Chiropodist 4	3	3.00	6	6.00	5	5.00
Senior Chiropodist 1	32	30.06	29	26.08	28	24.61
Senior Chiropodist 2	87	76.69	95	84.23	98	86.41
Chiropodist	2	2.00	3	3.00	7	7.00
Foot Care Assistant	2	2.00	6	5.01	5	5.00
Total	142	129.75	157	142.32	155	139.95

Irish Language

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland which schools teaching in the medium of the Irish language *(a)* are and *(b)* are not under the management of the Council for Catholic Maintained

Mr. Worthington: No schools are managed by the Council for Catholic Maintained Schools. Eight grant-aided Irish-medium schools are managed by Boards of Governors and five registered independent Irish-medium schools are managed by their proprietors. In addition there is one Irish-medium unit in a maintained

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what steps she is taking to ensure that Irish-medium teacher training courses are not located in venues associated with only one religious denomination. [15614]

Mr. Worthington: There are no plans to use other venues as the one grant-aided provider of Irish-medium teacher training for those intending to teach in Irish-medium schools is sufficient to meet needs.

EDUCATION AND EMPLOYMENT

"Excellence in Schools"

Mr. Don Foster: To ask the Secretary of State for Education and Employment how many of the responses not submitted on the tear-off slips to the White Paper, "Excellence in schools", came from *(a)* representative organisations, *(b)* local education authorities, *(c)* LEA-maintained schools, *(d)* grant-maintained schools and *(e)* individuals. [16375]

Mr. Byers: We received over 8,000 responses to the White Paper of which some 3,500 were written responses to the full version. The remainder were a combination of tear-off slips and other forms of communication.

Of the 3,500, 138 were from Local Education Authorities and about 600, 2,100 and 700 came from representative organisations, schools and individuals respectively. A breakdown between grant-maintained and LEA-maintained schools is not currently available.

Most responses addressed issues from more than one chapter and many ranged beyond the specific questions posed. There was broad support for the contents of the White Paper.

We continue to consider all the responses in detail.

Mr. Don Foster: To ask the Secretary of State for Education and Employment (1) how many local education authorities, commenting on Chapter 7 of the White Paper "Excellence in schools", expressed *(a)* support for and *(b)* opposition to the proposed framework of community, aided and foundation schools; and in each case, how many (i) were and (ii) were not Labour controlled; [16053]

(2) how many responses to the White Paper, "Excellence in schools", expressed *(a)* support for and *(b)* opposition to the proposed framework of community, aided and foundation schools; [16374]

Mr. Byers *[holding answer 14 November 1997]:* The White Paper "Excellence in schools", published in July, has received widespread support from national organisations, LEAs, schools and others. Some 140 local education authorities have commented on Chapter 7 and/or the Technical Consultation Paper on the new framework for schools. Of these, around 30 per cent. either expressed support for the basic framework of community, foundation and aided schools or took it as their starting point, of which around half are Labour-controlled authorities. Some 70 per cent. of LEAs raised concerns about the foundation school category, of

We are currently considering all the responses in detail. The analysis to date indicates that, of some 1,500 responses to the Technical Consultation Paper (in addition to those from LEAs) the great majority did not comment explicitly on the framework. Of the some 300 responses which did comment, some 70 per cent. were content with the proposed foundation category for schools.

Arts Education Task Force

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment if he will assess the benefits of establishing an Arts Education Task Force. [15186]

Ms Estelle Morris: We recognise the benefits that a good aesthetic education can bring to any child's learning and believe all children should be given opportunities to experience the arts as part of a broad and balanced curriculum. However, we are working closely with the Department for Culture, Media and Sport to make sure that the benefits that Arts can bring to education are recognised.

Higher Education

Mr. Ian Bruce: To ask the Secretary of State for Education and Employment if he will estimate how many and what proportion of the total number of students studying in higher education expect their post-18 education to last *(a)* one year, *(b)* two years, *(c)* three years, *(d)* four years, *(e)* five years, *(f)* six years, *(g)* seven years and *(h)* more than eight years. [16431]

Dr. Howells: The available information, which shows the expected course length of students currently enrolled on higher education courses, is given in the following table. The information covers the current course of students only; it does not cover previous or future courses which students have undertaken or intend to undertake.

Home and overseas higher educations students in higher education institutions in the UK

1996–97

Expected length of course	*Postgraduates* *Numbers*	*Percentage*[1]	*Undergraduates* *Numbers*	*Percentage*[1]
Full-time				
1 year or less	76,892	56.8	27,552	2.9
More than 1 year, up to 2 years	20,717	15.3	54,625	5.7
More than 2 years, up to 3 years	29,022	21.4	544,290	56.4
More than 3 years, up to 4 years	6,039	4.5	301,862	31.3
More than 4 years, up to 5 years	1,371	1.0	33,578	3.5
More than 5 years, up to 6 years	421	0.3	2,927	0.3
More than six years	995	0.7	73	0.0
Unknown[2]	2,766	—	22,840	—
Total	138,223	—	987,747	—
Part-time				
1 year or less	39,303	22.5	43,657	24.0
More than 1 year, up to 2 years	60,151	34.5	41,784	23.0
More than 2 years, up to 3 years	40,830	23.4	25,802	14.2
More than 3 years, up to 4 years	13,320	7.6	20,869	11.5

Home and overseas higher educations students in higher education institutions in the UK

1996–97

Expected length of course	*Postgraduates* *Numbers*	*Percentage*[1]	*Undergraduates* *Numbers*	*Percentage*[1]
More than 5 years, up to 6 years	6,931	4.0	16,285	9.0
More than 6 years	2,583	1.5	3,515	1.9
Unknown[2]	39,443	—	176,888	—
Total	213,856	—	358,456	—

[1] Based on courses with known length.
[2] Including courses where there is not a defined normal length for the study programme.

Music Teaching

Mr. Llew Smith: To ask the Secretary of State for Education and Employment (1) if he will increase the level of funding available to promote the teaching of music in schools; [14720]

(2) what is the total projected amount of funding for the teaching of music in schools for the current financial year; [14722]

(3) what was the total annual funding for the teaching of music in schools for each of the last 10 years. [14723]

Ms Estelle Morris: The Department does not provide funding to schools for specific subjects of the National Curriculum. Under Local Management of Schools, it is for LEAs and governing bodies of schools to decide what proportion of their total budget to spend on music provision.

Mr. Vaz: To ask the Secretary of State for Education and Employment what plans he has to promote music teaching in schools. [14984]

Ms Estelle Morris: The Department continues to promote music teaching in schools through the provision that is available as part of the National Curriculum for all children aged five to 14 in maintained schools. My right hon. Friend the Secretary of State for Culture, Media and Sport is also exploring ways of promoting musical instrument teaching for school pupils in addition to the National Curriculum requirements.

European Dimension

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what steps he is taking to give greater emphasis to the European dimension in education. [15185]

Ms Estelle Morris: European matters already have considerable coverage in the National Curriculum for schools, mainly through the mandatory study requirements for geography, history and modern foreign languages. To reinforce those and to celebrate the forthcoming United Kingdom Presidency of the European Union we are producing, with the professional help of the Qualifications and Curriculum Authority and the Central Bureau for Educational Visits and Exchanges, a curriculum pack for schools. It will be entitled "Partners in Europe", and it will emphasise the importance of building a European dimension in the curriculum. We plan to publish the pack in December so that it will be available to schools in January for the start of the Spring term.

Positive Discrimination

Mrs. Gillan: To ask the Secretary of State for Education and Employment if he will make a statement on the impact on employees of the recent European Court of Justice ruling to permit positive discrimination in favour of women. [16418]

Mr. Andrew Smith: The judgment does not require an amendment to the Sex Discrimination Act 1975. It would therefore be inappropriate to make a statement.

Mrs. Gillan: To ask the Secretary of State for Education and Employment what guidance he will issue to employers on the recruitment and employment of women following the European Court of Justice's ruling on positive discrimination in favour of women. [16415]

Mr. Andrew Smith: We have no current plans to issue guidance.

Mrs. Gillan: To ask the Secretary of State for Education and Employment what discussions he has held with *(a)* the Minister for Women and *(b)* the European Union Social Commissioner on the European Court of Justice's ruling relating to positive discrimination in favour of women. [16416]

Mr. Andrew Smith: I have held no such discussions.

Mrs. Gillan: To ask the Secretary of State for Education and Employment what plans he has to amend United Kingdom sex discrimination legislation to permit positive discrimination in favour of women following the recent European Court of Justice ruling. [16414]

Mr. Andrew Smith: The issues raised by the judgment in the case of Marschall *v.* Land NordRhein Westfalen are complex. The implications are still being considered. The European Court of Justice's judgment does not require an amendment to be made to the Sex Discrimination Act 1975, because Article 2(4) of the Equal Treatment Directive (under which the judgment is made) operates as a derogation from the equal treatment principle. It permits Member States to have positive discrimination provisions in certain limited circumstances it does not require them to have such provisions.

Teachers' Pay

Mr. Ian Bruce: To ask the Secretary of State for Education and Employment if he will make a statement on the basic starting salary for a newly graduated teacher *(a)* inside and *(b)* outside London; and if he will list the average earnings of teachers (i) inside and (ii) outside London in relation to length of service (1) in cash terms and (2) as a proportion of average earnings. [16430]

Mr. Byers: The basic starting salary at 1 April 1997 for a newly qualified teacher with a good honours degree in inner London was £16,341; in outer London it was £15,636; in the London fringe area it was £14,805; and outside London it was £14,280.

The average earnings of full-time teachers (including

secondary and special sector at 31 March 1996 by five-year intervals of length of experience were, in cash terms:

Length of service (years)	*Greater London* £	*England and Wales excluding Greater London* £
0 : 1	16,200	14,300
5 : 6	22,500	19,600
10 : 11	25,100	22,100
15 : 16	26,100	22,900
20 : 21	26,900	23,900
25 : 26	28,200	25,100
30 : 31	29,200	26,600
Over 31	30,200	27,800

Average full-time teacher salary as a percentage of average full-time earnings for all employees:

Percentage

Length of service (years)	*Greater London*	*England and Wales excluding Greater London*
0 : 1	68	82
5 : 6	95	113
10 : 11	106	128
15 : 16	110	132
20 : 21	114	138
25 : 26	119	145
30 : 31	123	154
Over 31	127	161

Greater London figures are the percentage of the average Greater London earnings for April 1996. England and Wales excluding Greater London figures are the percentage of the average England and Wales excluding Greater London earnings for April 1996.

Welfare to Work

Mr. Brady: To ask the Secretary of State for Education and Employment how the benefits of those aged under 25 years who are unemployed and who refuse to take up any of the options offered by the Welfare-to-Work scheme will be affected. [14655]

Mr. Andrew Smith: Young people who without good cause refuse a New Deal place will lose their Jobseeker's Allowance for two weeks. Every time they refuse a further offer in the following 12 months they will lose JSA for four weeks.

Oxford and Cambridge Universities

Mr. Jenkins: To ask the Secretary of State for Education and Employment what criteria for Higher Education Funding Council is using to evaluate value for money from college fees in its review of the funding of Oxford and Cambridge universities. [16364]

Dr. Howells: We have not yet received the Funding Council's advice on the mechanisms for setting future funding for universities and colleges at Oxford and Cambridge. It is for the Council to decide what criteria to use in formulating its advice.

Universities

Mr. Jenkins: To ask the Secretary of State for Education and Employment what measures the Government *(a)* have taken and *(b)* are planning to take, to ensure that universities are responsive to the needs of

Dr. Howells: The Government are encouraging and will encourage universities to meet the needs of employers and others in their communities in a number of ways.

We are continuing the Higher Education and Employment Development Programme, which exists to improve responsiveness to the labour market at a national level and to enhance the ability of employers to use the skills and knowledge that graduates bring. The Programme has a budget of £8 million over the next two years, during which we expect to support some 60 projects.

The Higher Education Regional Development Fund came into operation this year. This initiative aims to engage higher education systemically in supporting competitiveness and economic growth at a regional level through close partnerships with employers and employer-led organisations. The 1997–98 budget of £2.7 million is supporting 58 projects. Although funding is due to end in April 1998, the Government are considering a recommendation from the National Committee of Inquiry into Higher Education—the Dearing Committee—to extend it.

My Department is also supporting four feasibility studies on the development of graduate apprenticeships. These will explore the potential for creating opportunities for undergraduates and postgraduates that combine academic study with work-based learning.

For the future, the Government are considering their response to the many other recommendations of the Dearing Committee intended to increase higher education's responsiveness to the needs of its non-academic stakeholders. We will announce our decisions soon.

University Degrees

Mr. Forth: To ask the Secretary of State for Education and Employment what percentage of university degrees awarded were first class honours in *(a)* 1967, *(b)* 1977, *(c)* 1987 and *(d)* the latest year for which figures are available. [15316]

Dr. Howells: The available data are given in the table.

First degree graduates[1] in the United Kingdom who were awarded first class honours

Year	*Percentage awarded first class honours*
1967	[2]6.7
1977	[3]5.8
1987	[3]6.1
1996	[4]7.0

[1] Excluding the Open University.
[2] Former University Funding Council institutions only.
[3] All higher and further education institutions.
[4] All higher education institutions.

Standards in Public Life

Mr. Jenkins: To ask the Secretary of State for Education and Employment

take account of recommendations contained in the Second Report of the Committee on Standards in Public Life (Cm. 3270). [16362]

Dr. Howells: A summary of the actions taken so far on the Second Report by the Department, its funding and regulating bodies, and by local public spending bodies is contained in Appendices 2 and 9 of the Fourth Report of the Committee on Standards in Public Life "Review of the Standards of Conduct in Executive NDPBs, NHS Trusts and Local Public Spending Bodies".

The Department is considering the observations made in paragraphs 12–14 of the Fourth Report and where further steps can be taken to improve its openness and accountability and that of its executive NDPBs, including funding and regulating bodies, of its local public spending bodies and of its public bodies generally. It will also be reflecting on the Cabinet Office consultation paper, issued this month, entitled "Opening Up Quangos".

HOME DEPARTMENT

Tagging Orders (Norfolk)

Dr. Gibson: To ask the Secretary of State for the Home Department how many tagging orders *(a)* have been issued and *(b)* are currently in operation in Norfolk. [15760]

Ms Quin: On 12 November 1997, a total of 186 curfew orders, enforced by electronic monitoring, had been imposed by the courts, of which 50 were still in force.

Probation Officers

Mr. Llwyd: To ask the Secretary of State for the Home Department how many full-time probation officers there were in Wales in each year since 1985; and if he will make a statement. [15729]

Ms Quin: The number of full-time probation officers (Wales: 31 December) is as follows:

1987: 322
1988: 324
1989: 332
1990: 339
1991: 359
1992: 357
1993: 366
1994: 371
1995: 354
1996: 357.

The numbers include probation officers seconded to work in prisons.

Prisons

Mr. Llwyd: To ask the Secretary of State for the Home Department how many new prisons are under construction; and if he will make a statement. [15744]

Ms Quin: One: Her Majesty's Prison Lowdham Grange in Nottinghamshire. Construction at Her Majesty's Prison Parc, Bridgend, South Wales, which is due to open on 17 November, is scheduled to be completed on 21 November. Construction at Her Majesty's Prison Altcourse, Fazakerley, Merseyside is scheduled to be formally certified as completed on 14 November.

Border Controls

Mr. Mitchell: To ask the Secretary of State for the Home Department if, pursuant to his answer of 29 October, *Official Report*, column 823, concerning border controls, what powers he will possess on activation of the Protocol of the Amsterdam treaty in respect of *(a)* citizens of the European Union and *(b)* nationals of member states of the European Economic Area, additional to verification of identity by personal travel documents. [15289]

Ms Quin: Powers for immigration officers to examine identity documents of passengers arriving in the United Kingdom are contained in Schedule 2 to the Immigration Act 1971. Schedule 2 applies to the examination of European Economic Area (EEA) nationals in accordance with Article 20(2)(e) of the Immigration (European Economic Area) Order 1994. Article 3 of that Order provides that (subject to article 15(1) of the Order) an EEA national will be admitted to the United Kingdom on production, on arrival, of a valid national identity card or passport issued by another EEA State and, if required, proof that he is the family member of an EEA national. "EEA nationals" includes all nationals of the European Economic Area, including European Community nationals, except British citizens. No new powers are conferred by the Protocol, which instead confirms the United Kingdom's (and Ireland's) rights to conduct checks on persons at the internal frontiers of the European Union.

Asylum Seekers

Mr. Soames: To ask the Secretary of State for the Home Department if he will set out the detailed procedures in place for processing asylum seekers on their arrival at United Kingdom ports of entry. [15085]

Mr. Mike O'Brien: The procedures in place at ports of entry are designed to meet the United Kingdom's obligations under the 1951 United Nations Convention relating to the Status of Refugees while minimising the scope for abuse of the asylum process. These procedures allow for the prompt identification of asylum seekers; information to be provided about the asylum process and the agencies that can offer assistance; and the asylum claim to be forwarded to the Asylum Directorate of the Home Office at the earliest opportunity.

All procedures are kept under review and revised as necessary. More generally, a study of all aspects of the asylum process across Government is currently being carried out.

Sex Offenders

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what plans he has to allocate additional resources to treatment programmes for sex offenders, with special reference to offenders who are on short sentences and are released from prison without

Ms Quin *[holding answer 13 November 1997]:* The Prison Service has made available in the current financial year an additional £1 million in support of offending behaviour programmes, including sex offender treatment programmes.

There are no plans at present to devote additional Prison Service resources to programmes aimed at sex offenders sentenced to short terms of imprisonment because they would not be in prison for long enough after sentencing for them to complete a meaningful programme.

The Government intend to include provisions in the Crime and Disorder Bill to give the courts power to impose extended periods of post-release supervision on sex-offenders, including those who receive sentences of 12 months or less. The Government acknowledge that these proposals will have resource implications for probation services.

E-Mail

Mr. Jenkin: To ask the Secretary of State for the Home Department, pursuant to the Answer of 10 November from the Chancellor of the Duchy of Lancaster, *Official Report*, column *441*, if he will list the e-mail addresses of *(a)* Ministers, *(b)* senior officials and *(c)* chief executives of agencies for which he is responsible. [15878]

Mr. Straw *[holding answer 13 November 1997]:* No Minister in my Department at present has an e-mail address.

Correspondence sent to the Home Office e-mail address, ho.gen@gtnet.gov.uk, is forward to the appropriate senior officials as necessary. Links to the e-mail addresses of the Research and Statistics Directorate and the Police Research Group are provided from the appropriate areas of the Home Office web site, www.homeoffice.gov.uk, and messages can be marked for the attention of senior officials.

Chief executives of agencies for which my Department is responsible do not have individual e-mail addresses. However, appropriately headed messages sent to the Fire Service College, moreton@campus.bt.com, will be forwarded to the chief executive, and a feedback form on the Forensic Science Service website, www.fss.org.uk, can also be addressed to the chief executive.

Prisons (Healthcare Managers)

Helen Jones: To ask the Secretary of State for the Home Department what steps he intends to take to ensure that all prisons have a healthcare manager, following the report of HM Chief Inspector of Prisons in 1994; and if he will make a statement. [16368]

Ms Quin: Figures for 1996–97 indicate that health care managers have been appointed in at least 122 Prison Service establishments. Governors are not obliged to follow any particular model in setting up their management teams. However, the issue of health care managers, among others, will be examined by a joint Prison Service/Department of Health Working Group which has been set up in response to the 1996 Report by Her Majesty's Chief Inspector of Prisons "Patient or Prisoner?", to look at the whole question of the future

Telephone Tapping

Mr. Baker: To ask the Secretary of State for the Home Department what procedures are required to be complied with before *(a)* the police and *(b)* M15 can gain access to information generated within the System X telephone system in respect of call origin and destination related information. [15710]

Mr. Straw: Section 45 of the Telecommunications Act 1984, as amended by the Interception of Communications Act 1985, provides that public telecommunications operators commit an offence if they disclose any information concerning the use made of their telecommunications services by any other person except where disclosures are made for the prevention or detection of crime, for the purposes of any criminal proceedings, in the interests of national security or in pursuance of the order of a court. It is for the individual operator to satisfy himself that one or more of those exceptions apply before releasing any such information at the request of the police or the Security Service.

Mr. Baker: To ask the Secretary of State for the Home Department if he will make unauthorised surveillance by electronic devices a criminal offence. [15695]

Mr. Michael: To introduce a general offence outlawing unauthorised surveillance by an electronic device would raise particular technical and definitional problems. Remedies are already available to take action against those who carry out surveillance which transgresses the current criminal law, for example if they commit theft or criminal damage, behave in a threatening or violent way or where there is harassment. Furthermore, the act of simple trespass is a civil tort.

There are also offences under the Interception of Communications Act 1985 and the Wireless Telegraphy Act 1967 to regulate the use of certain techniques and methods. On the other hand, there are legitimate uses of electronic surveillance by other than law enforcement agencies which are of benefit to society and the safety of the public. The use of closed circuit television in shopping centres, car parks, on housing estates and inside offices, banks, shops and public buildings is generally welcomed by the public and accepted as necessary for crime prevention.

The media would argue that cameras and other equipment are an essential component of investigative journalism and that any prohibition on their use would be a form of censorship. To regulate the use of all such equipment would create a massive administrative burden. Existing offences under the criminal and civil law already provide a degree of cover and redress for infringements of privacy by the use of electronic surveillance. Incorporation of the European Convention on Human Rights will also impact upon this issue.

Mr. Baker: To ask the Secretary of State for the Home Department on how many occasions since 1967 and for how long *(a)* Category 3 and *(b)* Category 2 phone numbers have been disconnected; at what locations; and for what reasons. [15778]

Mr. George Howarth: Category 3 disconnections have been made when the public telephone network has been severely damaged (storms, 1987 and 1990), heavily overloaded (Hungerford, 1987), or malfunctioning

telephone exchanges (Welford on Avon, Chadford, 1993). The action was taken by the telecommunications operator to ensure that essential users could use the network while restoration of service was being carried out.

Central Government have never invoked the authority to disconnect Category 2 phone numbers.

Mr. Baker: To ask the Secretary of State for the Home Department under what circumstances MI5 undertakes telephone tapping without first having obtained a warrant. [15718]

Mr. Straw: Under no circumstances are communications intercepted in the course of their transmission by means of a public telecommunications system by, or at the request of, the Security Service without the authority of a warrant.

Mr. Baker: To ask the Secretary of State for the Home Department what sum was paid out of public funds to British Telecom for each year since 1986 in respect of work carried out in telephone tapping services. [15726]

Mr. Straw: Interception of Communications is an important weapon in the fight against serious crime and threats to public safety. It has been the policy of successive governments not to disclose information which might assist criminals, terrorists and hostile foreign powers by revealing the extent of our capabilities in relation to interception.

Mr. Baker: To ask the Secretary of State for the Home Department how many of the warrants authorising telephone taps for each year since 1986 were still in force on 1 November. [15716]

Mr. Straw: The available information is published in the annual reports of the Commissioner appointed under the Interception of Communications Act 1985 which lists the number of warrants issued by the Home Secretary and the Secretary of State for Scotland in the course of each year, and the numbers of warrants in force at the end of each year. The information requested is not held centrally and could be provided only at disproportionate cost.

Mr. Baker: To ask the Secretary of State for the Home Department (1) if he will make a statement on the discussions and decisions regarding surveillance of telecommunications undertaken within the EU since 23 November 1996; [15682]

(2) what action has been taken since 23 November 1996 in respect of the provision of access for law enforcement agencies to *(a)* satellite-based communications and *(b)* other communications; and if he will make a statement. [15683]

Mr. Straw: On 23 November 1995, a Memorandum of Understanding concerning international user requirements for the lawful use of interception by law enforcement agencies was signed by all members of the European Union and Norway. A copy of the Memorandum was placed in the Library on 3 March 1997.

Separately from this, the United Kingdom is working with European Union member states on a draft Convention on Mutual Assistance in Criminal Matters between the member states of the European Union. This includes draft articles relating to the interception of satellite and terrestrial communications. The Convention is primarily designed to improve existing arrangements for co-operation between judicial authorities in European Union member states under the 1959 Council of Europe Convention on mutual legal assistance. On 28 October, the Government placed before the scrutiny committees of both Houses, and in the Library, copies of the latest draft of the Convention.

Prisons (HIV-AIDS)

Helen Jones: To ask the Secretary of State for the Home Department what steps he intends to take to ensure that all prison establishments have a multi-disciplinary management group dealing with HIV-AIDS; and if he will make a statement. [16369]

Ms Quin: It is Prison Service policy that every prison should have a multi-disciplinary AIDS Management Team. Teams from 125 establishments have so far attended centrally organised training courses as part of an ongoing programme. The content of the training has now been revised to include other communicable diseases such as Hepatitis B and C, and tuberculosis. The Prison Service recently appointed an outside agency to develop further and deliver the training programme, and every establishment has been invited to send a team.

Helen Jones: To ask the Secretary of State for the Home Department what proportion of prison establishments in England and Wales provide basic awareness training for prisoners in respect of HIV-Aids. [16370]

Ms Quin: All Prison Service establishments are expected to provide basic awareness training for prisoners in HIV as part of their induction programme (usually within the first week of their arrival). In addition, all establishments are expected to have at least two trained HIV counsellors to deal with any concerns inmates may have during their stay in prison.

MI5

Mr. Baker: To ask the Secretary of State for the Home Department (1) what are the mechanisms for authorising the vetting of an individual by MI5; [15713]

(2) how many persons were vetted by MI5 in the last year for which figures are available; [15714]

(3) if material collected by MI5 as part of vetting operations is always destroyed where those vetted are deemed not to be a security risk. [15715]

Mr. Straw: Security vetting is carried out in accordance with the policy set out by the then Prime Minister in reply to a Question from Sir Anthony Durant (then the Member for Reading, West) on 15 December 1994, *Official Report*, columns *764–66*. It is for Departments to assess which posts, by virtue of their assess to sensitive Government assets, should be subject to security vetting. Before any vetting is carried out, the individual is informed of the processes involved and gives his or her consent to the relevant checks being made.

As the policy makes clear, a check against Security Service records is a standard element of the vetting process. Apart from the checks made on individuals at the request of Departments, the Security Service is responsible only for the vetting of its own staff and contractors. Information obtained during the vetting process is retained for management purposes and to facilitate periodic vetting reviews.

It is not the Government's policy to provide details of the work of the Security Service, including the numbers of persons subject to vetting checks.

Prisons (Pharmacists)

Helen Jones: To ask the Secretary of State for the Home Department what proportion of prison establishments in England and Wales have a pharmacist employed on the premises. [16371]

Ms Quin: Thirty four Prison Service establishments have a resident pharmacist. These establishments generally act as pharmacy cluster centres, providing services to a further 67 prisons or Young Offender Institutions. Thirty one establishments obtain pharmacy drugs or services through a variety of arrangements with the private sector or the National Health Service.

Firearms Surrender (Compensation)

Mr. Blizzard: To ask the Secretary of State for the Home Department what is the proposed timescale for the payment of compensation for the surrender of firearms prohibited by the Firearms (Amendment) Act 1997 to those who surrendered guns before 30 September. [16367]

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department what has to date been the average period between the surrendering of firearms under the Firearms (Amendment) Act 1997 and the payment of compensation to the former owners of such firearms; to what factors he attributes delays in the making of payments; and what proposals he has to expedite the payment of such compensation. [15886]

Mr. Michael: Claims submitted under options A and B of the compensation scheme are being processed in 12 to 14 weeks. The more complicated option C claims will be processed when the bulk of these have been cleared.

More than 37,800 compensation claims and ex gratia applications under the small calibre pistol scheme have been received since 1 July, and the volume is such that some delays are inevitable. More than 14,200 payments have been made to a value of more than £17 million.

It has always been recognised that the pressure of claims received over a short hand-in period was bound to lead to processing delays, and claimants were advised that they may have to wait several weeks before receiving any payment. Despite that, an additional factor in delay is the burden of telephone enquiries about the progress of claims. A recent survey showed that the Home Office was receiving around 2,000 such calls a week.

As I promised in July, everything possible is being done to process claims in the shortest time possible. For instance, weekend overtime is being worked and staff have been temporarily promoted to boost examiner numbers. I wish to record my thanks to everyone who has contributed to the efforts to date including officials and the police officers involved.

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department how many firearms have so far been surrendered under the provisions of the Firearms (Amendment) Act 1997; and how many of those firearms have been *(a)* melted down, *(b)* otherwise destroyed, *(c)* sold in (i) the United Kingdom or (ii) overseas and *(d)* otherwise handled. [15885]

Mr. Michael: Further to my statement of 3 November, *Official Report*, column *56*, just over 142,000 handguns were surrendered to police forces during the three month period which ended on 30 September.

The vast majority of these firearms are being destroyed under local arrangements in each police force area once the claimant has received compensation from the Home Office Firearms Compensation Section. Some forces have begun destroying firearms where the related claim has already been met, though no central record of actual destructions is being kept. None of the surrendered firearms will be sold either within the United Kingdom or abroad. A small minority of firearms may be retained by police forces for training purposes, and some by museums for public display.

Exports Initiative

Mrs. Gillan: To ask the Secretary of State for the Home Department if he will list the companies which have benefited from the Home Office Exports Initiative. [16212]

Mr. Michael: During the period of the Exports Initiative, the Home Office Exports Promoter is known to have had dealings with the companies listed. The list is not exhaustive as not all contacts will have been recorded. The Exports Promoter also worked closely with the main trade associations in the policing and security sector who between them have over 500 member companies. It has proved difficult to show what actual export orders have resulted directly from the initiative. It is a matter for the companies concerned to assess what benefits they derived from the Initiative, but I am told that companies proved unwilling to tell officials at the Home Office whether any orders had resulted from trade events etc.

A1 Security and Electrical Ltd.
Aadver International
Adams Electronics
Agema Infrared Systems Ltd.
AIGIS Ltd.
Alexander Manufacturing (UK) Ltd.
Amcomm International Ltd.
AS and E
Aspley Identifying Solutions
Audiotel International Ltd.
Baxall Security Ltd.
Birmingham Gunmakers ltd.
Bleinheim Exhibitions
Bastion (North) Security Ltd.
Bramah Security
Broadcast and Surveillance Systems Ltd.
Camlock Systems PLC
Canford Audio
Cardkey Systems
CDR International
Chameleon Management Systems
Chubb PLC
Corps of Commissionaires Management Ltd.
CQR Security Components Ltd.
Duncan Advanced PLC
EEV Ltd.
Eurosat Distribution (Scotland) Ltd.
Expo Promotions
Foster and Freeman Ltd.
GB Information Management
Geografix Ltd.

Glover Webb Ltd
Grazeby Security
Group 4 Ltd.
Helmet Integrated Systems Ltd.
Hiatt and Company Ltd.
Horn Ltd.
Hourglass Publishing
ICL
IES
Imagebase Technology Ltd.
International Trade and Exhibitions Ltd.
Ion Track Instruments
Island Security Systems
Ivel Developments Ltd.
Jarvis Engineering and Technology Ltd.
K-Tech (UK) Ltd.
Keygrove Marketing Ltd.
Kinetic Group Ltd.
Labelex Exhibitions Ltd.
Latin American Trade and Investment Centre
Latin American Trade Advisory Group
Lightweight Body Armour Ltd.
Litton Data Systems
Martin Ison Associates Ltd.
Maxon Europe Ltd.
Mobile Radio Ltd.
Neal Recording Systems Ltd.
Notifier
NTL Radio Communications
Ogier Electronics
PAC International Ltd
PAFEC Ltd
Photon Security Services Ltd.
PJ Consultancy Services
Police Aviation Services
Probe FX (UK) Ltd
Public Access Terminals Ltd.
Pyronix Ltd.
Racal Acoustics Ltd.
Racal Messenger Ltd.
Racal Radio Ltd.
Racal Recorders
Racal-Comseq Ltd.
Rapiscan Security Products
Recall Ltd.
Redfern Consultancy
Remsdaq
RFR Marketing Ltd.
Rover Group
Scanna MSC Ltd.
SDA Consultants
Security Defence Technologies Ltd.
Selectamark Security Systems PLC
Sensor Electronics Ltd.
Sensormatic
Shepherd Surveillance Solutions
Simoco Telecommunication Ltd.
Sonic Communications (International) Ltd.
Symonds Group
Symonds Travers Morgan
Task International Ltd.
Texecom Ltd.
The Archer Group Ltd.
W. L. Gore and Associates (UK) Ltd.

EU Conventions

Mr. Mitchell: To ask the Secretary of State for the Home Department, pursuant to his answer of 1 July, *Official Report*, columns *74–76*, concerning the draft convention of the European Community concerning rules applying to the crossing of external common frontiers of the community, when the convention was published by the Commission; what consultation with member states took place prior to its publication; what steps have been taken by Her Majesty's Government to send copies of the draft convention to bodies or persons in the United Kingdom whose duties or obligations will be affected by its operation and requirements; if he will publish a white paper containing the changes which it will require in the existing powers available to the Government or Parliament; and what final powers the convention provides for the European Court. [15573]

Ms Quin: A revised draft External Frontiers Convention was presented to the Council by the Commission on 10 December 1993; a draft Convention had earlier been under consideration by member states of the European Union under the ad hoc arrangements for co-operation on immigration and asylum which preceded the coming into force of the Treaty on European Union (TEU).

The Government are not aware of any specific consultations on the Commission's proposals but it was based on the earlier text of the draft Convention subject to the changes brought about by the TEU. The Commission's proposal for a Convention was deposited in Parliament on 1 February 1994, together with an Explanatory Note; the draft Convention which preceded it was deposited in Parliament in July 1992. The Commission's proposal was published in the *Official Journal* on 15 January 1994 and is publicly available. The Government did not formally consult on the Convention but the Government's Explanatory Note set out the legal changes which implementation of the External Frontiers Convention would require. It would not be appropriate to publish any more detailed proposals in the absence of final agreement on the text. Jurisdiction for the European Court of Justice remains an unresolved matter.

The draft External Frontiers Convention has been blocked since 1991 because of Spain's objections to its application to Gibraltar, and no discussions of substance have taken place within the European Union since June 1996 during the Italian Presidency. However, arrangements have now been agreed allowing the Schengen countries to pass measures within the European Union framework relating to their external frontiers, while the United Kingdom and Ireland continue to operate the Common Travel Area. Given these changes, secured at the Amsterdam Summit, there is now little impetus behind the draft External Frontiers Convention.

Mr. Mitchell: To ask the Secretary of State for the Home Department, pursuant to his answer of 1 July, *Official Report*, columns *74–76*, in respect of the draft conventions of the European Community concerning (i) matrimonial matters, (ii) co-operation between customs administrations and (iii) information on asylum applicants *(a)* when each was published, *(b)* what steps he has taken to forward the proposals to interested bodies or persons, *(c)* what matters raised by Her Majesty's Government in respect of the earlier consultation have not been incorporated in the draft, *(d)* when the texts were placed before Parliament, *(e)* what procedures will take place in Parliament prior to ratification, *(f)* what major changes in the rights or obligations of United Kingdom citizens are implied by the drafts, *(g)* what powers will be vested in the European Court in either preliminary or final judgments or rulings and *(h)* what memoranda he will publish. [15570]

Ms Quin: The information requested is as follows:

(i) Draft Convention on Jurisdiction and Enforcement in Family Matters

This draft European Union Convention, on which my right hon. and learned Friend the Lord Chancellor has the policy lead, has not been published in the *Official Journal* but was submitted to the House of Lords Select Committee on the European Communities in May, together with an Explanatory Note. The Select Committee consulted a wide range of interested academic and professional individuals and organisations and published the evidence it collected in its report (HL Paper 19, printed on 22 July 1997). The matters raised in the memorandum submitted to the Select Committee by the Lord Chancellor's Department and the Scottish Court Administration are still under negotiation with other member states. The enactment of primary legislation will be needed before the Convention can be ratified.

The draft Convention has the following main purposes; first, to establish grounds of jurisdiction in relation to proceedings for divorce, nullity and judicial separation and orders relating to children made in those proceedings; secondly, to make provision relating to concurrent matrimonial procedings in different jurisdictions; and thirdly, to provide for the recognition and enforcement of the relevant decrees and orders. Whether, and, if so, to what extent, the European Court of Justice should be given jurisdiction in relation to the draft Convention is a matter which is still under consideration and negotiation with other member states. The Lord Chancellor's Department and the Scottish Courts Administration will publish a memorandum on the draft Convention before it is finally agreed; the timing of such publication with depend on the future progress of negotiations.

(ii) Draft Convention on mutual assistance and co-operation between customs authorities (Naples II)

The text of this draft European Union Convention is still under negotiation and has therefore not yet been published in the *Official Journal*. My right hon. Friend the Chancellor of the Exchequer has the policy lead and intends to deposit the latest text and an Explanatory Note with Parliament shortly. It will be for the scrutiny committees to decide whether to call for evidence from interested bodies or persons. The Government have been fully involved in negotiations concerned with the drafting of the convention and, where appropriate, have sought changes to the text.

If agreement is reached on the Convention, it will be tabled in Parliament in accordance with the Ponsonby rule for ratifying international agreements. The draft Convention does not provide for changes in the rights or obligations of United Kingdom citizens. The powers to be invested in the European Court of Justice in respect of the draft Convention are still under consideration.

(iii) Draft Convention regarding the establishment of the EURODAC system for the comparison of fingerprints of asylum applicants

The first version of this draft European Union Convention was brought forward by the Italian Presidency on 14 March 1996. The text, which remains the subject of negotiation under the Third Pillar of the Treaty of European Union, has not been published in the *Official Journal* but was deposited with Parliament on 6 June 1996, together with an Explanatory Note. The text has so far not been the subject of any wider consultation in the United Kingdom. The Luxembourg Presidency recently forwarded the draft convention to the European Parliament for an opinion.

If adopted by the Council, the draft Convention would be laid before Parliament in the usual way prior to ratification and Parliamentary approval sought for any necessary changes to existing legislation. The inclusion of provisions relating to the European Court of Justice has yet to be determined.

IRA Prisoners (Transfers)

Mr. McNamara: To ask the Secretary of State for the Home Department if he will indicate the time-frame within which the transfer of IRA prisoners to the Republic of Ireland, to which he has agreed in principle, will take place. [16475]

Ms Quin: Determination of repatriation requests requires detailed consideration by both the United Kingdom and the Republic of Ireland. Repatriation cannot take place until all parties, including the prisoner, have given their formal consent. It is not possible to specify how long this process may take in any individual case.

Prisoner Tariffs

Mr. McNamara: To ask the Secretary of State for the Home Department following the letter of 9 July from the Northern Ireland Office to Mr. Martin McGuinness, when he will announce the tariffs for *(a)* Joe O'Connell, *(b)* Harry Duggan, *(c)* Hugh Doherty and *(d)* Eddie Bolton. [16474]

Ms Quin: The four prisoners in question will be informed of decisions concerning their tariffs as soon as possible.

Fair Trade (Coffee and Tea)

Mr. MacShane: To ask the Secretary of State for the Home Department, pursuant to the oral Statement by the Secretary of State for International Development, *Official Report*, 5 November, column 332, if he will instruct officials to serve coffee and tea furnished by suppliers who adhere to fair trade standards in his Department. [15492]

Mr. Straw: I refer my hon. Friend to the answer which my right hon. Friend the Prime Minister gave on 13 November *Official Report*, column *617*. All procurement decisions in my Department are based on the Government's policy of value for money. However, we are making inquiries across the Office with regard to the implications of offering such "fair trade" products.

Telephone Preference Scheme

Mr. Baker: To ask the Secretary of State for the Home Department who has the authority to order the disconnection of Category 3 phone numbers under the Telephone Preference Scheme. [15777]

Mr. George Howarth: Central Government have the authority to order the disconnection of Category 3 phone numbers under the Telephone Preference Scheme in response to a situation affecting defence or national security.

Telecommunications operators can also disconnect Category 3 phone numbers to provide assured access to the public network for essential users in the event of a heavy overload or damage to the public network.

Mr. Baker: To ask the Secretary of State for the Home Department when the allocation of telephone numbers under Categories 1 to 3 of the Telephone Preference Scheme was last reviewed; and by whom. [15780]

Mr. George Howarth: The allocation of telephone numbers in the three categories was reviewed in 1996 by an Inter-departmental Working Party with representatives from the Home Office, Cabinet Office, Department of Trade and Industry, Ministry of Defence and Public Telecommunication Operators.

Mr. Baker: To ask the Secretary of State for the Home Department if he will list the companies and organisations in *(a)* Category 1 and *(b)* Category 2 under the Telephone Preference Scheme. [15779]

Mr. George Howarth: The Telephone Preference Scheme Category 1 applies to Central Government emergency services, local authorities, the military and the utilities, all of which have a key role in an emergency. Category 2 applies to all public call boxes and coin operated telephones. It is not possible to provide a full list within the two categories without incurring disproportionate cost.

TRADE AND INDUSTRY

Economic and Monetary Union

Mr. Cotter: To ask the President of the Board of Trade how many copies of the "EMU—Practical Guidelines for Business" (July 1997) have been circulated to date *(a)* in total and *(b)* to firms in the small business sector. [14728]

Mrs. Roche: About 50,000 copies of the booklet "EMU—Practical Information for Business", published by HM Treasury, have been distributed.

Small businesses have been targeted in the distribution of this booklet.

Fireworks

Mr. Goggins: To ask the President of the Board of Trade if she will publish the amount of Government expenditure on firework safety campaigns for each year since 1979. [15532]

Mr. Nigel Griffiths: The cost of fireworks safety campaigns between 1979 and 1983 cannot be produced without incurring disproportionate cost. The figures from 1984 are as follows:

	£000
1984	35
1985	40
1986	51
1987	78
1988	57
1989	64
1990	111
1991	74
1992	84
1993	160
1994	191
1995	185
1996	284
1997	[1]350

[1] Latest estimate.

Loan Guarantee Scheme

Mr. Geraint Davies: To ask the President of the Board of Trade what proportion of businesses applying for the DTI Loan Guarantee Scheme have been declared eligible during the last year for which figures are available. [15319]

Mrs. Roche: No figures relating to the proportion of applications declared eligible are available. All applications are made direct to lenders and no national records of approaches to lenders are kept.

Property Sales (Coal Mining Searches)

Ms Walley: To ask the President of the Board of Trade what sums were collected by the Coal Authority in respect of coal mining searches on property sales in each of the last three years; and in each year what these were as a percentage of the Authority's total income. [15733]

Mr. Battle: The following table shows the Coal Authority's turnover and operating surplus from the provision of coal mining reports and records for the past three financial years, and their relationship to the Authority's total turnover and operating surplus or deficit.

	Turnover			*Operating surplus/(deficit)*		
	Mining reports and records £ million	*Coal Authority £ million*	*Percentage*	*Mining reports and records £ million*	*Coal Authority £ million*	*Percentage*
1994–95	1.749	22.843	7.7	0.538	(3.566)	—
1995–96	4.796	74.834	6.4	1.518	27.187	5.6
1996–97	5.734	55.807	10.3	1.506	22.203	6.8

Note:
The figure for turnover from provision of mining reports and records includes reports provided in respect of house and land purchase, development proposals and infrastructure developments, and for access to geological and other records held by the Coal Authority. The Authority's mining records and reports service is required to cover its costs, and adjustments are made to the cost of the service to reflect this requirement. Following the computerisation of the reports service, fees for each mining report were reduced by 17.5 per cent. on 1 June 1997.
Source:
The Coal Authority Annual Report and Accounts, 1994–95, 1995–96 and 1996–97.

Coal

Caroline Flint: To ask the President of the Board of Trade what action she is taking to expand the markets for United Kingdom coal. [15674]

Mr. Battle: The Government believe that there is scope for expanding the European sales of United Kingdom coal which is by far the lowest cost production in Europe. To this end, the Government are vigorously urging the Commission to block the subsidies to German and

Spanish coal producers that create barriers to 1998 sales of United Kingdom steam coal, anthracite and manufactured smokeless fuels in the European Coal and Steel Community.

Other steps we have taken to encourage the continuation of markets for coal include:

Setting up a review of the Electricity Pool.

Encouraging the generators to offer their unwanted coal-powered stations for sale to RJB Mining or other coal producers.

Encouraging the regulator to prevent generators from passing on excessive costs under the early take-or-pay gas contracts to ensure that there is no uneven playing field.

Introducing the Fossil Fuel Levy Bill which will remove the advantage that nuclear and imported electricity from France currently enjoys.

We are also working hard to find ways to support clean coal technology.

Inward Investment

Mr. Redwood: To ask the President of the Board of Trade what is the United Kingdom maximum limit on the amount of grant that can be offered in an assisted area or development area. [15761]

Mrs. Beckett: The maximum grant ceiling in the UK is 75 per cent. of the discounted fixed capital costs for qualifying projects in areas designated under Article 92(3)a of the Treaty of the EC. This ceiling is currently applicable to the whole of Northern Ireland. The maximum grant in Development Areas under Article 92(3)c is 30 per cent.

Mr. Redwood: To ask the President of the Board of Trade what mechanisms have been created to avoid competitive bidding between United Kingdom regions to attract new investment. [15762]

Mrs. Beckett: All three operating departments have subscribed to internal rules designed to avoid bidding up. There are also procedures for central handling of major cases where appropriate—for example, if more than one site is being considered.

Mr. Redwood: To ask the President of the Board of Trade in what circumstances her Department *(a)* sees the papers, *(b)* influences decisions and *(c)* has a veto on inward investment packages offered by Wales and Scotland. [15820]

Mrs. Beckett: The territorial departments consult my Department on a range of matters, for example the market conditions in an industry, when relevant. The territorial departments will also consult my Department when more than one location is being considered because there are arrangements for a co-ordinating approach to dealing with the prospective inward investor. Decisions on inward investment packages offered by Scotland and Wales are matters for my right hon. Friends the Secretary of State for Scotland and the Secretary of State for Wales.

Mr. Redwood: To ask the President of the Board of Trade what guidelines she has issued to bring investment packages offered by Scotland and Wales into line with England. [15860]

Mrs. Beckett *[holding answer 13 November 1997]:* Regional Selective Assistance scheme grants operate to common guidelines applied across Great Britain. In Northern Ireland, grants are available under the Selective Financial Assistance scheme, which operates on similar principles. I am discussing with my colleagues how best to ensure common UK criteria when dealing with the full packages of support offered to inward investors.

Mr. Redwood: To ask the President of the Board of Trade if the Secretary of State for Scotland has to submit investment packages to her Department before he is able to confirm them. [15884]

Mrs. Beckett *[holding answer 13 November 1997]:* No.

Mr. Redwood: To ask the President of the Board of Trade what criteria she will apply to determine the size of grants for regional inward investment. [15882]

Mrs. Beckett *[holding answer 13 November 1997]:* Applications for Regional Selective Assistance (RSA) grant are received from both domestic and foreign companies of all sizes, and are assessed against the same strict criteria. Eligible projects must create new or safeguard existing employment in the Assisted Area, be viable and contribute to both the regional and national economy. The project must be additional; that it would not go ahead in the assisted area unless RSA grant is forthcoming. The amount of grant awarded is always judged to be the minimum necessary for the project to go ahead, and is related to the fixed capital costs of a project and on the number of jobs expected to be created or safeguarded.

Mr. Redwood: To ask the President of the Board of Trade if the Invest in Britain Bureau has the power to vet regional development body grants and investment packages. [15881]

Mrs. Beckett *[holding answer 13 November 1997]:* The Invest in Britain Bureau, which is jointly managed by the DTI and the FCO markets the UK abroad as an investment location and co-ordinates a regional delivery infrastructure, providing grant to 10 English Regional Development Organisations for an agreed programme of inward investment promotion activities. It does not have the power to vet Regional Selective Assistance packages since that is not its role but it works closely with Regional Assistance Directorate in the DTI, who are responsible for RSA policy.

Car Boot Sales

Mrs. Virginia Bottomley: To ask the President of the Board of Trade what assessment she has made of the impact of car boot sales on local businesses. [15690]

Mr. Nigel Griffiths: Car boot sales do not compete with other retail outlets, but I am aware that many people, particularly charities and voluntary organisations, benefit from them. Consideration of licensing of this activity is the responsibility of DETR.

Action 2000

Mrs. May: To ask the President of the Board of Trade what are the terms of reference for Action 2000. [16134]

Mrs. Roche: Under the Action 2000 initiative, there will be an Advisory Board to assist the Chairman in providing the advice detailed in the list of his responsibilities, and a separate company to carry out day-to-day operations, including implementation of a

programme of activities. The activities should be based on an assessment by the Board of what is needed to minimise the extent of failure with significant consequences by private sector business systems, including both IT systems and electronically controlled equipment using embedded software. In particular, the assessment should assess what external help businesses need, what help is already available from commercial or other sources, and what more needs to be done. It will also identify organisations which can participate in delivering additional help, and indicate where some element of public money is needed to achieve this.

The activities are expected to fall under the following broad headings:

Promotion—activities to promote the importance of the issue and signpost help,

Advice and Guidance—identifying and providing available best practice advice and guidance,

Assessment Schemes—providing self-assessment conformance tools for users, consultants and suppliers,

People and Skills—develop and implement ways to address the current shortage of skilled IT staff,

Tools and Techniques—make available details of tools, techniques, products and services,

Practical help and advice for small and medium sized businesses.

One of the tasks of the Company will be to encourage businesses and other organisations to participate in devising or delivering the activities which are needed.

Mrs. May: To ask the President of the Board of Trade if the post of Chairman for Action 2000 was advertised; and how many job applications were received. [16135]

Mrs. Roche: The post was not advertised, because the Government wished to appoint a Chairman as rapidly as possible in view of the urgency of the problem.

Telescopes

Mr. Pound: To ask the President of the Board of Trade which Ministers have visited the Isaac Newton Group of Telescopes since the inauguration in 1985. [16436]

Mr. Battle: My hon. Friend the Minister for Competition and Consumer Affairs visited the telescopes on 31 October. I am not aware of any other Ministerial visits to the telescopes since they were inaugurated.

Mr. Pound: To ask the President of the Board of Trade if she will estimate the amount of United Kingdom Government expenditure on the Isaac Newton Group of Telescopes at the Instituto de Astrofisica de Canarias. [16421]

Mr. Battle: The Isaac Newton Group of Telescopes is a joint venture between the UK and the Netherlands. In 1997–98, the Joint UK/Netherlands Budget was £2.247 million of which the UK provided 80 per cent. The UK also provided support for staff salaries, new instrumentation and research making the total UK contribution £5.533 million. The total UK contribution over the period from 1992–93 to 1996–97 was £26.134 million. Figures for previous years are not readily available.

Textphones

Mr. Burstow: To ask the President of the Board of Trade if she will introduce statutory regulations to ensure the greater provision of public textphones for deaf and hard of hearing people. [15929]

Mr. Battle: The number of public textphones is on the increase and BT plans to increase the numbers from the current level of 90 to approximately 400 by the year 2000. Furthermore Oftel plan to launch a public consultation later this year dedicated to finding ways, including licence modifications if necessary, of improving telecommunications services for people with disabilities. The issue of the provision of public textphones will be raised as part of this consultation. My Department therefore has no plans at present to introduce such statutory regulations to ensure that public textphones are more widely available.

Energy Efficiency

Ms Walley: To ask the President of the Board of Trade if she will take steps to enable the gas and electricity regulators to authorise the introduction of a levy on all consumers' bills to fund energy efficiency programmes; and if she will make a statement. [16171]

Mr. Battle: This issue falls within the remit of the Review of Utility Regulation, which is considering whether changes are required to the existing systems of regulation in telecommunications, electricity, gas and water, and which will report to Ministers by the end of the year. If we conclude that change should be contemplated, a consultation paper setting out the options will be published early next year.

Travel Trade Monopoly Inquiry

Mrs. Gillan: To ask the President of the Board of Trade when she plans to publish the findings from the Monopolies and Mergers Commission's travel trade monopoly inquiry. [16216]

Mrs. Beckett: The Monopolies and Mergers Commission (MMC) report on the travel trade will be published as quickly as is practicable. I cannot comment on the likely publication date of the MMC report or its contents. This information is market sensitive and must remain confidential. Copies of the report will be laid before Parliament at the same time as it is published.

European Legislation

Mr. Howard: To ask the President of the Board of Trade if she has asked the European Commission for full impact statements on the proposed items of European Union Legislation relating to *(a)* intellectual property rights, *(b)* financial services (distance contracts), *(c)* electronic waste, *(d)* air quality, *(e)* national emissions ceilings and *(f)* electric sockets, plugs and bases for 16 amp-250 volts for domestic uses. [14201]

Mrs. Roche *[holding answer 3 November 1997]:* The Government encourage the Commission to prepare impact assessments where there may be a significant impact on business. We are working with the Commission and other Member States to improve the system of impact assessment at European levels.

There are, among the policy areas cited, current legislative proposals in the areas of intellectual property and emissions and air quality, where the Commission has prepared impact assessments. In intellectual property rights, the UK opposes the draft directive on artists' re-sale rights and is pressing the Commission to consider more fully the impact upon business. In the area of air quality and vehicle emissions, the Commission has produced impact assessment work for the proposals currently being negotiated. In the other areas cited, electronic waste, distance selling of financial services and the domestic usage of electrical plugs and sockets, there are not published Commission legislative proposals at present. However, we understand that the Commission is preparing a draft Directive on the distance selling of financial services, which features in the Action Plan for completion of the Single Market. The Commission has not included any proposals for electronic waste or for domestic plugs and sockets in its 1997 Work Programme.

Post Office (Scottish Powercards)

Mr. Home Robertson: To ask the President of the Board of Trade what assessment she has made of the impact on the business of small rural-post offices of the withdrawal of Scottish Powercard sales. [15355]

Mr. Ian McCartney *[holding answer 12 November 1997]:* Assessments of the viability of sub-post offices are a matter for individual subpostmasters and Post Office Counters Limited.

Working Time Directive

Mr. Dawson: To ask the President of the Board of Trade what progress is being made in implementing the EU Working Time Directive (1993). [15767]

Mr. Ian McCartney *[holding answer 13 November 1997]:* We are currently finalising our proposals for implementation of the Directive.

Manufacturing

Mr. Jim Cunningham: To ask the President of the Board of Trade what measures are being taken to ensure that future growth in the United Kingdom manufacturing sector does not lag behind that of the rest of the economy. [15475]

Mr. Battle *[holding answer 13 November 1997]:* Our prosperity depends on creating a modern economy—strong in manufacturing and services. To help build a modern economy the Department of Trade and Industry is promoting competition and consumer protection; seeking high standards and fairness at work; and looking to the long-term in science and technology. This agenda is being advanced in partnership with firms in all sectors.

Industrial Underperformance

Mr. Redwood: To ask the President of the Board of Trade what criteria she used to determine which industries underperformed in the United Kingdom. [16147]

Mrs. Beckett *[holding answer 14 November 1997]:* I have made no such determination.

Mr. Redwood: To ask the President of the Board of Trade what rate of return on capital she uses to enable her to distinguish between competitive companies and companies in need of improvement. [16144]

Mrs. Beckett *[holding answer 14 November 1997]:* I do not distinguish between competitive companies and companies in need of improvement on the basis of rate of return on capital.

New Taxes (Advice)

Mr. Redwood: To ask the President of the Board of Trade what advice she gave to the Chancellor in respect of the effects of new taxes on businesses, on cash flow and investment levels. [16145]

Mrs. Beckett *[holding answer 14 November 1997]:* I maintain regular contact with the Chancellor about the impact on business, including on cash flow and investment, so that this can be taken into account in decisions on taxation and other aspects of economic policy.

Coal Industry

Mr. Redwood: To ask the President of the Board of Trade what plans she has to meet miners' representatives to discuss *(a)* the coal industry and *(b)* proposed pit closures. [16140]

Mrs. Beckett *[holding answer 14 November 1997]:* Ministers have had a number of meetings with miners' representatives to discuss the present position in the coal industry.

Euro

Mr. Redwood: To ask the President of the Board of Trade what estimate she has made of the costs to British business of converting to using the euro (i) as a second domestic currency in the transitional period and (ii) as the sole legal currency in the United Kingdom. [16146]

Mrs. Beckett *[holding answer 14 November 1997]:* I refer the right hon. Gentleman to the reply my hon. Friend the Economic Secretary to the Treasury gave to the right hon. Member for Wells (Mr. Heathcoat-Amory) on 11 November, *Official Report*, column *512*.

Sports Sponsorship

Mr. Redwood: To ask the President of the Board of Trade which tobacco companies have requested a meeting with ministers to discuss sports sponsorship; and which have been granted such a meeting. [16141]

Mrs. Beckett *[holding answer 14 November 1997]:* None.

Know-how Fund

Mrs. Fyfe: To ask the President of the Board of Trade in the last two financial years, how many know-how fund projects were awarded to *(a)* companies, *(b)* large partnerships or institutions and *(c)* individuals or small partnerships; in each case how many were based in Scotland; and what was the total value in categories *(a)* to *(c)*. [13978]

Mr. Foulkes: I have been asked to reply.

Information on know-how consultancy contracts is not recorded in the categories sought and could be provided only at disproportionate cost. Information can be provided in two categories: corporate (companies, partnerships and institutions—small and large) and non-corporate (self-employed individuals) contracts. This is set out below:

Year	*Number*	*Value (£) of contracts awarded*	*Total value (£)*
1995–96			
Corporate	333	45,644,200	—
Non-corporate	49	3,678,126	49,322,326
1996–97			
Corporate	488	81,757,274	—
Non-corporate	81	3,315,631	85,072,905

Contracts awarded to companies with headquarters in Scotland are not recorded separately.

Mrs. Fyfe: To ask the President of the Board of Trade what was the total budget allocated to the know-how fund for each of the last two years; and how much of that budget was spent on administration. [13972]

Mr. Foulkes: I have been asked to reply.

Know-how fund expenditure in the last two financial years was as follows:

1995–96: £86.26 million

1996–97: £90.70 million

In addition, DFID and FCO provided a total of £3 million each year from their running cost budgets to administer the fund.

LORD CHANCELLOR'S DEPARTMENT

Conditional Fees

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the academic research into the use of conditional fees referred to in his answer of 10 November, *Official Report*, column *575;* and what research underlay his assessment of the success rate of conditional fees. [16432]

Mr. Hoon: I was referring to the research carried out by the Policy Studies Institute. Of the 837 cases entered into by the solicitors who responded to their survey they examined 197 cases in detail. The research was conducted between November 1996 and January 1997 and referred to agreements made no later than September 1996. PSI estimated that some 10,500 agreements had been made in a little over the first year that conditional fees were available and acknowledged that they had become an established method of funding personal injury litigation. I understand that something in the region of 1,500 agreements are now being entered into each month. By the time I spoke at the PSI conference on 23 September some 28,000 cases had been entered into. I do believe that 28,000 agreements in a little over three years is a remarkable success and I am keen that more of our citizens should have the access to justice that these agreements provide.

E-mail

Mr. Jenkin: To ask the Parliamentary Secretary, Lord Chancellor's Department pursuant to the answer of 10 November from the Chancellor of the Duchy of Lancaster, *Official Report*, column *441*, if he will list the e-mail addresses of *(a)* Ministers, *(b)* senior officials and *(c)* chief executives of agencies for which he is responsible. [15877]

Mr. Hoon *[holding answer 13 November 1997]:* The Department and the Agencies and Associated Departments which report to the Lord Chancellor have established the following principal e-mail addresses.

LCD HQ

Enquiries: enquiries.lcdhq@gtnet.gov.uk

Court Service

Enquiries and Chief Executive: cust.ser.cs.@gtnet.gov.uk

Public Trust Office

Enquiries: enquiries@publictrust.gov.uk

Chief Executive: chiefexec@publictrust.gov.uk

Land Registry

Enquiries: hlmr@dial.pipex.com

Chief Land Registrar: shclr@dial.pipex.com

Public Record Office

Enquiries: enquiry.pro.rsd.kew@gtnet.gov.uk

Chief Executive: styacke.pro.kew@gtnet.gov.uk

Northern Ireland Court Service

Enquiries: info.nicourts@nics.gov.uk

In addition, some of the Lord Chancellor's Departments and Agencies have established e-mail addresses for senior management and other officials and for enquiries on specific topics. Full details are available on the World Wide Web sites for each organisation.

External e-mail access to a larger number of officials is being considered as part of the development of the Government Secure Intranet.

EU Conventions

Mr. Mitchell: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to the answer of 1 July, *Official Report*, columns *74-76*, relating to the

convention concerning serving of legal and court documents in civil and commercial matters, when and by what means this convention was ratified; what changes are required in the Rules of Court; what consultation was undertaken by Ministers with affected bodies or persons prior to the ratification; and if he will make a statement concerning future steps he expects to take in respect of this convention. [15569]

Mr. Hoon: The Convention was signed on 26 May 1997 but has not been ratified. Public consultation on the draft Convention and how it might be implemented was carried out in March and April 1997. We shall ratify the Convention once proposals for implementation are finalised. Until then it is not known what changes to Rules of Court might be required.

HEALTH

Per Capita Spending

Sir Michael Spicer: To ask the Secretary of State for Health what was the per capita spending on health services in England in the most recent year for which figures are available. [14919]

Mr. Milburn: Total gross expenditure on the National Health Service in England in 1996–97 was £706 per capita.

Speech Therapists

Dr. Harris: To ask the Secretary of State for Health how many speech therapists are currently employed within the NHS; how many vacancies exist for speech therapists within the NHS; and what steps the Government are taking to recruit more speech therapists. [14732]

Mr. Milburn: There were 3,580 whole-time equivalent speech and language therapists, excluding assistants and trainees, employed by the National Health Service Hospital and Community Health Services at 30 September 1996—the latest year for which figures are available. Information on the number of vacancies is not available centrally. The Government are ensuring that effective recruitment and retention policies are in place to make the best use of trained staff and that training levels are sufficiently high to match supply and demand.

Home Care Service

Gillian Merron: To ask the Secretary of State for Health what plans he has for the introduction of regulation of the home care service, indicating the likely scope and timetable for introduction. [15734]

Mr. Boateng: The Government are committed to improving standards in domiciliary care and intend to publish a White Paper in the spring of 1998 outlining proposals for the regulation of such provision.

NHS Trusts (Non-executive Appointments)

Mrs. Virginia Bottomley: To ask the Secretary of State for Health how many NHS trust non-executive appointments were due on 1 November; how many individuals concerned had been informed of the outcome by that date; how many appointments were outstanding on 7 November; when he anticipates all such appointments to be announced; if he is following the guidelines on NHS appointments established in line with the recommendations of the Nolan Committee; and if he will make a statement on delays in the NHS appointment process. [15442]

Mr. Milburn: A total of 570 trust board vacancies were due to be filled on 1 November; 261 of these appointments had been made by that date and a further 105 had been made by 7 November. This left 204 of these appointments still to be confirmed. We expect virtually all of them to have been made by the end of November. All appointments are made in accordance with the guidance issued by the Commissioner of Public Appointments and the principles established by the Nolan Committee. The slight delays that have occurred have been due to the introduction of new procedures designed to make boards more representative of the communities they serve.

NHS Budget

Dr. Harris: To ask the Secretary of State for Health if he will list the real terms change against the previous year in the NHS current budget in England in each year from 1993–94 to 1998–99. [15312]

Mr. Milburn: The information requested is set out in the table.

National Health Service current expenditure 1993–94 to 1998–99

	Gross expenditure		*Net expenditure*	
Year[1]	*Real growth*[2] *£ million 1996–97 prices*	*Percentage real growth*[2]	*Real growth*[2] *£ million 1996–97 prices*	*Percentage real growth*[2]
1993–94	304	1.0	395	1.4
1994–95	932	3.0	998	3.4
1995–96	754	2.4	749	2.5
1996–97	593	1.8	626	2.0
1997–98[3]	727	2.2	692	2.2
1998–99[4]	644	1.9	677	2.1

[1] 1978–79 to 1996–97 are outturn figures, 1997–98 is forecast outturn and 1998–99 is planned expenditure.

[2] Using GDP deflator of 2 July 1997.

[3] Forecast outturn for 1997–98 includes the extra resources announced for this winter on 14 October.

[4] Planned expenditure for 1998–99 includes the extra £1 billion announced at the 2 July Budget.

Climate Change

Mr. Stunell: To ask the Secretary of State for Health what representations he has received on the impact of climate change on *(a)* health risks and disease control and *(b)* hygiene and public health standards; and if he will make a statement. [15588]

Ms Jowell: We know of no representations made to the Department on health impacts of climate change.

Independent Review Panels

Mr. Etherington: To ask the Secretary of State for Health if he will list, by date of issue, each national and statutory set of guidelines governing the conduct of independent review panels. [15631]

Mr. Milburn: The documents listed were all issued on 12 March 1996 under cover of EL(96)19. They form the statutory framework for the operation of the National Health Service complaints procedures.

- Directions to NHS trusts, health authorities and special health authorities for special hospitals on hospital complaints procedures;
- Directions to health authorities on dealing with complaints about family health services practitioners;
- Miscellaneous Directions to health authorities for dealing with complaints.

A further document, "Complaints . . . Listening . . . Acting . . . Improving: Guidance on implementation of the NHS Complaints Procedure", giving guidance to the NHS on these matters, was issued at the same time.

Mr. Etherington: To ask the Secretary of State for Health if he will list for each health authority the membership of the independent review panel appointed to hear complaints about NHS hospital services and general practitioner services. [15629]

Mr. Milburn: Neither health authorities nor National Health Service trust hospitals have a standing independent review panel with fixed membership. Where it is decided that a panel investigation of a complaint is appropriate, a three person panel with an independent lay chairman is set up specifically to consider that complaint.

Mr. Etherington: to ask the Secretary of State for Health if he will list for each health authority the number of complaints about *(a)* NHS hospital services and *(b)* general practitioner services and the number of independent review panels (i) requested, (ii) refused and (iii) held since 1 April 1996, indicating the average time between request for a panel hearing and the hearing date. [15630]

Mr. Milburn: Statistics on the first year of the new National Health Service complaints procedures are not yet available. The Government expect to publish them early in the New Year.

Nursing and Residential Homes

Mr. Burstow: To ask the Secretary of State for Health what plans he has to commission research into the overuse of sedatives in nursing and residential homes. [15772]

Mr. Milburn: We have no plans to commission specific research into the use of sedatives in nursing and residential homes. The responsibility for prescribing, including repeat prescribing and the prescribing of sedatives, rests with the doctor who has clinical responsibility for that particular aspect of a patient's care.

Mr. Burstow: To ask the Secretary of State for Health what plans he has to review the guidelines published by his Department for the administration of medication in nursing and residential homes. [15740]

Mr. Boateng: We have no such plans at this time. The Department has worked with other organisations with an interest in residential care and nursing homes and there are various sources of available guidance on the administration of medication. Under the Registered Homes Act 1984 local and health authorities are responsible for regulating homes and should ensure that homes have proper arrangements for the administration of medicines.

The Medicines Act 1968 governs the prescribing, supply and administration of medication in residential care homes and nursing homes. Dr. June Crown is currently chairing a wide-ranging Review of Prescribing, Supply and Administration of Medicines, which will include issues of prescribing, supply and administration of medicines in nursing and residential care homes. Dr. Crown is due to report to Ministers next year.

Mr. Burstow: To ask the Secretary of State for Health what plans his Department has to review the arrangements by which general practitioners are remunerated for care of patients in nursing and residential homes. [15736]

Mr. Milburn: All arrangements for remunerating general practitioners are kept under review, and Ministers and officials consult with the representatives of the profession regularly.

Prescribing

Mr. Burstow: To ask the Secretary of State for Health what plans he has to improve the quality of prescribing through the greater use of information technology, with specific reference to ensuring the greater transfer of information regarding older patients between primary and secondary care. [15739]

Mr. Milburn: Much has gone into improving the quality of prescribing through information technology including piloting the Prescribing Rationally with Decision support in General Practice Study—PRODIGY—a computer-aided prescribing decision support system for general practitioners. The aim of this system is to improve the quality of GP prescribing decisions using evidence-based recommendations and faster dissemination of information about new drugs, safety alerts and other research evidence which could affect prescribing choice. PRODIGY is being trialed in some 180 general practices and is in its second phase.

In addition, there has been significant progress towards the development of an NHS network which would allow National Health Service information about patients to pass between primary and secondary care. There has also been development in standards for GP systems, which include holding a database of prescribable items incorporating knowledge about drug interactions and contra-indications and cross-checks for patient sensitivities.

Community Pharmacists

Mr. Burstow: To ask the Secretary of State for Health what factors underlie the greater increase in prescriptions dispensed by community pharmacists and appliance contractors between 1986 and 1996 for elderly people than for the remainder of the population. [15738]

Mr. Milburn: A greater proportion of prescriptions dispensed in the community by pharmacists and appliance contractors are for elderly people than for other age groups because they have a greater need for treatment. There is an increasing proportion of elderly people in the population, more treatments are now available for conditions which affect the elderly and there is increased recognition that the elderly can benefit from treatment. In addition, more elderly people are being cared for in the community and thus receiving their medication there, rather than in hospital.

Mr. Burstow: To ask the Secretary of State for Health what plans his Department has to evaluate the role of community pharmacists in providing advice on therapy of minor illnesses, monitoring drug therapy and reviewing repeat prescriptions for older people. [15737]

Mr. Milburn: Advice on self-care and the treatment of minor ailments is a traditional role of community pharmacists and one which we are keen to encourage. The Department has funded a range of pilot projects designed to test how community pharmacists can play a wider role in the provision of primary health care locally. Subjects covered in these pilots include repeat dispensing and monitoring of drug therapy, including that of elderly people. All the projects will be evaluated.

Biotechnological Inventions

Mr. Baker: To ask the Secretary of State for Health what estimate his Department has made of the cost to the NHS of genetic tests and treatments involving biological material patentable under the terms of the draft Directive on the Legal Protection of Biotechnological Inventions. [16154]

Mr. Matthew Taylor: To ask the Secretary of State (1) what estimate his Department has made of the cost to NHS public laboratories of providing genetic medicine services if the EU Biotech patent directive is passed; [16360]

(2) what research his Department has *(a)* commissioned and *(b)* evaluated on the cost to the NHS over the next five years of the patenting of genes if the European Union Directive on the Legal Protection of Biotechnological Inventions is passed; and how much this research indicates the cost to the NHS of gene patenting will be in the next five years. [16373]

Ms Jowell: The European Commission's proposed Directive on the Protection of Biotechnological Inventions aims to harmonise the existing body of law in this area across the European Union; as such, no significant change to the current position in the United Kingdom is anticipated.

NHS Spending (South-West)

Mr. Tyler: To ask the Secretary of State for Health if he will list by health authority the spending on health services *(a)* in cash terms and *(b)* at 1992 prices for (i) Cornwall and (ii) Devon in each year since 1992. [15382]

Mr. Milburn *[holding answer 12 November 1997]:* The information requested is shown in the following tables.

Cash (£000)

	Devon				Cornwall		
Year	*Exeter DHA*	*North Devon DHA*	*Plymouth DHA*	*Torbay DHA*	*North and East Devon DHA*	*South and West Devon DHA*	*Cornwall and Isles of Scilly DHA*
1992–93	120,932	51,216	115,952	98,125	—	—	175,092
1993–94	—	—	—	—	172,695	224,672	179,458
1994–95	—	—	—	—	182,155	233,778	190,088
1995–96	—	—	—	—	186,673	241,552	194,552
1996–97[1]	—	—	—	—	298,276	373,336	303,290

Notes:
[1] 1996–97 data are provisional.
Source:
Annual accounts of district health authorities 1992–93 to 1995–96 and the annual accounts of health authorities 1996–97.

At 1992 prices (£000)

	Devon				Cornwall		
Year	*Exeter DHA*	*North Devon DHA*	*Plymouth DHA*	*Torbay DHA*	*North and East Devon DHA*	*South and West Devon DHA*	*Cornwall and Isles of Scilly DHA*
1992–93	120,932	51,216	115,952	98,125	—	—	175,092
1993–94	—	—	—	—	167,860	218,381	174,433
1994–95	—	—	—	—	173,958	223,258	181,534
1995–96	—	—	—	—	173,793	224,885	181,128
1996–97[1]	—	—	—	—	271,133	339,362	275,691

Notes:
[1] 1996–97 data are provisional.
Source:
Annual accounts of district health authorities 1992–93 to 1995–96 and the annual accounts of health authorities 1996–97.

Mr. Tyler: To ask the Secretary of State for Health what was the per capita spending on health services *(a)* in cash terms and *(b)* at 1992 prices in (i) Cornwall, (ii) Devon, (iii) the South Western National Health Service Region and (iv) England in each year since 1992. [15381]

Mr. Milburn *[holding answer 12 November 1997]:* The information requested is shown in the attached tables.

Cash per capita (£)

Year	*Devon*	*Cornwall*	*South Western Region*	*England*
1992–93	509	518	508	607
1993–94	540	542	544	626
1994–95	579	580	577	656
1995–96	593	597	606	684
1996–97	634	628	595	705

Notes:

1. 1996–97 data are provisional.

2. Per capita figures are calculated using crude population which does not reflect differences in relative age and need of populations.

Source:

Annual accounts of regional and district health authorities and family health services authorities 1992–93 to 1995–96 and the annual accounts of health authorities 1996–97.

At 1992 prices per capita (£)

Year	*Devon*	*Cornwall*	*South Western Region*	*England*
1992–93	509	518	508	607
1993–94	525	527	529	609
1994–95	553	554	551	627
1995–96	552	556	564	637
1996–97	576	571	541	641

Notes:

1. 1996–97 data are provisional.

2. Per capita figures are calculated using crude population which does not reflect differences in relative age and need of populations.

Source:

Annual accounts of regional and district health authorities and family health services authorities 1992–93 to 1995–96 and the annual accounts of health authorities 1996–97.

Domiciliary Services

Mr. Maclennan: To ask the Secretary of State for Health in what circumstances local authorities, in assessing ability to pay for domiciliary services which do not include personal care, *(a)* should discount attendance allowance benefit and *(b)* have discretion to exclude from consideration attendance allowance benefit. [16417]

Mr. Boateng: Under the current system local authorities have complete discretion whether or not to charge for non-residential social services.

In assessing ability to pay for non-residential services, authorities may take into account all types of income including social security benefits except the Mobility component of Disability Living Allowance and income from capital.

DEFENCE

Future Large Aircraft

Mr. Blunt: To ask the Secretary of State for Defence what assessment he has made of the number of defence industry jobs likely to be generated by a British order for the future large aircraft. [13136]

Mr. Spellar: As my right hon. Friend the Secretary of State for Defence announced on 31 July, *Official Report*, column *446*, we have agreed to join our partners in issuing a Request for Proposals to Airbus Military Company for a future large aircraft (FLA). Additionally, we are seeking competing bids from other aircraft manufacturers to meet our future air transport requirements. We expect that all proposals will involve substantial benefits for the UK defence industry. If FLA were to be selected, we would expect it to create several thousand jobs in the UK over the life of the project.

Mr. Blunt: To ask the Secretary of State for Defence what is his assessment of the market potential for the *(a)* FLA and *(b)* C130J worldwide. [13139]

Mr. Spellar: The estimates supplied to the Department by potential aircraft suppliers are commercially confidential. Accordingly, I am withholding the information requested under exemption 13 of the Code of Practice.

Hercules C130J Aircraft

Mr. Blunt: To ask the Secretary of State for Defence what assessment he has made of the number of British defence industry jobs likely to be supported by United Kingdom involvement in the C130J project. [13135]

Mr. Spellar: There are some 36 companies in the UK Industrial Support Group supplying equipment for C130J with a potential total value of over £2 billion. This is expected to provide several thousand jobs over the life of the project. As announced by my right hon. Friend the Secretary of State for Defence on 31 July, *Official Report*, column *466*, we are seeking bids for aircraft manufacturers to meet our future air transport requirements. We expect that, additionally, each of these proposals will involve substantial benefit for the UK defence industry.

Christmas Island

Mr. Llew Smith: To ask the Secretary of State for Defence what steps have been taken since 1967 to clean up radioactive and toxic waste, and surplus military materials, on Christmas Island; what has been the cost to date of the clean-up; how many United Kingdom military personnel are currently involved in this activity; what is the estimated date of completion of this work; and if he will estimate the likely future costs of the operation. [14718]

Mr. Spellar: My Department is aware of the waste and equipment remaining on Christmas Island after the atmospheric tests in the 1950s. Three separate radiological surveys, including one by the New Zealand Department of Health, have concluded that there is no radioactive contamination which would present a hazard to the inhabitants of Christmas Island.

On completion of the atmospheric testing and related programmes, the United Kingdom undertook extensive radiation surveys and rehabilitation work in areas which may have been affected. Surveys and rehabilitation work on Christmas Island would have been completed before the final evacuation of the Island in July 1964. The costs of these operations to the United Kingdom cannot be separated from the overall expenditure on the whole test series.

We have found no existing records of any action being taken since 1967 to clean up waste and equipment on Christmas Island; nor are there any records of costs being incurred or estimated for such an operation, or of military personnel participating in any clean-up. No clean up is currently being carried out by military personnel; nor are there any current plans to initiate such an operation.

We are prepared to discuss with the Government of Kiribati options which they might put forward for the disposal of the equipment and waste on Christmas Island; and what advice or assistance we might be able to provide.

Mr. Baker: To ask the Secretary of State for Defence what recent assessment he has made of the environmental and health legacies of the testing of H-bombs on Christmas Island. [15706]

Mr. Spellar: The British nuclear test programme was carried out in the Central Pacific area between May 1957 and September 1958. Between April and July 1962, with United Kingdom agreement and participation, the United States conducted a series of tests on Christmas Island.

Christmas Island has been subject to three radiological surveys since the end of the nuclear weapons tests. These were conducted by the Atomic Weapons Research Establishment (AWRE), which reported in June 1964, the University of Washington in September 1975, and the New Zealand Department of Health which reported in 1981. Only the AWRE survey was sponsored by the United Kingdom; the others were conducted at the request of the Island's Government. The conclusion reached by all three surveys was that there was no evidence of any radiological contamination which would present a hazard to the inhabitants of Christmas Island.

I am not aware of any other recent surveys of Christmas Island having been conducted by my Department.

A survey of the Island was conducted by the then Overseas Development Administration (ODA) in May 1996. A copy of the ODA's report of that survey has been placed in the Library of the House. The Foreign and Commonwealth Office are not aware of any environmental or health surveys of Christmas Island other than that carried out by the ODA last year.

Auxiliary Oiler Contract

Mr. Davidson: To ask the Secretary of State for Defence (1) what *(a)* detailed and *(b)* major changes his Department has sought to make to the design of the ships under the Auxiliary Oiler contract; what was the cost to the Ministry of Defence of such changes; and what measures have been taken to ensure that costs do not escalate on the contract; [15505]

(2) if the Auxiliary Oiler Contract is *(a)* on schedule and *(b)* proceeding to budget; and if he will make a statement. [15506]

Mr. Spellar: I refer my hon. Friend to the answer I gave on 11 June 1997, *Official Report*, column *483*.

Atomic Weapons Establishment

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many series of technical papers or reports are being produced by the health and safety department of the Atomic Weapons Establishment, Aldermaston; and what are the names of each series. [15618]

Mr. Spellar: The AWE Directorate of Environment, Safety and Health (DESH) does not produce formal series of technical papers or reports, although papers are produced when required for conferences or other purposes. The DESH also produces an Annual Environment, Safety and Health Report, a Quarterly Health and Safety Report and a Monthly Report to the Environment Agency on Discharges from AWE. As I said previously on July 22 1997, *Official Report*, column *529*, no numerical details of reports and papers produced by AWE divisions are held centrally.

Mr. Matthew Taylor: To ask the Secretary of State for Defence when the Facilities Project Division at the Atomic Weapons Establishment, Aldermaston was set up; what its purpose is; how many series of technical papers are currently being produced by this division; and what are the names of each series. [15619]

Mr. Spellar: The Project Director Facilities Division was set up in 1986 and disbanded in 1991. Its purpose was to oversee the major programme of building and refurbishment projects then underway at the Atomic Weapons Research Establishment, Aldermaston. Since the Division no longer exists, no technical papers are being produced.

Bosnia (Entertainment of Armed Forces)

Mr. Cohen: To ask the Secretary of State for Defence if he will list the entertainers booked on behalf of the armed forces to perform in Bosnia. [15637]

Dr. Reid: The following acts performed for British forces participating in the NATO-led Stabilisation Force in former Yugoslavia between 7 and 19 May this year:

The Stranglers (Musicians)
Robin Ince (Comedian)
The Knave of Clubs (Juggler)
Under Wraps (Dancers)

Currently performing on a tour lasting from 7 to 17 November are:

The Divas (Musicians)
Miles Crawford (Comedian)
Sonny and Hayes and Co. (Comedy Magicians)
Sax Education (Musicians)
Under Wraps (Dancers)

Booked to perform between 9 and 21 February next year are:

Showaddywaddy (Musicians)
Roy Hastings (Comedian)
Amazing Louise (Contortionist)
Under Wraps (Dancers)

Colchester Garrison

Mr. Bob Russell: To ask the Secretary of State for Defence what are his proposals for the future of the Colchester garrison; and if he will make a statement. [15859]

Dr. Reid: As I announced, by writing to the hon. Gentleman on 13 October, my Department is actively pursuing the redevelopment of the whole of Colchester Garrison through a major Private Finance Initiative project. The aim is to provide high quality, modern barracks and facilities which are of an appropriate standard, are flexible to use, and have the potential for further development.

It is likely that surplus MOD land at Colchester will become available as a result of this development. I believe this will be of great benefit to the local Borough Council as it would allow the construction of modern housing and amenities for the local community.

Six consortia have now been issued with an Invitation to Submit Outline Proposals for the project which are due for return by 24 November. The proposals will then be evaluated, a final shortlist drawn up early in the New Year, and detailed bids sought from the shortlisted consortia. It is our intention to identify a preferred bidder by the end of 1998 and to let a contract by the middle of 1999.

Hunting

Mr. Gordon Prentice: To ask the Secretary of State for Defence if he will prohibit hunting with hounds on all of his Department's land. [16075]

Mr. Spellar: I refer my hon. Friend to the reply I gave to the hon. Member for Cotswold (Mr. Clifton-Brown) on 30 July 1997, *Official Report*, columns *352–53*.

Courts Martial

Mr. Sutcliffe: To ask the Secretary of State for Defence what steps he is taking to improve the effectiveness and efficiency of the procedures relating to courts martial. [16088]

Dr. Reid *[holding answer 14 November 1997]:* A series of reforms to the court-martial system were included in the Armed Forces Act 1996 and came into effect on 1 April 1997. The reforms were wide ranging and affected the pre-trial, trial and post-trial stages of the court martial system. The purpose of these reforms was to reinforce the independence of the court-martial, principally by reducing the apparent influence of the chain of command, whilst preserving its necessary involvement.

The reforms meet the European Court's concerns about the shortcomings of the system. The ECHR has recognised our actions, noting

"with satisfaction that the UK authorities had made changes to the court-martial system with a view to ensuring the observance of their Conventional commitments".

Although we are not taking any further steps at present to improve the procedures, we are aware that we cannot afford to be complacent. The system is kept under review and will, of course, be looked at as part of the process of preparing for the next quinquennial Armed Forces Bill.

Mr. Sutcliffe: To ask the Secretary of State for Defence what is the current average waiting time for independent appeals following courts martial in the *(a)* Army, *(b)* Navy and *(c)* Royal Air Force. [16087]

Dr. Reid *[holding answer 14 November 1997]:* I regret that I am unable to provide the information precisely in the format requested. However, in the last twelve months 32 applications for an appeal to be heard have been submitted to the Court-Martial Appeal Court. Of these, six have been heard within an average period of six months each. The remainder are still awaiting a hearing date. The information by single-Service is as follows:

Date of petition to CMAC	*Hearing date*
Army	
October 1996	June 1997
November 1996	December 1996
January 1997	not known
February 1997	not known
March 1997	not known
March 1997	not known
May 1997	not known
June 1997	not known
July 1997	not known
July 1997	not known
July 1997	November 1997
August 1997	not known
August 1997	not known
September 1997	not known
September 1997	not known
October 1997	not known
October 1997	not known
October 1997	not known
October 1997	not known
November 1997	not known
Royal Navy	
November 1996	December 1997
June 1997	not known
July 1997	not known
Royal Air Force	
November 1996	April 1997
January 1997	not known
February 1997	not known
March 1997	not known
March 1997	not known
April 1997	not known
May 1997	October 1997
June 1997	not known
August 1997	not known

The dates for hearings are provided by the independent Court-Martial Appeal Court which is part of the Lord Chancellor's Department.

Military Exhibitions

Ann Clwyd: To ask the Secretary of State for Defence what is his Department's policy on allowing private companies to host military, security and police events on Ministry of Defence property. [14366]

Mr. Spellar: The Ministry of Defence would consider any request for use of its land on a case-by-case basis.

Arms Exports

Ann Clwyd: To ask the Secretary of State for Defence what assessment he has made of the annual cost of promoting arms exports. [15300]

Mr. Spellar: The net cost in financial year 1996–97 of operating the Defence Export Services Organisation in my Department was £16.6 million.

This sum should be judged in the context of the substantial benefit to the taxpayer which in the same year included receipts of more than £50 million in Commercial Exploitation Levy, income of £84 million from the sale of surplus military equipment, and contributions of more than £300 million in reduced overheads on the MOD's own procurement costs.

Major Eric Joyce

Mr. Keith Simpson: To ask the Secretary of State for Defence what advice he has received from the Lord Chancellor concerning the case of Major Eric Joyce, Adjutant General to Corps. [15333]

Dr. Reid: I am withholding this information under Exemption 2 of the Code of Practice on Access to Government Information.

Chinook Helicopters

Kate Hoey: To ask the Secretary of State for Defence what assessment his Department has made of the reliability of the FADIC computer system controlling Chinook helicopters; and if he will make a statement. [15437]

Mr. Spellar: For the Chinook HC Mk2 aircraft, a Full Authority Digital Electronic Control system, FADEC, was procured to replace the hydro-mechanical fuel control system which had been used on the Chinook HC Mk1. An initial FADEC target reliability figure of 1.1 failures per thousand flying hours was agreed, to improve to 0.6 after seven years in service with the RAF. After five years, the FADEC system reliability is currently about 0.4 failures per thousand flying hours, and has thus improved upon the contractual target.

Greenhouse Gas Emissions

Mr. Stunell: To ask the Secretary of State for Defence if he will list *(a)* his Department's policies and initiatives designed to reduce carbon dioxide emissions and *(b)* the departmental policies and initiatives designed to reduce other greenhouse gases; if he will estimate for each the annual reduction in tonnage of greenhouse gas emissions achieved in the most recent year for which figures are available compared to those for 1990; and what estimate he has made of further reductions, or increases, predicted for 2000 and 2010, assuming continuation of current policies. [15546]

Mr. Spellar: I refer the hon. Member to the United Kingdom's Second report under the UN Framework Convention on Climate Change which was published in February 1997. It reports the UK's progress in implementing its programme for reducing greenhouse gas emissions and gives a projection of what the programme is expected to deliver by 2,000. The report projects forward what the programme is expected to achieve to 2020.

RAF Wittering (Accident)

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement on the accident on 31 October involving a Harrier jet at RAF Wittering, indicating the level of hazard at the accident site, with special reference to the proximity of nuclear material. [15636]

Dr. Reid: The aircraft crashed half a mile southwest of RAF Wittering and the usual post crash management procedures, to eliminate or contain any hazard to the public or the environment, were carried out. There were no nuclear materials involved in the accident.

Private Education

Mr. Todd: To ask the Secretary of State for Defence what plans he has to review funding for the private education of service personnel provided by his Department; and what is the estimated cost of such funding in the current financial year. [15825]

Dr. Reid: There are currently no plans to review the funding provided by my Department for the private eduction of Service personnel. Costs for such provision for 1996–97, the last year for which figures were available, were £660,000 for Royal Naval personnel and £300,000 for Army personnel. Figures for the RAF are not available as this information is not held centrally.

Vanguard Nuclear Submarines

Mr. Keith Simpson: To ask the Secretary of State for Defence when he expects to have four fully commissioned Vanguard nuclear submarines in service. [15893]

Dr. Reid: The fourth Vanguard class submarine, Vengeance, is planned to enter service early in the next century.

Defence Budget

Mr. Ruane: To ask the Secretary of State for Defence if he will provide a breakdown of the defence budget by amount spent in each of the regions of the United Kingdom *(a)* in cash terms and *(b)* as a percentage of the total, ranked according to percentage per region. [15937]

Dr. Reid: Ministry of Defence budgetary data are not maintained in manner which would allow the regional analysis requested. However, estimates of the value of defence expenditure on equipment by UK region are given in "UK Defence Statistics 1997", Table 1.9, a copy of which is in the House of Commons Library.

Strategic Defence Review

Mr. McAllion: To ask the Secretary of State for Defence if he will list the submissions to the Strategic Defence Review which have not been placed in the Library. [15934]

Mr. George Robertson: No. We have placed in the Parliamentary Libraries the submissions from all of the outside bodies and individuals from whom we have

received consent to do so. We will be placing further batches of submissions in the Parliamentary Libraries in due course as we receive the appropriate consent.

Nuclear Weapons

Mr. Keith Simpson: To ask the Secretary of State for Defence (1) if he will make a statement on the Government's policy towards maintaining the United Kingdom's independent nuclear deterrent; [15894]

(2) if the Strategic Defence Review will examine the role, shape, size and cost of the United Kingdom's independent nuclear deterrent. [15940]

Mr. George Robertson: This Government were elected on a specific manifesto commitment to retain Trident while also pressing for multi-lateral negotiations towards mutual, balanced and verifiable reductions in nuclear weapons. The Strategic Defence Review will examine all aspects of our deterrence requirements to ensure they reflect changing strategic circumstances.

Widows' Pensions

Mr. Letwin: To ask the Secretary of State for Defence what measures will be taken to improve the AFPS pensions for widows whose husbands retired before 31 March 1973. [15942]

Mr. Spellar: The Government have no plans to alter the rules of the Armed Forces Pension Scheme which apply to Service Widows whose husbands retired before 31 March 1973.

Gulf War

Mr. Key: To ask the Secretary of State for Defence, pursuant to his Answer of 22 May, *Official Report*, column *115*, if his Department has completed its work on dead animals found and analysed during the Gulf war; and if he will make a statement. [15847]

Dr. Reid: My Department has now completed a survey amongst a sample of serving Gulf War veterans on this subject and collated the contemporary documentation which has been found. My officials are, however, still seeking information in respect of one important aspect of this matter from outside MOD. We deem the outstanding issue to be sufficiently significant to delay publishing a report until we know whether further information is likely to be available.

RAF Menwith Hill

Mr. Baker: To ask the Secretary of State for Defence who will pay for the construction and operation of the two radomes to be situated at RAF Menwith Hill for which planning permission has recently been granted; and what is their operational purpose. [15698]

Dr. Reid: The costs will be borne by the United States Government. These facilities will support the new Space Based Infra Red System developed to replace the existing satellite system to provide early warning of ballistic missile launches.

Pattern Room

Mr. Baker: To ask the Secretary of State for Defence if he will retain the Pattern Room in public ownership. [16204]

Mr. Spellar: The future of the Ministry of Defence Pattern Room at Nottingham is currently under review. No decisions have been taken.

Challenger 2

Mr. MacShane: To ask the Secretary of State for Defence what is the current status of the Army's Challenger 2 programme; and if he will make a statement. [16724]

Mr. Spellar: I am pleased to announce that the sequence of three production reliability growth trials has been successfully completed and the contractor, Vickers Defence Systems, has met the agreed technical milestones. The company have successfully demonstrated, therefore, that the high technical and reliability standards demanded by the Ministry of Defence have been met. Work continues to ensure that logistic support arrangements are established prior to the completion of deliveries of tanks to the first regiment in June 1998, as planned.

Agent Orange

Mr. Cohen: To ask the Secretary of State for Defence what research Her Majesty's Government have sponsored into the effects of Agent Orange; and if he will make a statement. [14488]

Mr. Spellar: As far as can be established from records, no research on Agent Orange has been undertaken by MOD or its Agencies or their predecessors.

SCOTLAND

University Students

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what was *(a)* the total number of students on first degree courses at Scottish higher education institutions in each of the past five years and *(b)* the number of those students taking four-year honours degree courses. [15057]

Mr. Wilson: The total number of first degree students—full time and part time—in Scottish higher education institutions for the most recent five years available is set out in the table.

Number of first degree students in Scottish HEIs

Year	*Full time*	*Part time*	*Total*
1991–92	78,182	5,169	83,351
1992–93	87,057	7,014	94,071
1993–94	93,394	7,722	101,086
1994–95	97,928	6,012	103,840
1995–96	99,434	6,198	105,632

However, it is not possible to ascertain how many of these students undertook a four-year honours degree course. The only point at which it is known that a student has studied for an honours degree is when they obtain their qualification. The following tables set out data for

full-time first degree graduates from Scottish higher education institutions for 1994–95 and 1995–96. It is not possible to identify the number of years taken to obtain the qualification in data prior to 1994–95.

	1994–95		
Year of student	*Honours*	*Other*	*Total*
Less than four years	3,545	5,407	8,952
Four years	10,187	928	11,115
More than four years	2,041	342	2,383
Total	15,773	6,677	22,450

The following table shows that of the 15,773 honours graduates for Scottish HEIs in 1994–95, 10,187—65 per cent—obtained the qualification after completing four years of study. The 3,545 graduates who completed an honours degree in less than four years will include direct entrants into second year and also students transferring between higher education institutions to study the same course.

	1995–96		
Year of student	*Honours*	*Other*	*Total*
Less than four years	2,900	6,162	9,062
Four years	12,219	1,149	13,368
More than four years	2,031	642	2,673
Total	17,150	7,953	25,103

Mr. Don Foster: To ask the Secretary of State for Scotland further to his answer to the hon. Member for Tiverton and Honiton (Mrs. Browning) of 4 November, *Official Report*, column *156*, how many potential university entrants had confirmed places for Scottish universities by 1 August; and if he will make a statement. [15314]

Mr. Wilson: The information requested is not held centrally. Information on university applications may be obtained from the University and Colleges Admissions Service (UCAS), Fulton House, Jessop Avenue, Cheltenham, Gloucestershire GL50 3SH.

Chiropody and Podiatry

Angela Smith: To ask the Secretary of State for Scotland (1) if he will list the budget for each health authority or health board allocated for spending on chiropody and podiatry services in *(a)* 1997–98, *(b)* 1996–97 and *(c)* 1995–96; [15372]

(2) what was the NHS expenditure on NHS chiropody and podiatry in *(a)* 1996–97, *(b)* 1995–96 and *(c)* 1994–95. [15373]

Mr. Galbraith: Health Boards are not given specific budgets for spending on chiropody and podiatric services. Resources for these services are met from within Health Boards' general revenue allocations and will reflect their assessment of need.

The majority of chiropodists employed by the NHS in Scotland are engaged in Community Health Services. The costs are not identifiable separately in financial returns. However, information on hospital expenditure is collected centrally and the data, covering both chiropody and podiatry, are in the following table:

Year	*£000*
1994–95	1,360
1995–96	1,813
1996–97	2,342

Angela Smith: To ask the Secretary of State for Scotland (1) if he will list those health authorities which have notified his Department of *(a)* reductions or increases in chiropody services in 1996–97 relative to 1995–96 and *(b)* planned reductions or increases in chiropody services in 1998–99; [15374]

(2) what are the staffing and personnel figures for all NHS grades and whole-time equivalent staff for chiropody and podiatry for *(a)* 1996–97, *(b)* 1995–96 and *(c)* 1994–95. [15362]

Mr. Galbraith: Health Boards are not required to notify the Department of changes in activity in particular services. Although the Department wishes to see health authorities and GP fundholders provide the full range of NHS services including chiropody, detailed planning decision on levels of provision are taken locally according to the needs of the population served.

Information available on changes in chiropody services relates to the number of chiropody and podiatry staff employed by the NHS in Scotland. This information is shown in the following table:

NHS chiropody staff by grade[1] Headcount and whole time equivalent: at 30 September

	Number			*WTE*		
	1994	*1995*	*1996*	*1994*	*1995*	*1996*
Chiropody	664	698	716	593.6	619.0	628.3
Chiropodists	632	664	680	564.5	588.4	595.7
Area	6	8	8	6.0	8.0	8.0
Chief	57	59	66	55.7	57.7	64.4
Senior	555	573	583	490.0	499.9	501.9
Basic/general	14	24	23	12.8	22.8	21.4
Footcare assistant	32	34	36	29.1	30.7	32.6

[1] Chiropody staff directly employed by the NHS in Scotland. The figures do not include any privately employed chiropodists who may be engaged by the NHS on a sessional basis.

Source:

National Manpower Statistics from payroll ISD Scotland Adhoc ref. 97/9541.

Angela Smith: To ask the Secretary of State for Scotland if he will make a statement on the guidelines that are issued and health needs assessments that health authorities undertake to ensure the availability of chiropody and podiatry services to meet the needs of the local population. [15361]

Mr. Galbraith: Health Boards are responsible for undertaking local needs assessments and for providing chiropody services to meet the needs of their local populations within available resources.

Angela Smith: To ask the Secretary of State for Scotland how many *(a)* face to face contacts and *(b)* initial contacts there were with NHS chiropody and podiatry staff in (i) 1996–97, (ii) 1995–96 and (iii) 1994–95. [15360]

Mr. Galbraith: The total number of contacts with NHS chiropody and podiatry services, including hospital and community-based services and services provided by voluntary organisations acting on behalf of the NHS, is shown in the following table:

NHS in Scotland—Chiropody and podiatry contacts: year ending 31 December

	Number
1994	1,731,715
1995	1,986,911
1996	1,944,630

There were 43,696 new patients seen by hospital chiropody services during 1996. Information on other contacts is not readily available.

Business Rates

Mrs. Ewing: To ask the Secretary of State for Scotland (1) what steps he has taken to monitor the differential between business rates for hotel properties in Scotland and England; [15520]

(2) if he will commission an investigation into the level of business rates faced by hotels in Scotland and rates for comparable properties in England; [15521]

(3) what representations he has received concerning differences between Scottish and English business rates since 1995. [15522]

Mr. Chisholm *[holding answer 12 November 1997]:* Valuation for rating of non-domestic property in Scotland is the responsibility of local assessors who together with the Valuation Office Agency have assured the Government that the 1995 Revaluation has been carried out using cross-Border harmonised valuation techniques. Representations arising since the revaluation have been received from, amongst others, the caravan industry, the hotel industry and representatives of those providing self-catering accommodation. The majority of difficulties have been resolved through negotiation with the assessors and through the well established formal appeals system. There are no plans to commission an investigation into these matters.

Prisoner Transfers

Mr. Ancram: To ask the Secretary of State for Scotland when the Scottish Prison Service was first made aware of the application for transfer of Jason Campbell from HM prison Shotts to the Maze prison in Northern Ireland. [16206]

Mr. Dewar: The application from Jason Campbell was made in the first instance to local management at HM Prison Shotts on 10 September. It was sent to Scottish Prison Service Headquarters on 25 September.

Mr. Ancram: To ask the Secretary of State for Scotland (1) if between 25 September and 5 October, transfers of prisoners *(a)* from Scotland to Northern Ireland and *(b)* from England to Northern Ireland required the consent of the Secretary of State of both the sending and receiving jurisdictions; [16205]

(2) what factors underlay the delay between the informing of the Scottish Prison Service about the application for transfer of Jason Campbell from HM Prison Shotts to the Maze Prison in Northern Ireland and the informing of the Minister of State at the Scottish Office; [16207]

(3) what factors underlay the delay between the approval by the Scottish Prison Service of the application for transfer of Jason Campbell from HM Prison Shotts to the Maze Prison in Northern Ireland and the informing of the Minister of State at the Scottish Office of this approval; [16208]

(4) what reports the Minister of State at the Scottish Office sought on the progress of the application for transfer of Jason Campbell from HM Prison Shotts to the Maze Prison in Northern Ireland between 25 September and 4 October. [16376]

Mr. Dewar: Transfers of prisoners require the consent of both jurisdictions. They are administered by officials under delegated authority and Ministers would not routinely be consulted or receive reports. The question of a delay in informing Ministers in the case of Jason Campbell's application therefore does not arise. My hon. Friend neither sought nor received reports about the progress of the application between 25 September and 4 October. Ministers have since reviewed the relevant procedures and will in future be notified at an early stage of any application for transfer between Scotland and Northern Ireland.

Mr. Ancram: To ask the Secretary of State for Scotland (1) if the request from the Secretary of State for Northern Ireland or representations from the Minister of State, Northern Ireland Office to the Scottish Office to deal promptly with the application for transfer of Jason Campbell to Northern Ireland was in accord with normal procedure for such transfers; [16209]

(2) what reasons were given to the Minister of State at the Scottish Office by the Secretary of State for Northern Ireland on 25 September for the request that the application for transfer of Jason Campbell from HM Prison Shotts to the Maze Prison in Northern Ireland be dealt with promptly. [16217]

Mr. Dewar: Contact between Ministers is a normal part of the conduct of Government business. In their conversation on 25 September, the Secretary of State for Northern Ireland indicated to the Minister of State at the Scottish Office that the transfer of Jason Campbell had importance in the context of the wider peace process.

Unpasteurised Milk

Mr. Jack: To ask the Secretary of State for Scotland if he will make a statement on current controls on the production, use and consumption of unpasteurised milk in Scotland, giving the reasons underlying the introduction of the current policy and when the policy changed. [16385]

Mr. Galbraith: The production and use of raw milk is controlled in Scotland by the Dairy Products (Hygiene) (Scotland) Regulations 1995. They prohibit the sale in Scotland of unpasteurised cows' milk for drinking and unpasteurised cream. Unpasteurised drinking milk from goats and sheep is permitted to be sold only from the farm premises direct to the ultimate consumer. Raw milk may be used in the manufacture of dairy products, in accordance with the conditions specified in the Regulations.

The sale of raw cows' milk for drinking was banned in 1983, as a result of increasing numbers of cases of illness associated with its consumption. The restrictions on the sale of raw sheep and goats' milk for drinking were introduced by the 1995 Regulations based on the same potential risks but reflecting the small specialist nature of this market.

CABINET OFFICE

Millennium Dome

Mr. Vaz: To ask the Minister without Portfolio what representations he has received regarding the location of the Millennium Dome. [14983]

Mr. Mandelson: I have received no such representations since becoming the shareholder of the New Millennium Experience Company on 25 June 1997.

Millennium Experience

Mr. Waterson: To ask the Minister without Portfolio if he will make a statement on the operation of Millennium Central. [13441]

Mr. Mandelson *[holding answer 10 November 1997]:* Millennium Central Ltd. (MCL) was the previous name of the New Millennium Experience Company (NMEC). The NMEC is a Non-departmental Public Body responsible for delivering and running the New Millennium Experience at Greenwich and associated National Programme.

Mr. Baker: To ask the Minister without Portfolio what is the basis of his recent estimate that the Millennium Exhibition will contribute up to £1 billion to the economy; and to what extent this estimate takes into account the use of public and Lottery money to build the Millennium Dome. [15686]

Mr. Mandelson: I was quoting from a letter to my right hon. Friend, the Secretary of State for Culture, Media and Sport, from the Chairman of the British Tourist Board, David Quarmby who wrote in June:

"Here at the BTA we estimate that the existence of the Exhibition and the way in which it will be the 'jewel in the crown' of the London and Britain tourism offer could account for an additional £300–£550 million of overseas visitor revenue to Britain in the year 2000. This is only 1–1.5 per cent. of total overseas visitors revenue of £32 billion forecast for 2000, and could be conservative; it is conceivable that the halo effect of the Greenwich Exhibition in terms of the overall marketing of Britain could double the impact to 2–3 per cent., i.e. up to £1 billion"

With Mr. Quarmby's permission I have placed a copy of this letter in the Library for reference by hon. Members. The BTA's calculation does not take into account the contribution from Lottery funds towards the Greenwich Experience. No taxpayers' money is involved in building the Dome.

DUCHY OF LANCASTER

Code of Practice on Access to Government Information

Mr. Baker: To ask the Chancellor of the Duchy of Lancaster what has been the expenditure by Government for each year since its inception on the Code of Practice on Access to Government Information. [15687]

Dr. David Clark: The costs of implementing the Code of Practice on Access to Government Information are not identified separately and could not be obtained without incurring disproportionate cost.

Overseas Travel

Mr. Malcolm Bruce: To ask the Chancellor of the Duchy of Lancaster if he will list each of the overseas trips made by himself and other members of his ministerial team since 2 May, specifying in each case *(a)* the participating Minister or Ministers, *(b)* the destination of the trip, *(c)* the purpose of the trip and *(d)* the cost of the trip; and if he will make a statement. [15244]

Dr. David Clark *[holding answer 11 November 1997]:* My hon. Friend, the Parliamentary Secretary, and I have undertaken the following overseas visits:

Minister/Destination	*Purpose of the trip*	*Cost £*
Chancellor of the Duchy		
Washington	To meet with key figures in the US as part of the preparation for the Better Government White Paper	24,227
Austria	Trilateral discussions with Austrian and German Ministers on co-ordinating a better EU regulation strategy across the three countries' consecutive EU Presidencies	3,905
Canada and Boston	To investigate how the Canadian Freedom of Information system works and to follow up discussions with leading academics at Harvard on Better Government	16,994
New Zealand and Australia	Fact finding visit on Freedom of Information and Better Government	29,235
Parliamentary Secretary		
Malaysia and Thailand	Investigate the use of IT in the delivery of public services in these countries and the public service reforms which both have introduced	10,528

SOCIAL SECURITY

Cold Weather Payments

17. **Mr. Barnes:** To ask the Secretary of State for Social Security what representations she has received in the last month concerning the operation of the cold weather payments system; and if she will make a statement. [14646]

Mr. Denham: Since 17 October I have received 29 representations on a number of aspects of the scheme.

34. **Mr. Godman:** To ask the Secretary of State for Social Security in relation to cold weather payments, how many new weather stations are to be created in the United Kingdom as a whole; and how many will be located in *(a)* Northern Ireland, *(b)* Scotland and *(c)* Renfrewshire. [14665]

Mr. Denham: Two additional weather stations will be introduced into the scheme this winter within Great Britain. Both are located in Scotland but neither are in Renfrewshire.

Questions concerning Cold Weather Payments in Northern Ireland should be referred to my right hon. Friend the Secretary of State for Northern Ireland.

Mr. Clappison: To ask the Secretary of State for Social Security what representations she has received about cold weather payments. [14657]

Mr. Denham: We have received 59 representations from hon. Members, members of the public and national organisations on a number of aspects of the scheme.

24. **Mr. Baker:** To ask the Secretary of State for Social Security what is the expected increase in Government expenditure on cold weather payments this year. [14653]

Mr. Denham: Entitlement to Cold Weather Payments is based on either the recorded or the forecast average air temperature over any seven consecutive days. It is not possible to estimate the expected level of expenditure as it depends entirely on temperature conditions.

Social Security Review

18. **Mr. Barry Jones:** To ask the Secretary of State for Social Security if she will make a statement on her review of social security payments and proceedings with particular reference to the treatment of the poorest members of society. [14647]

Ms Harman: Reforming the welfare state to tackle poverty and welfare dependency is a key priority of the Government.

We believe that work, not welfare, is best for people of working age, and we are already transforming the Social Security system to provide opportunities to work so that people can provide a better life for themselves and their children.

Fraud

19. **Mr. Gerrard:** To ask the Secretary of State for Social Security what plans she has to tackle fraud in the social security system. [14648]

Mr. Denham: Rebuilding integrity in—and public support for—the social security system is a key element of reforming the welfare state. Tackling fraud is central to this.

We are determined to make real and permanent reductions in fraud. We will modernise the welfare system so that it is secure from the point of benefit design, through to the point of payment, unlike the previous Government who focused mainly on detection after the event.

20. **Mr. Robathan:** To ask the Secretary of State for Social Security what plans she has to reduce fraud in the information provided to the Child Support Agency. [14649]

Mr. Field: We are determined to stamp out fraud throughout the benefits system—that includes the CSA.

The Agency already has powers to gather and confirm the information necessary to make a child support assessment. But we are considering whether further powers are needed to ensure that maintenance liability is based on accurate information.

32. **Helen Jones:** To ask the Secretary of State for Social Security what progress has been made in tackling fraud in the social security system. [14663]

Mr. Denham: We are determined to make real and permanent reductions in fraud. We will do this by modernising the welfare system and transforming the way in which it is delivered. Our aim is for an Active Modern Service where integrity is key, and where security is built in throughout, rather than focused mainly on detection after the event. A system which is secure from the point of benefit design, through to the point of payment.

Welfare Reform

23. **Mr. Woodward:** To ask the Secretary of State for Social Security what is the planned date of publication of the Minister for Welfare Reform's Green Paper on welfare reform. [14652]

Mr. Field: It is our intention to publish a Green Paper on Welfare Reform at the turn of the year.

Lone Parents

22. **Mr. Cousins:** To ask the Secretary of State for Social Security what measures she proposes to take to assist low-income working lone parents. [14651]

Mr. Keith Bradley: The Government firmly believe that work is the best form of welfare and are committed to supporting all families, including lone parents, to improve their standard of living through work.

We recognise that lone parents, in particular, need assistance if they are to prosper. We are therefore taking a number of steps which will support low income working lone parents.

We are committed to the development of a National Childcare Strategy to plan the provision of childcare and will make an announcement by the end of the year. As a first step, from June 1998, the childcare disregard in Family Credit will be increased to £100 for families

paying childcare costs for two or more children and the age limit will be extended to the September after the 12th birthday.

We are reviewing all aspects of the Child Support Agency to ensure it provides a fair, efficient, and effective service. Maintenance is a portable income which lone mothers keep when they move into work and they need to know the Child Support Agency will take every action to ensure that it is paid.

We will implement a Minimum Wage which will provide a statutory level beneath which pay should not fall and will remove the worst excesses of low pay and exploitation of vulnerable workers.

We are also examining the interaction of the tax and benefit systems so that they can be streamlined and modernised, so as to fulfil our objectives of promoting work incentives, reducing poverty and welfare dependency, and strengthening community and family life.

33. **Mr. Andy King:** To ask the Secretary of State for Social Security if she will make a statement on the role of childcare in the Government's new deal for lone parents. [14664]

Mr. Keith Bradley: The Government recognise the importance of good quality, affordable childcare, for all working parents, but in particular for lone parents who have to cope with bringing up children alone. That is why, when we launched the New Deal for Lone Parents in July this year, additional funds were made available to meet childcare expenses while lone parents undertake jobsearch activities.

New Deal Advisers are able to offer up to £60 per week to each lone parent to help them pay for childcare while they attend job interviews or training.

New Deal Advisers also have access to information on local childcare services so they can help lone parents find the most suitable childcare for their children.

In addition, the Cambridge and Peterborough New Deal for Lone parent areas have the added facility of public access to information via the Internet. This is provided through an information kiosk in the waiting area of each and allows lone parents to access information personally on childcare, jobs, training and benefits. We intend to extend this service to around other offices in the 8 New Deal areas.

Mr. Webb: To ask the Secretary of State for Social Security how many lone parents *(a)* receiving income support and *(b)* not receiving income support but receiving one-parent benefit are (i) widowed, (ii) divorced, (iii) separated and (iv) never married. [16210]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is set out in the tables.

Lone parents receiving income support/one parent benefit (November/December 1996)

	Number
Income support	1,022,000
Not receiving income support but receiving one parent benefit	639,000

Percentage

Marital status of recipients	*Income support recipients*	*Non-income support/one parent benefit recipients*
Widowed	[2]2	[2]3
Divorced	28	50
Separated	23	[2]16
Never married	47	31

Notes:
[1] Information taken from the 1995–96 Family Resources Survey as no information is available from Departmental administrative data.
[2] Figures based on very small sample sizes and so may be unreliable.
1. Lone parents on income support are defined as those in receipt of the lone parent premium.
2. All figures have been rounded to the nearest thousand.
3. Survey and administrative data are not directly comparable.
Sources:
1. Income Support Quarterly Statistical Enquiry, November 1996 (5 per cent. sample).
2. 1 per cent. sample of the Child Benefit Computer System, 31 December 1996.
3. 1995–96 Family Resources Survey.

Jobseeker's Allowance

25. **Mr. Campbell-Savours:** To ask the Secretary of State for Social Security if she intends to review the operation of the jobseeker's allowance. [14656]

Mr. Keith Bradley: Our welfare-to-work objectives are to provide work incentives, to reduce poverty and welfare dependency and to strike a new balance between rights and responsibilities. As the main benefit for the unemployed, Jobseeker's Allowance has a major role to play in the transition from welfare-to-work and an extensive programme of monitoring and evaluation of both the policy and delivery is under way to enable us to ensure that it is achieving these objectives.

Mr. Corbyn: To ask the Secretary of State for Social Security if she will estimate the total revenue savings by the awarding of nil benefits to recipients of jobseeker's allowance since its inception. [15776]

Mr. Keith Bradley: No such estimate has been made.

Mr. Corbyn: To ask the Secretary of State for Social Security how many recipients of Jobseeker's Allowance have had an award of nil benefit reconsidered by *(a)* officials and *(b)* Ministers; and if she will make a statement. [15775]

Mr. Keith Bradley: The information is not available in the format requested.

Awards of Jobseeker's Allowance are made by independent Adjudication Officers. Information regarding awards reconsidered by officials is not available.

Benefits Advice

27. **Sir Sydney Chapman:** To ask the Secretary of State for Social Security if she will make a statement on the telephone facilities for dealing with inquiries to benefits agencies. [14658]

Mr. Keith Bradley: Telephones are used extensively by Agency officers to provide information and advice to customers and their representatives.

The Benefits Agency is leading a project to ensure that the telephone service provided by the Department's Executive agencies, meets customer needs now, and in a future modernised Social Security delivery system.

Pension Sharing

28. **Mr. Hutton:** To ask the Secretary of State for Social Security what proposals she has to enable men and women to share pension rights on divorce. [14659]

Mr. Denham: Our Manifesto committed us to introducing pension sharing for divorcing couples. My right hon. Friend, the Secretary of State, announced in June that we would be publishing a draft Bill this parliamentary session with the intention of implementing pension sharing from April 2000. This is an important step in helping meet our objective of narrowing the pensions gap between women and men.

Poverty

29. **Mr. Kirkwood:** To ask the Secretary of State for Social Security what plans the Government have to alleviate poverty for financially disadvantaged individuals who are not in employment. [14660]

Mr. Keith Bradley: We are determined not to continue down the road of a permanent have-not class, unemployed and disaffected from society. We believe that the best way to alleviate poverty is to help people into work.

We will achieve this aim with our New Deal which will help people back to work. The New Deal will provide real opportunities for the long-term unemployed, young unemployed people, lone parents, and sick and disabled people who are able to do some work.

We are also carrying out a wide ranging review of pension provision, and have commissioned research to help establish why a million pensioners do not claim their income support entitlement.

Local Benefits Offices

30. **Mr. Fallon:** To ask the Secretary of State for Social Security what plans he has to give more discretion to local benefits offices in the payment of social security benefits. [14661]

Mr. Keith Bradley: Our aims for welfare reform are to modernise the structure and delivery of Social Security and encourage financial independence while simultaneously promoting social cohesion and well-being; to develop an active welfare system which supports work, savings and honesty; and to help tackle effectively unjustifiable social and economic inequalities. To that end we are reviewing all major components of the social security system.

Domestic Violence

35. **Mr. Malins:** To ask the Secretary of State for Social Security what plans she has to increase the number of female judges dealing with cases of domestic violence. [14666]

Mr. Hoon: I have been asked to reply because although violence against women is a key priority for the Minister for Women, as this is a specific question relating to female judges, it falls to the Lord Chancellor's Department to answer.

The Lord Chancellor has the fullest confidence that all judges, regardless of gender, deal with cases of domestic violence with impartiality and consideration for the victims of domestic violence. The Lord Chancellor's policy is that all judicial appointments are, and will continue to be, made strictly on merit. He does however very much wish to encourage applications by well qualified women and is taking steps, including increased flexibility in part-time sittings arrangements, to that end.

Pensions

36. **Mrs. Brinton:** To ask the Secretary of State for Social Security if she will make a statement about her proposals to reform pensions. [14667]

Mr. Denham: The pensions review, announced by my right hon. Friend the Secretary of State on 17 July, is looking at the central areas of insecurity for elderly people, including all aspects of the basic pension and its value. A key objective of the review is to ensure that pensioners should have an adequate income in retirement, that they should share fairly in rising national prosperity, and that public finances should be both sustainable and affordable.

The first part of the review ended on 31 October and we are now carefully considering the many responses we have received. The Government intend to publish an initial framework for change in the first half of 1998. There will then be a period of further consultation before firm proposals are developed.

Mr. Hanson: To ask the Secretary of State for Social Security if she will make a statement on the role of the pensions education and awareness working group. [14650]

Mr. Denham: Raising awareness of pensions, and improving the level of financial education is one of the key challenges for the pensions review. People need to understand the importance of saving for their retirement, and they must be able to make the right choice about what sort of pension is best for them.

That is why we established a working group of top finance, consumer and regulatory experts to consider how we can ensure that existing initiatives are co-ordinated, well-targeted and effective. The group will also advise what other actions are needed to improve people's knowledge of pensions in general. It will report at the end of January.

Pensioners

37. **Mr. Evans:** To ask the Secretary of State for Social Security what measures will be taken to assist the poorest pensioners in receipt of income support, and living in the coldest parts of the UK, with their heating bills. [14668]

Mr. Denham: The Government are already tackling the problems associated with vulnerable people keeping warm during cold weather. We have already taken action to cut fuel costs and make homes easier to heat.

Social Fund Cold Weather Payments of £8.50 will again be issued automatically to those pensioners in receipt of Income Support, when the average temperature in their area is recorded as, or forecast to be an average of 0°C or below, over a consecutive seven day period. Last winter, the Cold Weather Payments scheme triggered a total of 125 times, involving 55 of the 70 Meteorological Office weather stations used. Almost 5 million payments worth over £42 million were issued to an estimated 2.7 million people.

We are committed to examining the means of delivering more automatic help to the poorest pensioners.

Mr. Burstow: To ask the Secretary of State for Social Security what plans she has to increase take-up of income-related benefits for pensioners. [14662]

Mr. Denham: We believe that all pensioners should share fairly in the increasing prosperity of the nation.

We are committed to examining means of delivering more automatic help to the poorest pensioners. We have commissioned research to identify reasons why some pensioners do not claim the Income Support to which they are entitled, and to inform ways of getting help to them.

Local Government Finance

Mr. David Davis: To ask the Secretary of State for Social Security what plans she has to help local authorities adapt to the changes to the minimum funding requirement. [14654]

Mr. Denham: The Local Government Pension Scheme is not subject to the minimum funding requirement (MFR) and would not therefore need help in adapting to any changes, even had there been any.

In fact, the MFR has not changed since it came into effect from 6 April this year. The actuarial profession is at present reviewing the requirement and we will consider their recommendations when they become available.

Pensions Review

Mr. Kirkwood: To ask the Secretary of State for Social Security how many responses were received to her Department's invitation for contributions to the Pension Review; and if she will place in the Library lists of those who have responded and those to whom individual invitations to respond were sent. [15955]

Mr. Denham: The public consultation exercise and the first part of the Pensions Review ended on 31 October. Responses are still coming in but to date we have received approximately 1,700 responses from pensions providers, employers, employees, consumers, pensions experts and pensioners themselves.

A list of the organisation invited to respond to the Pension Review and a list of those organisations who submitted their views has been placed in the Library. Approximately 1,300 individuals, mostly pensioners, also submitted their responses.

Mr. Kirkwood: To ask the Secretary of State for Social Security if she will place in the Library copies of the contributions which her Department has received on the Pensions Review. [15959]

Mr. Denham: A number of the responses to the Review were submitted on a confidential basis. It is a matter for the respondents—pensions providers, employers, employees, consumers, pensions experts and pensioners—whether to make their responses public.

A list of organisations who have responded has been placed in the Library. The Department is prepared to make publicly available individual responses to the Pensions Review, provided the organisation or individual who responded is agreeable.

Consultation Papers

Mr. Kirkwood: To ask the Secretary of State for Social Security is she will make it her practice to inform those invited to respond to departmental consultative papers that their responses may be placed in the public domain unless they request that their responses be kept confidential. [15958]

Mr. Field: It is already existing practice to do so in line with the Code of Practice on Access to Government Information. However, because of an oversight this was not done in the case of the public consultation exercise on the Pensions Review.

Pension Sharing (Divorce)

Mr. Kirkwood: To ask the Secretary of State for Social Security when she will publish the draft Bill on pension sharing after divorce. [15960]

Mr. Denham: The Government are committed to introducing pension sharing for divorcing couples and we aim to do so from April 2000. We welcome input from all interested groups to ensure that we deliver effective and workable arrangements which recognise the contribution that both women and men make to a marriage. We are currently working in partnership with the pensions industry, family lawyers and other key groups and will publish draft Bill clauses for consultation during the current Parliamentary session. This is the first time that this Department has consulted on draft primary legislation in this way, demonstrating our commitment to open and consultative Government.

Benefits Agency Staff

Mr. Hinchliffe: To ask the Secretary of State for Social Security how many Benefits Agency staff are themselves in receipt of income-related benefits. [15837]

Mr. Keith Bradley: The information could be obtained only at disproportionate cost.

Child Support Agency

Mr. Vaz: To ask the Secretary of State for Social Security what is the current backlog of cases at the CSA. [14227]

Mr. Keith Bradley: We expect the Child Support Agency to provide an efficient and effective service to all its clients throughout the child support assessment process. We are looking for substantial and sustained operational improvements from the Agency, in particular on getting more maintenance paid, reducing the backlog and improving customer service.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Mrs. Faith Boardman to Mr. Keith Vaz, dated 14 November 1997:

I am replying to your Parliamentary Question concerning the backlog of cases at the Child Support Agency.

Any maintenance application which is over 52 weeks old is considered to form part of the Agency's backlog. At 30 September 1997, there were approximately 199,000 such cases.

The Agency has developed and is now implementing a strategy for meeting its undertaking to clear its backlogs. All Business Units have put in place operational plans which will guide them towards the achievement of our stated objective of clearing backlogs by 31 March 1999.

The Agency is tackling the backlog of cases. However, we must balance the demands placed on us—to delivery Secretary of State targets, to continue to improve performance and improve customer service—and clearance of the backlogs.

I hope this is helpful.

Mr. Vaz: To ask the Secretary of State for Social Security what were the staffing levels at the CSA on (i) 1 October 1996 and (ii) 1 October 1997. [14226]

Mr. Keith Bradley: We expect the Child Support Agency to provide an efficient and effective service to all its clients throughout the child support assessment process. We are looking for substantial and sustained operational improvements from the Agency, in particular on getting more maintenance paid, reducing the backlog and improving customer service.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Mrs. Faith Boardman to Mr. Keith Vaz, dated 14 November 1997:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about staffing in the Child Support Agency.

Details of Agency staffing levels are collected at the end of each calendar month. The table below shows the number of Agency staff at 30 September 1996 and 30 September 1997. The figures in the table do not include personnel at the Belfast Child Support Agency Centre; staff in this Centre are part of the Northern Ireland Child Support Agency, which provides a service to an area of the mainland on our behalf. The number of such staff at Belfast at 30 September 1996 was 745.9[1], and the figure for 30 September 1997 was 876.6[1].

Child support agency staff [1]

	Permanent and fixed term contract staff	*Casual staff*	*Total*
30 September 1996	7,191.6	455.4	7,647
30 September 1997	8,043.2	462.7	8,505.9

[1] Figures are an amalgamation of full-time and part-time staff and are expressed as whole time equivalents.

I hope this is helpful.

Written Answers to Questions

Tuesday 18 November 1997

INTERNATIONAL DEVELOPMENT

Kenya

Mr. McDonnell: To ask the Secretary of State for International Development on what projects the current United Kingdom bilateral aid to the Government of Kenya is being spent. [15013]

Mr. Foulkes: Major projects (with commitments of £1 million or over) implemented in partnership with the Government of Kenya are:

	£ million
Education	
Primary School management Project	4.8
Strengthening of Primary Education Phase II	18.9
Health	
Kenya Family Health Programme	11.5
HIV/AIDS Prevention and Care Project	8.9
Family Planning Interim Support Project	3.5
Natural Resources/Environmental Protection	
National Agricultural Research Programme Phase II	10.6
Kenya Trypanosomiasis Research Institute Phase III	2.4
Protected Areas and Wildlife Support Project	2.9
Small Enterprise Development	
Improving the Regulatory Environment Phase II	1.0

Mr. McDonnell: To ask the Secretary of State for International Development what safeguards are currently in place within her Department to prevent the misuse of aid provided directly to the Kenyan Government. [15015]

Mr. Foulkes: Project funds are not normally provided directly to the Kenyan Government, but are controlled and disbursed by project management agents appointed by the British Government, and are subject to independent audit.

Mr. McDonnell: To ask the Secretary of State for International Development (1) what recent investigations her Department has undertaken into the misuse of aid provided by the United kingdom to the Kenyan Government; [15018]

(2) what estimate she has made of the amount of aid provided by the United Kingdom to the Kenyan Government which is misused. [15019]

Mr. Foulkes: We know of no misuse of our development assistance funds by the Kenyan Government.

Mr. McDonnell: To ask the Secretary of State for International Development how much aid has been offered to non-governmental organisations in Kenya to assist with an election-observing programme. [15020]

Mr. Foulkes: My Department has offered up to £264,000 for this purpose.

DUCHY OF LANCASTER

Compliance Cost Assessments

Mr. Jim Marshall: To ask the Chancellor of the Duchy of Lancaster if he will list those compliance cost assessments published during the latest six-month period. [16904]

Dr. David Clark: The Government are committed to ensuring that regulations are necessary, fair to all parties and properly costed. In accordance with this, we require Departments to produce and publish CCAs for all regulatory proposals likely to have an impact on business, charities and the voluntary sector.

I have presented to Parliament today a Command Paper listing 90 CCAs published between 1 January 1997 and 30 June 1997 plus 1 CCA published in December 1996 which was omitted from the previous Command Paper. Copies of the CCAs listed have been placed in the Libraries of the House. This is the seventh such Command Paper.

CULTURE, MEDIA AND SPORT

Film Industry

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport how many films were produced in the United Kingdom in each of the last six years broken down by production type. [15448]

Mr. Tom Clarke: Total production figures for the six years are as follows:

1996: 128

1995: 78

1994: 84

1993: 67

1992: 47

1991: 59

Classification by the production types used by the British Film Institute is available only for the last four years:

Category A: Films where the cultural and financial impetus is from the UK and the majority of personnel is British.

1996: 53

1995: 28

1994: 35

1993: 32

Category B: Majority UK Co-Productions; films in which, although there are foreign partners, there is a UK cultural content and a significant amount of British finance and personnel.

1996: 20

1995: 9

1994: 8

1993: 27

Category C: Minority UK Co-Productions. Foreign (non-US) films in which there is a small UK involvement in finance or personnel.

1996: 30

1995: 23

1994: 20

1993: —

Category D: American films with a UK creative and/or financial involvement.

1996: 25

1995: 18

1994: 21

1993: 10

National Lottery

Mr. Luff: To ask the Secretary of State for Culture, Media and Sport what procedures he proposes that lottery funding bodies should adopt to take account of public opinion when considering grant applications; and if he will make a statement. [15605]

Mr. Banks: In the White Paper "The People's Lottery" we announced our intention to ensure that lottery money is spent according to a strategy which reflects distributors' assessment of need in their sectors. These strategies should take account of public opinion. It is for distributors to determine the means by which they intend to assess public opinion and reflect it in their strategies.

Tourism (Crown Scheme)

Mr. Keetch: To ask the Secretary of State for Culture, Media and Sport when the English Tourist Board review of the Crown Scheme will be completed; if he will support changes to the scheme to allow resorts which choose not to have telephones in their lodges to be granted a Five Key rating; and if he will make a statement. [15309]

Mr. Tom Clarke: The English Tourist Board, the AA and the RAC are now considering the responses from the industry consultation on their proposals for replacing the existing Crown and Star schemes. They intended to make a final announcement about the new schemes, which will cover serviced accommodation, before the end of the year.

The English Tourist Board will be reviewing their separate Key Scheme for self-catering accommodation in the spring. The first stage will be to commission research into consumer expectations about this sector.

Academy of Sport

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport (1) what plans he has to include team sports in the British Academy of Sport; [16567]

(2) when he expects to make an announcement on the location of the British Academy of Sport. [16568]

Mr. Banks: My right hon. Friend the Secretary of State met the United Kingdom Sports Council on 14 November and agreed the basis on which the competition will be completed. I have arranged for copies of his announcement and the paper which was considered at that meeting to be placed in the Library. I expect an announcement on the location of the United Kingdom Sports Institute to be made before Christmas. Team sports will be embraced by the Institute. The distribution of training facilities for team sports between the Headquarters, sports specific institutes, and network institutes, will be decided over time with the governing bodies concerned.

Dance and Drama

Mr. Luff: To ask the Secretary of State for Culture, Media and Sport what financial contribution his Department has made towards the costs of the Arts Council for England interim scheme for students of dance and drama; and what assessment he has made of the effectiveness of this expenditure. [15599]

Dr. Howells: I have been asked to reply.

The Department will be contributing a minimum of £9 million of new funds to the interim bursary scheme over the four academic years the scheme will run. £15 million has been made available in the current year. We are currently assessing the impact of the scheme with the Department for Culture, Media and Sport and the Arts Council of England.

CABINET OFFICE

Millennium Experience

Mr. Gordon Prentice: To ask the Minister without Portfolio how many accidents have been recorded at the dome site since construction began. [15730]

Mr. Mandelson: There have been three minor accidents, involving three people in all, since construction started at the dome site. None of the incidents were classed as "major" injuries under RIDDOR (Reporting of Injuries; Diseases and Dangerous Occurrences Regulations 1995). Although all those involved were back at work within a week or less, all three incidents were reported to the HSE as the time off work in each case exceeded three days.

HOME DEPARTMENT

Cleared-up Crime (Definition)

Mr. Beith: To ask the Secretary of State for the Home Department what is his Department's definition of a cleared-up crime; and if he will make a statement. [16547]

Mr. Michael: The full details of the Home Office definition of a cleared-up crime are set out on page 9 of Volume IV of the "Criminal Statistics Instructions, Annual and Miscellaneous Returns", last issued in Janaury 1997.

An offence is regarded as cleared up when:

1. a person has been charged or summonsed for the offence (irrespective of any subsequent acquittal);

2. the offence has been taken into consideration by the court or the unequivocal consent of the offender is obtained by way of statement of admission and desire to have further offences taken into consideration;

3. the offender has been proceeded against in another police force area for the offence;

4. the offender dies before proceedings could be initiated or completed;

5. the offender has been cautioned by the police;

6. the offender is ill and is unlikely to recover or is too senile or too mentally disturbed for proceedings to be taken;

7. the complainant or an essential witness is dead and the proceedings cannot be pursued;

8. the guilt of the offender is clear but the victim refuses, or is permanently unable, or if a juvenile is not permitted, to give evidence;

9. the offender admits the offence but it is decided that no useful purpose would be served by proceeding with the charge;

10. it is ascertained that an offence has been committed by a child under the age of criminal responsibility;

11. an offence is admitted by a juvenile of the age of criminal responsibility and police take no action other than reporting the particulars to a local authority for action under the Children and Young Persons Act 1969;

12. there is sufficient evidence to charge the offender but

(a) the police prosecuting department, the Crown Prosecution Service or a senior police officer decide that no useful purpose would be served by proceeding with the charge; or

(b) for summary offences of unauthorised taking of a motor vehicle or criminal damage value over £20 the time limit of six months for commencing prosecution has been exceeded.

In cases where a warrant for the arrest of an offender, although issued, remains unexecuted, the offence should be regarded as undetected until the offender has been apprehended or until the case comes within the scope of the above paragraphs. As a general principle and apart from the particular examples given above, it should be noted that where there is insufficient evidence for proceedings to be taken against a known and available person, the offence should be regarded as undetected.

Animal Experiments

Mr. Page: To ask the Secretary of State for the Home Department how many experiments on animals took place in the last year for which figures are available; and if he will estimate how many of these would have been avoided under the voluntary agreement. [16652]

Mr. George Howarth: The "Statistics of Scientific Procedures on Living Animals, Great Britain, 1996" were laid in the House in July. These show that 2,716,587 procedures were carried out on animals. Of these, 252 were for the purpose of safety testing of finished cosmetic products, the category of tests covered by the voluntary ban.

The ban on cosmetic product testing is an important first step. We announced on 6 November that we would also be exploring a ban on the testing of ingredients for "vanity" products and finished household products.

Mr. Page: To ask the Secretary of State for the Home Department if he will list the companies licensed to carry out experiments on animals with their addresses and, where appropriate, the name of the holding company. [16653]

Mr. George Howarth: Section 24 of the Animals (Scientific Procedures) Act 1986 prohibits the disclosure of information given in confidence. This includes the details of establishments designated under the Act as places where animal experiments may be carried out.

Publication of such information would increase the risk to establishments, and those who work in them, of attack by animal rights extremists.

Police Forces (Finances)

Mr. Beith: To ask the Secretary of State for the Home Department if he will list for each police force area *(a)* the total police revenue grant, *(b)* the total capital grant, *(c)* other grants to police authorities from central funds and *(d)* the total capital and revenue grants from central funds, for each of the last two financial years for which figures are available; what is the planned total capital and revenue expenditure from central funds for each of the next two financial years; and if he will make a statement. [16553]

Mr. Michael: The information requested in respect of 1996–97 and 1997–98 is set out in the tables.

Present planned Home Office support for the police for the next two financial years is set out in the "Home Office Annual Report 1997" (CM 3608), table 5.1, page 37, a copy of which is in the Library. This shows that planned support, in the form of specific current, capital and special grants and credit approvals to police authorities, is £3,761 million in 1998–99 and £3,756 million in 1999–2000. The provisional police funding settlement for 1998–99 is likely to be announced next month.

Grants to police authorities 1996–97

	Police revenue grant (Home Office)[1] £	*Police capital grant (Home Office)* £	*Other grants (Home Office, DETR, Welsh Office)*[2] £	*Total* £
Avon and Somerset	77,278,260	2,351,000	25,030,505	104,659,765
Bedfordshire	28,811,092	1,167,000	9,252,820	39,230,912
Cambridgeshire	33,348,537	629,000	8,821,067	42,798,604
Cheshire	49,500,131	961,000	14,065,961	64,527,092
City of London[3]	27,831,884	421,000	203,269	28,456,153
Cleveland	36,816,273	740,000	18,685,068	56,241,341
Cumbria	28,688,560	585,000	11,833,101	41,106,661

Grants to police authorities 1996–97

	Police revenue grant (Home Office)[1] £	*Police capital grant (Home Office)* £	*Other grants (Home Office, DETR, Welsh Office)*[2] £	*Total* £
Derbyshire	46,355,758	1,122,000	13,394,184	60,871,942
Devon and Cornwall	77,025,454	1,907,000	20,857,334	99,789,788
Dorset	32,474,611	933,000	8,637,944	42,045,555
Durham	35,827,979	870,000	15,495,893	52,193,872
Dyfed Powys	24,241,009	477,000	8,141,371	32,859,380
Essex	76,160,629	4,187,000	20,333,298	100,680,927
Gloucestershire	29,317,079	1,015,000	9,161,711	39,493,790
Greater Manchester	171,880,949	4,286,000	85,120,299	261,287,248
Gwent	31,333,758	680,000	13,283,631	45,297,389
Hampshire	88,068,573	2,911,000	23,858,689	114,838,262
Hertfordshire	45,304,535	1,375,000	11,870,184	58,549,719
Humberside	51,746,268	2,067,000	21,409,048	75,222,316
Kent	82,321,694	4,083,000	24,838,623	111,243,317
Lancashire	81,970,295	1,699,000	33,417,198	117,086,493
Leicestershire	47,395,525	1,982,000	16,268,004	65,645,529
Lincolnshire	29,232,699	1,465,000	8,738,292	39,435,991
Merseyside	112,588,958	3,474,000	61,947,845	178,010,803
Metropolitan Police	846,761,947	27,749,000	526,169,133	1,400,680,080
Norfolk	38,205,064	1,283,000	10,556,691	50,044,755
North Wales	34,681,073	1,079,000	12,075,475	47,835,548
North Yorkshire	34,961,340	1,800,000	8,078,083	44,839,423
Northamptonshire	29,320,943	876,000	8,653,157	38,850,100
Northumbria	94,046,011	5,110,000	47,052,716	146,208,727
Nottinghamshire	57,583,603	3,501,000	23,296,748	84,381,351
South Wales	75,246,910	3,644,000	35,309,366	114,200,276
South Yorkshire	77,594,905	3,530,000	35,241,579	116,366,484
Staffordshire	54,610,654	2,165,000	18,499,215	75,274,869
Suffolk	31,033,584	609,000	8,203,782	39,846,366
Surrey	42,090,281	3,021,000	14,904,094	60,015,375
Sussex	75,763,690	3,746,000	20,106,622	99,616,312
Thames Valley Police	101,658,543	4,046,000	25,702,435	131,406,978
Warwickshire	24,725,312	521,000	6,781,933	32,028,245
West Mercia	51,605,192	2,036,000	11,971,915	65,613,107
West Midlands	172,342,961	4,799,000	84,765,670	261,907,631
West Yorkshire	130,447,666	3,918,000	61,047,452	195,413,118
Wiltshire	30,427,811	747,000	8,703,276	39,878,087
Grant not allocated	—	—	—	—
Total	3,348,628,000	115,567,000	1,451,784,681	4,915,979,681

[1] Excludes balances paid in respect of 1994–95 accounts.
[2] Includes (i) Revenue support grant and SSA reduction grant (DETR and Welsh Office), (ii) loan charges grant paid on pre 1990 debt, (iii) grant paid under section 48 of the Police Act 1996, (iv) grant for special constabulary, (v) party conferences grant, (vi) funding for PFI projects.
[3] "Other grants" excludes Revenue support grant and SSA reduction grant—no separately identifiable figures for the City of London police.

Grants to police authorities 1997–98

	Police revenue grant (Home Office)[1] £	*Police capital grant (Home Office)* £	*Other grants (Home Office, DETR, Welsh Office)*[2] £	*Total* £
Avon and Somerset	79,564,084	1,794,000	26,450,976	107,809,060
Bedfordshire	29,969,661	1,355,000	9,476,397	40,801,058
Cambridgeshire	34,517,288	774,000	9,093,929	44,385,217
Cheshire	51,102,862	778,000	14,770,795	66,651,657
City of London[3]	27,475,936	341,000	238,128	28,055,064
Cleveland	37,523,242	599,000	19,703,565	57,825,807
Cumbria	30,037,318	473,000	11,520,912	42,031,230
Derbyshire	48,089,785	2,171,000	14,157,251	64,418,036
Devon and Cornwall	79,046,941	1,718,000	23,597,481	104,362,422
Dorset	33,804,583	1,043,000	7,121,967	41,969,550
Durham	36,512,965	558,000	16,628,701	53,699,666
Dyfed Powys	25,198,643	386,000	5,779,170	31,363,813
Essex	79,693,871	1,384,000	20,387,051	101,464,922
Gloucestershire	30,371,173	541,000	9,477,225	40,389,398
Greater Manchester	176,078,065	4,757,000	89,530,846	270,365,911
Gwent	32,424,045	494,000	11,180,564	44,098,609
Hampshire	90,616,243	1,565,000	25,492,706	117,673,949
Hertfordshire	47,465,812	1,044,000	11,706,039	60,215,851

Grants to police authorities 1997–98

	Police revenue grant (Home Office)[1] £	*Police capital grant (Home Office)* £	*Other grants (Home Office, DETR, Welsh Office)*[2] £	*Total* £
Humberside	53,034,050	2,131,000	22,925,976	78,091,026
Kent	84,673,351	4,476,000	26,567,262	115,716,613
Lancashire	83,767,796	1,305,000	35,606,978	120,679,774
Leicestershire	49,336,277	853,000	16,715,279	66,904,556
Lincolnshire	30,788,473	1,847,000	9,504,990	42,140,463
Merseyside	113,660,328	3,941,000	66,339,413	183,940,741
Metropolitan Police	900,344,546	24,774,000	506,748,742	1,431,867,288
Norfolk	39,052,823	2,728,000	11,553,084	53,333,907
North Wales	30,218,410	917,000	9,493,069	40,628,479
North Yorkshire	95,656,644	1,803,000	9,258,085	106,717,729
Northamptonshire	35,695,797	1,236,000	9,153,273	46,085,070
Northumbria	35,797,195	4,851,000	50,688,139	91,336,334
Nottinghamshire	59,069,950	2,633,000	25,844,470	87,547,420
South Wales	77,732,137	3,110,000	30,860,974	111,703,111
South Yorkshire	79,345,830	2,840,000	37,649,917	119,835,747
Staffordshire	57,200,041	2,627,000	18,525,556	78,352,597
Suffolk	31,859,276	493,000	8,499,579	40,851,855
Surrey	44,807,788	2,054,000	15,593,134	62,454,922
Sussex	78,415,319	2,696,000	20,820,439	101,931,758
Thames Valley Police	104,631,315	3,175,000	26,489,865	134,296,180
Warwickshire	25,725,130	408,000	7,111,493	33,244,623
West Mercia	53,417,326	2,529,000	12,497,379	68,443,705
West Midlands	175,339,329	4,049,000	91,546,536	270,934,865
West Yorkshire	132,526,320	3,080,000	65,905,102	201,511,422
Wiltshire	31,042,893	883,000	9,454,479	41,380,372
Grant not allocated	—	—	—	—
Total	3,472,630,861	105,172,000	1,475,644,556	5,053,447,417

[1] Excludes balances paid in respect of 1994–95 accounts.
[2] Includes (i) Revenue support grant and SSA reduction grant (DETR and Welsh Office), (ii) loan charges grant paid on pre 1990 debt, (iii) grant paid under section 48 of the Police Act 1996, (iv) party conferences grant, (v) payments to police authorities in respect of implications of the Firearms (Amendment) Act 1997.
[3] "Other grants" excludes Revenue support grant and SSA reduction grant–no separately identifiable figures for the City of London police.

Crime (Conviction and Clear-up Rates)

Mr. Beith: To ask the Secretary of State for the Home Department what was the *(a)* conviction rate and *(b)* clear-up rate for each category of crime (i) in total and (ii) as a percentage change, per area, in each of the last five years for which figures are available; and if he will make a statement. [16549]

Mr. Michael: The information requested is given in the tables, copies of which have been placed in the Library. Figures for clear-ups and convictions are not directly comparable because clear-ups and convictions are not directly comparable because clear-ups relate to offences and convictions relate to offenders.

Asylum Seekers

Mr. Soames: To ask the Secretary of State for the Home Department (1) what are the detailed procedures for following up asylum seekers after their entry into the United Kingdom; [15081]

(2) who is responsible for following up asylum seekers after their entry into the United Kingdom. [15084]

Mr. Mike O'Brien: Asylum seekers granted temporary admission by the Immigration Service may be required to report to the police or the Immigration Service on specified dates. It remains, however, the responsibility of all asylum seekers to maintain contact with the Immigration and Nationality Directorate and to inform the Directorate of any change of address or representative or of any other relevant change in circumstances.

A failure to attend for interview, to respond promptly to written inquires, or otherwise to comply in full with the procedures or the terms of temporary admission, may result in the application being refused.

Police Complaints

Mr. Mullin: To ask the Secretary of State for the Home Department if he will call for reports on the cost of the complaints and discipline departments for the current year of the police forces of (i) Manchester, (ii) Liverpool, (iii) the West Midlands and (iv) Northumbria. [16127]

Mr. Michael: The forces concerned have supplied the information set out below, which may not necessarily be directly comparable. The estimated costs for the current financial year are:

	£ million
Greater Manchester Police	2.05
Merseyside Police	1.6
West Midlands Police	1.7
Northumbria	0.86

Intrusive Surveillance

Mr. Baker: To ask the Secretary of State for the Home Department pursuant to his answer of 4 November, *Official Report*, column *119*, if the absolute requirement to obtain the authority of a warrant to carry out intrusive surveillance involving entry on to, or interference with, property also applies to surveillance carried out from without a property. [15953]

Mr. Straw *[holding answer 14 November 1997]:* The statutory provision is to be found in sections 5 and 6 of the Intelligence Services Act 1994. The requirement to obtain a warrant applies to all operations which involve entry on or interference with property, or with wireless telegraphy.

Interception of Communications

Mr. Baker: To ask the Secretary of State for the Home Department how many requests for phone tap warrants were made by MI5 in 1996; how many were *(a)* agreed and *(b)* refused. [15721]

Mr. Straw *[holding answer 17 November 1997]:* I refer the hon. Member to the reply I gave to him on 3 November. *Official Report*, column *26*, where I explained that, in accordance with the practice adopted by successive Interception Commissioners, I considered that it would be prejudicial to national security to publish figures for the number of telephone warrants issued to each individual agency.

Mr. Baker: To ask the Secretary of State for the Home Department if phone taps authorised for numbers allocated to public phone boxes are included in the figures given to Parliament in respect of the numbers of phone taps authorised. [15704]

Mr. Straw *[holding answer 17 November 1997]:* The information published in the Annual Report of the Interception Commissioner includes all telecommunications warrants issued by the Home Secretary and the Secretary of State for Scotland, irrespective of the type of telephone which is intercepted.

Mr. Baker: To ask the Secretary of State for the Home Department how many warrants authorising phone taps related to *(a)* an individual and *(b)* two or more individuals, including organisations, for each year since 1986. [15717]

Mr. Straw *[holding answer 17 November 1997]:* It would not be in the public interest to publish this information.

Mr. Baker: To ask the Secretary of State for the Home Department how many directives have been issued to British Telecom under section 94 of the Telecommunications Act 1984 for each year since its inception. [15724]

Mr. Straw *[holding answer 17 November 1997]:* Section 94(4) of the Telecommunications Act 1984 requires the Secretary of State to lay before the House a copy of every direction given under section 94 unless he is of the opinion that disclosure of the direction is against the interests of national security. No directions have been laid before Parliament. It follows that any directions which may have been issued by the Secretary of State for the Home Department could not be disclosed, in the interests of national security.

Mr. Baker: To ask the Secretary of State for the Home Department how many items of mail were legally intercepted and opened for each year since 1986; and in respect of how many persons. [15697]

Mr. Straw *[holding answer 17 November 1997]:* The available information is published in the annual reports of the Interception Commissioner, which list the number of postal warrants issued each year by the Home Secretary and the Secretary of State for Scotland. Figures for the numbers of postal warrants issued by the Home Secretary in each year since 1986 are as follows:

Postal warrants issued by the Home Secretary

Year	*Number of warrants*
1985	40
1986	95
1987	34
1988	48
1989	31
1990	42
1991	62
1992	118
1993	105
1994	76
1995	87
1996	69
Total	807

Mr. Baker: To ask the Secretary of State for the Home Department in what circumstances monitoring of international communications terminating within the United Kingdom is subject to approval by warrant. [15681]

Mr. Straw *[holding answer 17 November 1997]:* The requirement to obtain a warrant under the Interception of Communications Act 1985 applies in relation to the interception of any communication in the course of its transmission by means of a public telecommunications system.

Mr. Baker: To ask the Secretary of State for the Home Department if he will amend the terms of the Interception of Communications Act 1985 to comply with *(a)* Article 13 and *(b)* Article 8 of the European Convention on Human Rights. [15711]

Mr. Straw *[holding answer 17 November 1997]:* We shall, in due course, bring forward proposals to amend the Interception of Communications Act 1985 so as to bring it into line with the judgment of the European Court of Human Rights in the case of Halford *v.* the United Kingdom.

Mr. Baker: To ask the Secretary of State for the Home Department in what circumstances calls made by prisoners from Her Majesty's prisons are monitored. [15684]

Ms Quin *[holding answer 17 November 1997]:* All telephone calls made by prisoners, other than in open establishments, are recorded and are liable to be monitored. Calls made by high and exceptional risk category A prisoners are simultaneously monitored. Monitoring of other prisoners' calls takes place on a selective basis where there is justifiable suspicion of abuse, supplemented by random monitoring to the extent to which it is considered operationally necessary for the purposes of security, control and the detection of crime.

Mr. Baker: To ask the Secretary of State for the Home Department which recommendations of the Birkett Report are not presently effective. [15727]

Mr. Straw *[holding answer 17 November 1997]:* I refer the hon. Member to the report by Lord Diplock on the interception of communications in Great Britain, which was published in March 1981 (Cmnd 8191). In the fourth paragraph, Lord Diplock recorded that all of Lord Birkett's recommendations had subsequently been adopted and had been followed ever since. Following a White Paper published in 1985, the Interception of Communications Act 1985 was enacted and this Act provides the current statutory basis for lawful interception of communications.

MI5

Mr. Baker: To ask the Secretary of State for the Home Department what percentage of the MI5 budget is currently spent on counter-subversion. [15679]

Mr. Straw *[holding answer 17 November 1997]:* In the current financial year, the Security Service expects to spend less than 1 per cent. of its budget on residual work on counter subversion.

Mr. Baker: To ask the Secretary of State for the Home Department if he will make a statement on the present terms of reference for MI5. [15720]

Mr. Straw *[holding answer 17 November 1997]:* The functions of the Security Service are prescribed in the Security Service Act 1989, as amended by the Security Service Act 1996. They are, in summary, as follows:

(i) the protection of national security;

(ii) safeguarding the economic well being of the United Kingdom against threats posed by the actions or intentions of persons outside the British Islands;

(iii) acting in support of the activities of police forces and other law enforcement agencies in the prevention and detection of serious crime.

Mr. Baker: To ask the Secretary of State for the Home Department how many persons are employed in reviewing and destroying files now deemed inappropriate to be held by MI5. [15696]

Mr. Straw *[holding answer 17 November 1997]:* The review of Security Service files is an integral part of the duties of records management staff within the Security Service. Successive Governments have deemed it inappropriate to provide a breakdown of staff allocated to these tasks. Total staff at the Security Service at 4 November 1997 was 1,860.5 (full-time equivalent).

Mr. Baker: To ask the Secretary of State for the Home Department under what circumstances MI5 uses persons external to MI5 to carrying out tapping or other covert surveillance tasks. [15699]

Mr. Straw *[holding answer 17 November 1997]:* It has been the policy of successive Governments not to discuss operational matters relating to the work of the security and intelligence services.

Scottish Devolution

Mr. Dalyell: To ask the Secretary of State for the Home Department pursuant to his oral answer of 27 October 1997, *Official Report*, column 574, which department will be responsible for the campaign against drug misuse in Scotland. [15764]

Mr. Galbraith: I have been asked to reply.

As my right hon. Friend the Secretary of State for the Home Department indicated in his reply of 27 October, the Scottish Executive will assume the current responsibilities of my right hon. Friend the Secretary of State for Scotland and my right hon. and learned Friend the Lord Advocate. The reply made it clear that these responsibilities would include drug misuse issues such as health, treatment and education and enforcement of drug misuse legislation in Scotland. Responsibilities on education would cover advertising and prevention campaigns on drug misuse.

FOREIGN AND COMMONWEALTH AFFAIRS

India

Ms Jenny Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs how many applications for visitors' visas to the United Kingdom have been received at the New Delhi embassy since January; and how many of the applications were refused. [15930]

Mr. Fatchett: Between 1 January and 31 October 1997, 46,799 applications to visit the United Kingdom were received at the British High Commission in New Delhi of which 6,064—13 per cent.—have been refused.

Ms Jenny Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will review the geographical location of the United Kingdom's embassies in India with particular reference to giving adequate coverage to the northern states. [15931]

Mr. Fatchett: We regularly keep under review the size and location of diplomatic posts around the world. We have no current plans to open further posts in India. Our present Missions in India are the High Commission in New Delhi, the Deputy High Commissions in Bombay, Calcutta and Madras and the British Trade Office in Bangalore.

Export Promotion

Caroline Flint: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the initiatives taken by his Department to improve export promotion. [16357]

Mr. Fatchett: This Department and the Department of Trade and Industry launched the Export Forum in June to look at ways to enhance the effectiveness of current government support for UK exporters. The Forum met between July and October, and my right hon. Friend the President of the Board of Trade welcomed its recommendations in her written announcement to the House on 4 November 1997, *Official Report*, columns *127–28*.

In July we also announced a rolling programme of attachments of business men and women to work on specific promotions or projects overseas for periods of a few months.

Human Rights

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what obstacles remain to the United Kingdom indicating its adherence to the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials adopted by the 8th UN Congress on the Prevention of Crime and the Treatment of Offenders in September 1990; [15888]

(2) what obstacles remain to the United Kingdom indicating its adherence to the UN Rules for the Protection of Juveniles Deprived of their Liberty adopted by the General Assembly Resolution 45/113 of 14 December 1990; [15889]

(3) what obstacles remain to the United Kingdom indicating its adherence to the United Nations Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions recommended by the Economic and Social Council Resolution of 24 May 1989; [15890]

(4) what obstacles remain to the United Kingdom indicating its adherence to the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment adopted by the General Assembly Resolution of 9 December 1988; [15891]

(5) what obstacles remain to the United Kingdom indicating its adherence to the United Nations Standard Minimum Rules for the Treatment of Prisoners, approved by the Economic and Social Council of 13 May 1977. [15892]

Mr. Doug Henderson: We support the broad intentions of the important human rights standards contained in these United Nations texts. The United Kingdom joined consensus on their adoption. However, these instruments are not legally binding. As their wording shows, they are recommendatory in nature. There is therefore no mechanism by which States can become party to them.

Indonesia

Mr. Laurence Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he made of the human rights situation in Indonesia when deciding to continue to export arms to Indonesia; and in what circumstances he would ban arms sales. [16420]

Mr. Fatchett: We will not issue an export licence if the arguments for doing so are outweighed by the need to comply with the UK's international obligations and commitments, or by concern that the goods might be used for internal repression or international aggression, or by the risks of regional stability, or other considerations as described in the new criteria for defence sales announced by my right hon. Friend the Foreign Secretary on 28 July 1997, *Official Report*, columns *26-29*. These factors will be taken into account when considering an export licence for any country, including Indonesia.

MI6

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the present terms of reference for MI6. [15707]

Mr. Robin Cook *[holding answer 17 November 1997]*: The principle role of the Secret Intelligence Service is the production of secret intelligence in support of the security, defence, foreign and economic policies within the framework of requirements laid upon us by the JIC and approved by Ministers. The functions of SIS are set out in section 1 of the Intelligence Services Act 1994.

TRADE AND INDUSTRY

Overseas Travel

Mr. Malcolm Bruce: To ask the President of the Board of Trade if she will list each of the overseas trips made by herself and other members of her ministerial team since 2 May, specifying in each case *(a)* the participating Minister of Ministers, *(b)* the destination of the trip, *(c)* the purpose of the trip and *(d)* the cost of the trip; and if she will make a statement. [15212]

Mrs. Beckett *[holding answer 11 November 1997]*: DTI Ministers have undertaken the following visits since taking office on 2 May. In respect of the cost estimates, those relating to more recent visits may incur some additional charges which have not yet been booked to the Department.

		£
President of the Board of Trade		
25–28 May Japan	Inward Investment and Trade Promotion	29,150
15–16 June Paris	Attend Airbus Ministerial Meeting and Paris Airshow	830
01 July Brussels	Meeting with EU Commissioner Van Miert	850
10–11 September Washington DC	Trade Policy	15,320
13 October Brussels	Meetings with Commissioners Wulf-Mathies and Bangemann	960
12–13 November Brussels	Attend Industry Council	1,170
Minister for Trade and Competitiveness in Europe: Lord Simon of Highbury		
20–21 May Brussels	Attend Internal Market Council	750
25–26 May Amsterdam	European Round Table	710
3–5 September Germany and Austria	Series of bilaterals with European Counterparts	1,320
3–4 October Luxembourg	Attend Internal Market Council	860
Minister for Small Firms Trade and Industry: Barbara Roche		
5–6 June Munich, Germany	Attend Bavarian Innovation and Research Fair	1,160
15–20 June Brazil	Trade Promotion	12,780
26–27 June Luxembourg and Brussels	Attend Telecoms Council	810
17 July Brussels	Meeting with EU Commissioner for Small Firms	430
10–11 September Hanover, Germany	Speak at Machine Tools and Technologies Exhibition	1,170
Minister for Trade: Lord Clinton-Davis		
16–19 May	New York and Trade Promotion Washington DC	11,480
25–26 May Paris	OECD Ministerial	1,830
14–19 June South Africa	Trade Promotion	9,570
21–27 June Thailand and Malaysia	Trade Promotion	11,650
20–21 July France	Trade Promotion and Trade Policy	1,040
24–25 July Ireland	Trade Promotion and Trade Policy	560
9–17 September Argentina and Chile	Trade Promotion	15,050
21–29 September Korea/Japan	Trade Promotion and ASEM	18,760
15 October Paris	Trade Promotion	300
17–22 October Indonesia	Trade Promotion	13,320

		£
Minister for Science Energy and Industry: John Battle		
15 May Brussels	EU Research Council	850
26 May Brussels	Energy Council	980
31 May Azerbaijan	Caspian Oil and Gas Show	3,500
17 June Paris	Air Show	770
7 July Bonn	Information Society Conference	960
27 October Luxembourg	Energy Council	1,020
9 November Brussels	Research Council	1,030
Minister of State: Ian McCartney		
26–27 June Luxembourg	Social Affairs Council	1,280
4–6 July Luxembourg	EC Business (Informal Social Affairs Council)	850
7 October Luxembourg	Social Affairs Council	1,110
9–10 November Austria	UK Presidency Bilateral	1,310
Minister for Competition and Consumer Affairs: Nigel Griffiths		
22–29 June Antwerp and Athens	Attend Institute of Trading Standards Conference	1,800
24–27 September Luxembourg and Paris	Attend UK Industry Travel and Tour Conference	1,220
16–19 October Stockholm	Meetings with EU Consumer Ministers	1,080
30 October–4 November Madrid La Palma Tenerife Brussels	Visiting EU Consumer MinistersVisiting Observatory Attending ABTA Convention Attending EU Consumer Council	1,920

[1] A notional cost representing a share of the cost the Department paid for a train to Paris for the whole UK business delegation.

Locate in Scotland

Mr. Dalyell: To ask the President of the Board of Trade what recent discussions her Department has had with the Scottish Office in respect of Locate in Scotland. [15628]

Mr. Ian McCartney: My officials have regular contact with both the Scottish Office and Locate in Scotland on the handling of inward investment projects in the UK. My Department's Invest in Britain Bureau continues to work in partnership with, amongst others, the investment agency for Scotland under the Committee on Overseas Promotion arrangements.

Critical Illness Insurance

Mr. Gordon Prentice: To ask the President of the Board of Trade what estimates she has made of the current number of people who have taken out critical illness insurance; and what the figure was in 1987. [15970]

Mr. Ian McCartney: I understand that the Association of British Insurers estimate that in 1996 some 93,000 new policies for critical illness insurance were written in the UK, and that some £50 million of premium was paid for them. No other estimates, or corresponding ones for 1987, are available.

Patents (Genes)

Mr. Matthew Taylor: To ask the President of the Board of Trade what research her Department has *(a)* commissioned and *(b)* evaluated into the link between patents on genes and research into new cures; and if she will place a copy of such research in the Library. [16389]

Mr. Ian McCartney *[holding answer 17 November 1997]:* My Department has not commissioned research into the link between patents on genes and research into new cures.

Under the relevant legislation (the Patents Act 1977) patent protection may be obtained for genes when isolated from the body or produced by a technical process but only if general criteria for patentability are met.

United Kingdom law and that of all member states of the European Union is closely aligned with that of the European Patent Convention which came into force in 1978.

Under current legislation acts done for experimental purposes relating to the subject matter of a patented invention do not infringe patent rights.

Mr. Baker: To ask the President of the Board of Trade if she will make a statement on her policy on the levying of royalties by patent holders on crops to which patented genes have spread through horizontal gene transfer. [16152]

Mr. Ian McCartney *[holding answer 17 November 1997]:* The current legislation (The Patents Act 1977) details the act which constitute infringement of a patent for an invention. Where the invention is a product, these acts include making, disposing, offering to dispose, using or importing the product without the consent of the patent holder.

Application of these provisions in any given circumstance is for a Court to determine. To date there has been no litigation on the levying of royalties by patent holders on crops to which patented genes have spread through horizontal gene transfer.

Post Office

Mr. Reed: To ask the President of the Board of Trade what progress she has made in her review of Post Office services, with particular reference to Crown post office closures; and if she will make a statement. [16560]

Mr. Ian McCartney: The first stage of our review of the Post Office has taken the form of a scoping study and has comprised extensive consultations with the main interested parties in the postal sector. Our aim is to develop a comprehensive policy programme for the Post Office in the context of our manifesto commitment to grant the Post Office greater commercial freedom. Decisions on the future of the Post Office policy of converting Crown post offices to agency status, which has been suspended since May, will be taken within the wider framework of the review.

Inward Investment

Mr. Beggs: To ask the President of the Board of Trade what changes she has made since 1 May to the reporting relationship between regional inward investment attracting organisations and his Department. [16646]

Mr. Ian McCartney: My Department's Invest in Britain Bureau continues to work with all its regional partners under the Committee on Overseas Promotion on arrangements to ensure that the UK remains the Number 1 location in Europe for attracting inward investment.

Mr. Beggs: To ask the President of the Board of Trade how the decision-making powers of *(a)* Scottish Enterprise, *(b)* the Welsh Development Agency, *(c)* the Northern Ireland Industrial Development Board and

(d) the equivalent English agencies on issues of inward investment will be linked to the work of her Department in future. [16647]

Mr. Ian McCartney: My Department's Invest in Britain Bureau will continue to work in partnership under the Committee on Overseas Promotion arrangements with the inward investment agencies of Scotland, Wales, Northern Ireland and the English regions to maintain the UK as the Number 1 location in Europe for foreign direct investment.

Press Releases

Mr. Matthew Taylor: To ask the President of the Board of Trade what is her policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if she will make a statement. [16309]

Mr. Nigel Griffiths: It has been the Department's practice for some years to fax, on request, its press releases to Opposition party spokesman on the day of release.

Discrimination

Mr. McDonnell: To ask the President of the Board of Trade if she will list the names of those employers who have been found to have breached the anti-discrimination legislation at an industrial tribunal, indicating the amount of compensation awarded, since 1 May. [16481]

Mr. Ian McCartney: Since 1 May 1997, there have been 86 successful applications made against employers at Industrial Tribunal hearings in the United Kingdom where the main jurisdiction fell within anti-discrimination legislation. In 28 of these cases, awards were made to the applicants.

The detailed information requested could be provided only at disproportionate cost. Full details of each tribunal application, the tribunal's decision and the names of respondents in particular cases can be found on the Public Register at Bury St. Edmunds, unless the case involves an allegation of a sexual offence.

Competition Bill

Mr. Paterson: To ask the President of the Board of Trade how many *(a)* tobacconist shops and *(b)* public houses will be affected by the Competition Bill. [16354]

Mr. Nigel Griffiths: Agreements which fulfil the criteria for exemption under European block exemption regulations, including those relating to beer tie agreements and exclusive distribution, will be automatically exempt from the prohibition of anti-competitive agreements.

The Competition Bill will apply to agreements or conduct which are anti-competitive.

BT Entertainment Services

Mrs. Gillan: To ask the President of the Board of Trade when the consultation paper on the proposed lifting of restrictions on BT carrying entertainment services will be published. [16692]

Mrs. Roche: The Government are actively considering the issue. We wish to see competition sustained and developing further in all areas of the market and in the consumer interest. We intend, as soon as possible, to publish for consultation our proposals on the way forward on this issue.

Body Piercing

Mr. Gordon Prentice: To ask the President of the Board of Trade what qualifications are needed and what licensing is required of persons who engage in body piercing. [15975]

Ms Jowell: I have been asked to reply.

There are no statutory qualifications for cosmetic body piercers. Local authorities in London have powers either to license or to register cosmetic body piercing businesses. The majority of London local authorities have adopted licensing powers which enable them to set licensing conditions, including the qualifications of persons offering cosmetic body piercing. Local authorities outside London do not have similar powers. In October 1996, the Department consulted on a proposal to give local authorities outside London powers to control cosmetic body piercing businesses. We are currently considering the outcome of the consultation exercise.

WALES

E-mail

Mr. Jenkin: To ask the Secretary of State for Wales, pursuant to the answer of 10 November from the Chancellor of the Duchy of Lancaster, *Official Report*, column *441*, if he will list the e-mail addresses of *(a)* Ministers, *(b)* senior officials and *(c)* chief executives of agencies for which he is responsible. [15866]

Mr. Ron Davies *[holding answer 13 November 1997]*: My Department is in the process of determining the most cost-effective way of using Internet e-mail, and we expect that we will start to do so early in 1998. At that point e-mail addresses of Ministers and senior officials will be made public.

Welsh Economy

Mr. Flynn: To ask the Secretary of State for Wales what new proposals he has to promote innovation in the Welsh economy. [14791]

Mr. Hain: In our recently published Economic Strategy Statement we are consulting on various measures to realise the potential of new technology and are meanwhile taking forward our Wales Information Society and Regional Technology Plan initiative.

PRESIDENT OF THE COUNCIL

Fair Trade (Coffee and Tea)

Mr. MacShane: To ask the President of the Council, pursuant to the oral Statement by the Secretary of State for International Development, *Official Report*,

5 November, column 332, if she will instruct officials to serve coffee and tea furnished by suppliers who adhere to fair trade standards in her Department. [15496]

Mrs. Ann Taylor: The Privy Council Office has no official catering facilities of its own. Beverages served at meetings are supplied under Cabinet Office arrangements.

NORTHERN IRELAND

Students

Mr. Jenkin: To ask the Secretary of State for Northern Ireland if the Department for Education plans to fund all four years of study by students from Northern Ireland at Scottish Universities; how many students from Northern Ireland are currently in the fourth year of a degree course at a Scottish University; and what assessment he has made of the cost of funding this fourth year. [16093]

Mr. Worthington *[holding answer 14 November 1997]:* The issue is the subject of Ministerial discussion. In 1996–97 there were around 900 Northern Ireland domiciled students on the fourth year of a full-time first degree course at Scottish Higher Education Institutions. The estimate of costs is currently being examined.

Springvale University

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what plans there are to develop the Springvale University campus project; what have been the main determining factors underlying the project's development; and if she will make a statement about revenue funding implications for higher education provision in Northern Ireland over the next decade. [16450]

Mr. Worthington *[holding answer 17 November 1997]:* Discussions, including consideration of new style further and higher education provision at Springvale, are currently taking place between the Belfast Institute of Further and Higher Education and the University of Ulster. Proposals arising from these discussions, including the revenue funding implications, are subject to economic appraisal.

Jury Trials

Mr. McNamara: To ask the Secretary of State for Northern Ireland what estimate she has made of the increase in the number of jury trials formerly held by Diplock courts as a result of the proposed changes to the Northern Ireland (Emergency Provisions) Acts. [15902]

Mr. Ingram: It is not possible to predict the number of cases which will be heard before a jury as a result of the proposed changes to the Northern Ireland (Emergency Provisions) Act 1996. It will be for my right hon. and learned Friend the Attorney-General to determine, on the merits of each individual case before him, whether or not to certify it out.

May 1974 Bomb Attacks

Mr. McNamara: To ask the Secretary of State for Northern Ireland what co-operation she will offer the Irish Government to assist investigation into allegations of the unlawful involvement of British military intelligence in bomb attacks in Dublin and Monaghan in May 1974. [15908]

Mr. Ingram: If the Irish Government have any evidence to substantiate allegations about the bomb attacks in Dublin and Monaghan in May 1974 the Government will support investigations to establish the validity of such evidence.

International Decommissioning Commission

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will place the initial report of the International Decommissioning Commission in the Library. [15895]

Mr. Ingram: The International Decommissioning Commission is an independent body established jointly by the British and Irish Governments. It has not yet finalised its initial report. The Governments will keep under review in consultation with the Commission and the other participants in the political negotiations, the handling of reports produced by the Commission on the difficult and sensitive issues entrusted to it.

Victims of Violence

Mr. McNamara: To ask the Secretary of State for Northern Ireland what are the terms of reference of the Commission established to look at ways of recognising the suffering of victims of violence in Northern Ireland. [15909]

Mr. Paul Murphy: The terms of reference for the Commission are to look at ways of recognising the suffering of victims of violence in Northern Ireland and:

- to examine the feasibility of providing greater recognition for those who have become victims in the last thirty years as a consequence of events in Northern Ireland, recognising that those events have also had appalling repercussions for many people not living in Northern Ireland,
- to consult the various organisations concerned with Welfare of the bereaved and disabled,
- to consult community groups, churches, political parties; and
- to make recommendations to the Secretary of State.

TREASURY

Computers (Century Date Change)

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if he will make a statement on what funding provision has been made to accommodate the expenditure needed to resolve the computer millennium problem; and if he expects to have sufficient funding to pay for the work necessary to achieve complete millennium compliance by 1 January 2000. [13564]

Mrs. Liddell *[holding answer 4 November 1997]:* Within the Treasury, most of the required compliance can be achieved by upgrading proprietary software or hardware, which would have formed part of the normal development of the department's IT systems. Costs will largely be related to time spent by staff testing their systems. Any costs associated with this work will be met from within existing plans.

Contingency Reserve

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what allocations from the Contingency Reserve have been made for *(a)* 1997–98 and *(b)* 1998–99; what is the value of the remaining unallocated component of the Contingency Reserve in (1) 1997–98 and (2) 1998–99; and if he will make a statement. [13284]

Mr. Darling *[holding answer 6 November 1997]:* The Reserve announced in November 1996 for 1997–98 was £2,5 billion. The main Estimates included allocations of £200 million from the Reserve to departments and the summer Supplementary Estimates included allocations of a further £52 million. The winter Supplementary Estimates to be presented on 13 November will include allocations of a further £234 million. The Reserve for 1998–99 will be £2.8 billion reflecting the allocations in my reply to the hon. Member of 30 July *Official Report*, column *347*.

Dividends (Tax Credits)

Mr. Gibb: To ask the Chancellor of the Exchequer what representations his Department has received from United States *(a)* Government bodies, *(b)* trade associations and *(c)* major corporations regarding the reduction of the tax credit on dividends. [14689]

Mr. Geoffrey Robinson *[holding answer 6 November 1997]:* Full details of the changes to tax credits were given immediately after the Budget, as a matter of course, to treaty partners concerned, including the United States Government. In that regard, we have responded to a small number of requests for technical clarification, and received a few representations from trade associations and major corporations.

Pension Funds

Mr. Flight: To ask the Chancellor of the Exchequer if he will estimate the number of people of pensionable age who have retired but who have not purchased an annuity with the accumulated capital from their pension fund. [14757]

Mr. Geoffrey Robinson: The information is not available.

Mr. Flight: To ask the Chancellor of the Exchequer what plans he has to mitigate the impact of the abolition of ACT recovery on pension funds, in respect of people of pensionable age who have not purchased an annuity. [14756]

Mr. Geoffrey Robinson: None.

Greenhouse Gas Emissions

Mr. Stunell: To ask the Chancellor of the Exchequer if he will list *(a)* his Department's policies and initiatives designed to reduce carbon dioxide emissions and *(b)* the departmental policies and initiatives designed to reduce other greenhouse gases; if he will estimate for each the annual reduction in tonnage of greenhouse gas emissions achieved in the most recent year for which figures are available compared to those for 1990; and what estimate he has made of further reductions, or increases, predicted from 2000 and 2010, assuming continuation of current policies. [15548]

Dawn Primarolo: I refer the hon. Member to the United Kingdom's Second Report under the UN Framework Convention on Climate Change which was published in February 1997. It reports the UK's progress in implementing its programme for reducing greenhouse gas emissions and gives a projection of what the programme is expected to deliver by 2000. The report projects forward what the current program is expected to achieve to 2020.

EU Customs Information Convention

Mr. Mitchell: To ask the Chancellor of the Exchequer, pursuant to the answer of 1 July, *Official Report*, columns *74–76*, concerning the Customs Information convention of the European Community, by what means the convention was ratified by the United Kingdom; and what was the date of the relevant parliamentary proceedings. [15567]

Dawn Primarolo: The Convention on the use of Information Technology for Customs Purposes (the Customs Information System Convention) was ratified by the United Kingdom in accordance with the agreed practice and procedure for the ratification by the United Kingdom of international agreements, known as the Ponsonby Rule. The procedure provides Parliament with the opportunity to consider the [redacted] of any agreement which requires ratification, acceptance, approval or accession by the United Kingdom by laying before Parliament a text of the agreement at least 21 sitting days before ratification can be effected. Provided that Parliament does not seek a debate on the agreement, the Foreign Secretary signs the instrument of ratification which is subsequently deposited with the Secretary General of the Council.

In the case of the Convention on the use of Information Technology for Customs Purposes; the Command Paper was laid before Parliament on 13 November 1996, no Parliamentary debate was sought and the Convention was ratified on 18 June 1997—the date when the United Kingdom instrument of ratification was deposited with the Secretary General to the Council.

Official Hospitality

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the expenditure by *(a)* his Department, *(b)* its agencies and *(c)* its non-departmental public bodies on official hospitality for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (iv) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997. [15238]

Mrs. Liddell *[holding answer 11 November 1997]:* Expenditure on hospitality by Ministers and officials is shown in the following table:

£000

Year	*Treasury*	*Inland Revenue (Inc VOA)*	*Royal Mint*	*Customs and Excise*	*National Savings*	*Office for Nat. Stats.*
1980–81	(1)	(1)	(1)	(1)	(1)	(1)
1987–88	9.9	(1)	(1)	(1)	1.9	(1)

£000

Year	Treasury	Inland Revenue (Inc VOA)	Royal Mint	Customs and Excise	National Savings	Office for Nat. Stats.
1990–91	30.4	(1)	35.0	[2]41.0	5.8	(1)
1991–92	35.2	43.0	33.0	[2]55.0	3.6	(1)
1992–93	41.2	41.0	28.0	386.0	10.2	(1)
1993–94	27.3	26.0	40.0	300.0	10.0	(1)
1994–95	40.5	27.0	39.0	266.0	8.4	(1)
1995–96	41.1	18.0	40.0	267.0	13.3	(1)
1996–97	49.5	14.0	40.0	273.0	17.5	33.1
1997–98 May-September	11.0	9.0	24.0	120.0	5.5	22.7

[1] Figures unavailable.
[2] Figures for overseas hospitality are unavailable for these years.

Overseas Travel

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the expenditure by *(a)* his Department, *(b)* its agencies and *(c)* its non-departmental public bodies on overseas travel for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997; and if he will provide a breakdown to show (1) air fares and (2) other expenditure relating to overseas travel. [15239]

Mrs. Liddell *[holding answer 11 November 1997]:* Expenditure for all overseas travel (including subsistence) is shown in the table.

£000

	Treasury	Inland Revenue (including Valuation Office Agency)		Custom and Excise	Office for National Statistics
		All	Of which Air Fares		
1980–81	n/a	n/a	n/a	n/a	n/a
1987–88	299	n/a	n/a	n/a	n/a
1990–91	519	n/a	n/a	1,214	n/a
1991–92	598	313	213	1,557	n/a
1992–93	652	307	222	1,850	n/a
1993–94	796	242	85	2,425	n/a
1994–95	677	472	169	2,766	n/a
1995–96	667	928	174	3,089	n/a
1996–97	775	468	139	3,551	510
1997–98 (May–September)	307	78	69	1,565	144

n/a: These figures are not available.
Figures for the Royal Mint are not available, except at disproportionate cost. Expenditure by National Savings on overseas travel is estimated to be less than £1,000 in each year, but more precise figures are not available, except at disproportionate cost.
Inland Revenue aside, expenditure for airfares is not separately identifiable.

Publicity and Advertising

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the total expenditure on all forms of publicity and advertising by *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies for (i) 1993–94, (ii) 1994–95, (iii) 1995–96, (iv) 1996–97, (v) the 1997–98, year to date, (vi) the 1997–98, full year estimate and (vii) the 1998–99 planned expenditure. [15241]

Mrs. Liddell *[holding answer 11 November 1997]:* Expenditure on publicity and advertising for the years requested is shown in the table below:

£000

	Treasury[1]	Inland Revenue[2]	Customs and Excise	Royal Mint[3]	National Savings	Office for National Statistics
1993–94	122	865	922	958	15,419	[4]—
1994–95	121	948	840	794	13,567	[4]—
1995–96	96	8,128	729	2,012	12,975	[4]—
1996–97	121	7,637	1,329	1,879	10,799	369
1997–98 (year to date)	41	5,900	602	1,557	5,476	144
1997–98 (full year)	[5]—	7,900	1,400	[5]—	9,389	297

[1] In 1993–94 and 1994–95, the Treasury included all recruitment expenditure (advertising and expenses) in the same account code. Form 1995–96 recruitment advertising was separated. The earlier figures have been adjusted to provide a series on a consistent basis.
[2] These figures include spending by the Valuation Office Agency. The recent increase reflects publicity for the move to self assessment.
[3] Figures for the Royal Mint for 1993–94 and 1994–95 are higher than those given in previous answers. This is due to a change of policy by the Mint regarding the treatment of commercial information held in confidence.
[4] The ONS was created on 1 April 1996 following the merger of the Central Statistical Office and the Office of Population Censuses and Surveys. Information for previous years is not readily available.
[5] The only figures currently available for 1997–98 are spend to date.
Detailed budgets for 1998–99 have yet to be agreed.

CAP (Fontainebleau Rebate)

Mr. Jack: To ask the Chancellor of the Exchequer by how much the United Kingdom's Fontainebleau Rebate would increase if a community-funded agricultural support programme benefiting British farmers underspent its projected budget by £200 million. [16384]

Mrs. Liddell *[holding answer 17 November 1997]:* It is not possible to be sure of the effect for the UK's abatement without making further hypothetical assumptions, since a range of other factors could influence the outcome. For example, if there were a transfer of provision to another programme within the Community Budget from which the UK were to gain equal benefit, there would be no consequences for the amount of out abatement. Any effect would however be reflected in the abatement only in respect of the following year.

Dorneywood

Mr. Flynn: To ask the Chancellor of the Exchequer if he will list the dates he has been in residence at Dorneywood since May; and if he will make a statement. [16158]

Mr. Gordon Brown: I make visits to Dorneywood as and when my diary permits.

Mr. Flynn: To ask the Chancellor of the Exchequer what were the running costs of Dorneywood in each of the last five years; and if he will make a statement. [16157]

Mr. Gordon Brown: As Dorneywood is financed by a private trust, my Department does not bear its running costs.

HOUSE OF COMMONS

Public Appointments

Mr. Charles Clarke: To ask the President of the Council what assessment Her Majesty's Government have made of the advantages of establishing a procedure for ratification by Select Committee of some senior public appointments; and when she expects to bring recommendations to the House. [15301]

Mrs. Ann Taylor *[holding answer 10 November 1997]:* The Government have accepted the recommendations of the Committee on Standards in Public Life on appointments to executive non-departmental public bodies and NHS trusts. The consultation paper "Opening up quangos", published by my right hon. Friend the Chancellor of the Duchy of Lancaster on 11 November, sets out proposals to extend these recommendations to other public bodies. The Government will review the possibility of ratification of certain appointments by Select Committees but has no immediate plans to recommend this.

AGRICULTURE, FISHERIES AND FOOD

Hill Farmers

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what was the average income of hill farmers in each year since 1987. [15197]

Mr. Morley: Estimate of average net farm income for full-time Less Favoured Area (LFA) cattle and sheep farms in the United Kingdom are given in the table. The figures, expressed in real terms at 1996–97 prices, are estimates of averages across the United Kingdom. These data have to be interpreted with caution because incomes of individual farms vary considerably according to the farm size, mix enterprises and production systems. More detailed information can be found in the annual publication "Farm Incomes in the United Kingdom".

United Kingdom—LFA cattle and sheep farms

Year	*Average net farm income (£/farm) (real terms at 1996–97 prices)*
1987–88	14,900
1988–89	17,000
1989–90	11,300
1990–91	8,400
1991–92	10,000
1992–93	12,700
1993–94	14,500
1994–95	10,500
1995–96	14,500
1996–97	14,100

Forecasts for 1997—98 will be placed in the Library of the House within the next few weeks.

Soil Survey Data

Mrs. Anne Campbell: To ask the Minister of Agriculture, Fisheries and Food what plans he has to make soil survey data accessible. [15852]

Mr. Morley: Soil survey data are currently published and readily available as maps, an associated range of Bulletins and the Soil Geo-chemical Atlas.

Our officials, along with those in the Department of the Environment, Transport and the Regions and the Environment Agency, are in discussions with the Soil Survey and Land Use Research Centre—which holds the data—to assess how access might be better facilitated for *bona fide* research purposes.

Soil Protection

Mrs. Anne Campbell: To ask the Minister of Agriculture, Fisheries and Food when he plans to publish his plans for soil protection. [15851]

Mr. Morley: In response to a recommendation of the Royal Commission on Environmental Pollution, the Government plan to issue an explicit statement of their policies for the protection of soil. This will take the form of a "soil strategy". Our officials are in discussion with the Department of the Environment, Transport and the Regions about the preparation of the strategy. The plan is to consult publicly before the strategy is finalised.

Live Animal Exports

Dr. Palmer: To ask the Minister of Agriculture, Fisheries and Food when he will announce the results of the review of the operation of laws designed to safeguard the welfare of live animals destined for export from the United Kingdom; and if he will make a statement. [15318]

Mr. Morley: The supervision of exports must not only be the best possible but also be seen to be the best. The current system lends itself to criticism. We intend to change the system so that the Department can nominate veterinary surgeons from a special panel and pay them from a charge on the exporter. Instructions to veterinary surgeons will be clarified and additional training given. We are in discussions with the professional veterinary bodies to get the details in place as soon as possible.

Dr. Palmer: To ask the Minister of Agriculture, Fisheries and Food how many live *(a)* sheep and *(b)* pigs have been exported from the United Kingdom since 1 January for (i) slaughter, (ii) further fattening and (iii) breeding. [15317]

Mr. Rooker: The following table, derived from Departmental computer records of animal health export certifications, shows the number of live sheep and pigs exported from the United Kingdom, from January–October 1997 inclusive in the categories requested.

	For slaughter	*For further fattening*	*For breeding*
Sheep	28,100	288,200	1,200
Pigs	71,000	11,700	138,700

The information given above is provisional and subject to change.

Climate Change

Mr. Stunell: To ask the Minister of Agriculture, Fisheries and Food what representations he has received on the impact of climate change on *(a)* agricultural production and methods and *(b)* crop diseases and pest control; and if he will make a statement. [15590]

Mr. Morley: The Department is aware of an increasing level of concern about the impact of a climate change on agriculture. In particular, we received a query from the Country Landowners' Association covering a range of climate change issues following my visit to East Anglia in June. In October, my officials attended a conference arranged by the Farming and Wildlife Advisory Group (FWAG) to discuss climate change issues with a group of farmers and other interested groups.

The Department will spend about £1 million this year on R and D on climate change in relation to agriculture, of which £300,000 will be spent assessing the impact of climate change and identifying adaptation strategies. Much of the rest will be spent on assessing the extent of greenhouse gas emissions from agriculture and developing options for mitigation. We also intend to publish a booklet on climate change and agriculture in the United Kingdom in the early part of next year.

Greenhouse Gas Emissions

Mr. Stunell: To ask the Minister of Agriculture, Fisheries and Food if he will list *(a)* his Department's policies and initiatives designed to reduce carbon dioxide emissions and *(b)* the departmental policies and initiatives designed to reduce other greenhouse gases; if he will estimate for each the annual reduction in tonnage of greenhouse gas emissions achieved in the most recent year for which figures are available compared to those for 1990; and what estimate he has made of further reductions, or increases, predicted for 2000 and 2010, assuming continuation of current policies. [15547]

Mr. Morley: I refer the hon. Member to the United Kingdom's Second Report under the UN Framework Convention on Climate Change which was published in February 1997. It reports the UK's progress in implementing its programme for reducing greenhouse gas emissions and gives a projection of what the programme is expected to deliver by 2000. The report projects forward what the current programme is expected to achieve to 2020.

Farmers (Hunting)

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the number of farmers who have prohibited hunting with dogs on their land; and what percentage of the total this represents. [15972]

Mr. Morley: There is no information available to form the basis for such an estimate, but farmers are free to prohibit hunting with dogs on their land and many do so.

Agriculture Tenancies Act 1995

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food when his Department will publish a review of the workings of the Agriculture Tenancies Act 1995; and if he will make a statement. [16070]

Mr. Morley: An independent initial policy evaluation of the Agricultural Tenancies Act 1995, commissioned by this Department and the Welsh Office, is now nearing completion. The results, which it is expected the researchers will wish to publish, will provide data for England and Wales separately.

The primary aims of this initial evaluation were to examine the initial impact of the 1995 Act and to establish a baseline for a more detailed independent evaluation expected to be commissioned in three to four years time.

Farmers (Surveys)

Mr. Greenway: To ask the Minister of Agriculture, Fisheries and Food how many postal surveys of farmers have been undertaken by his Department during the past five years; and which of these had a statutory basis providing for penalties for non-compliance. [16047]

Mr. Morley: In 1996, 15 regular statistical surveys were conducted to farmers, of which 6 were compulsory. This excludes 2 voluntary surveys which are not run every year. Over the last five years, 3 voluntary statistical surveys have been dropped and 2 have been introduced. Rather than reducing the number of surveys, most survey control action has concentrated on reducing the numbers contacted. In addition to the statistical surveys, 11 ad hoc postal surveys were run to provide information for policy needs in 1996.

Mr. Greenway: To ask the Minister of Agriculture, Fisheries and Food how many postal surveys of farmers undertaken during the past five years requested information which was required by the European Commission. [16048]

Mr. Morley: Of the 15 regular statistical surveys conducted in 1996, 10 provided information required by the EU. This provides the annual picture, apart from a labour survey which is run every 2 or 3 years to provide detailed information required in the European Structure Survey.

Mr. Greenway: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to reduce the number of *(a)* separate surveys and *(b)* questions and their level of detail required of farmers and landowners. [16046]

Mr. Morley: The Government are committed to reducing the amount of statistical data collected from farmers. Survey control procedures ensure that the essential information need and the number of surveys is regularly reviewed. Increased sampling in the June and December surveys, together with use of administrative data, will save on the issue of over 25,000 forms this year. About 25 per cent. of farmers contacted in the June 1997 census received a simpler form.

Organic Farming

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what progress has been made in increasing the percentage of agricultural land on which organic farming is practised. [16330]

Mr. Morley: Figures available from the UK Register of Organic Food Standards show that the total area of land farmed organically has increased from 30,424 hectares (0.17 per cent. of all agricultural land, including rough grazing) in April 1993 to 53,907 hectares (0.3 per cent.) in November 1997.

Slaughter

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food how many meat animals are slaughtered for human consumption each year without first being rendered unconscious. [16700]

Mr. Morley: The Welfare of Animals (Slaughter or Killing) Regulations 1995 (SI 1995 No. 731) require that animals are stunned so that there is immediate loss of consciousness which lasts until death. This applies to the slaughter of all animals other than when, for reasons of religion, slaughter is carried out without prior stunning. Information is not held separately on the numbers of animals killed without prior stunning by the Jewish or Muslim methods.

Cloning

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the proposal by Dr. Ian Wilmut at the Bristol Veterinary Association's annual congress, for an ethics debate on matters arising from developments in cloning, reported in the Veterinary Record of 18 October, a copy of which has been sent to him. [14808]

Mr. Morley: We read this account of the discussions at the BVA Congress with interest. The Department has not formed a view of the proposal made by Dr. Wilmut—and separately by others—for a debate on ethics and cloning, and the way in which this might be carried forward. In our policies in this area, we continue to be guided by the advice of the Committee, chaired by the Rev. Professor Michael Banner, on the "Ethical Implications of Emerging Technologies in the Breeding of Farm Animals" which reported December 1994.

Animal Feed Contents Labels

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what plans his Department has to require feed compounders give a full ingredient listing on animal feed contents labels; and if he will make a statement. [16163]

Mr. Rooker: I refer my hon. Friend to the reply given to my hon. Friend, the Member for South Derbyshire (Mr. Todd) on 17 November 1997, *Official Report*, column *21*.

Radioactive Waste

Mr. Ieuan Wyn Jones: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his Answer to the hon. Member for Delyn (Mr. Hanson) of 6 November 1997, *Official Report*, column *386*, (1) which department authorised the disposal of radioactive miss-distance indicators in the Holyhead Deep in 1974; [15984]

(2) if he will establish an inquiry into the implications for public health of the disposal of radioactive miss-distance indicators in the Holyhead Deep in 1974; [15983]

(3) how many radioactive miss-distance indicators were disposed of in Holyhead Deep in 1974, indicating the date of each disposal; [15982]

(4) if he will place in the Library all material held by his Department relating to the disposal of radioactive miss-distance indicators by the Royal Air Force in the Holyhead Deep in 1974. [15985]

Mr. Rooker: Our records show that 112 radioactive miss-distance indicators were dumped in the Holyhead Deep in the second half of 1974. The Ministry of Defence has advised that the dumpings took place on 14–15 August 1974. The disposals were authorised by the Ministry of Defence and the records show that the Ministry of Agriculture, Fisheries and Food was informed. I am advised that these disposals do not have any significance for human health or the environment. Nevertheless, as I explained in my earlier reply to my hon. Friend the Member for Delyn (Mr. Hanson), I have passed the details to the National Radiological Protection Board for an independent assessment, the results of which I expect to announce shortly. I have today placed in the Library of the House copies of the one original archive document identified by this Department which relates to these disposals.

Ostriches

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food if he will estimate how many on-farm premises exempt from the Poultry Meat Hygiene Regulations but complying with general food hygiene legislation are currently slaughtering ostriches; and if he will make a statement. [16162]

Mr. Rooker: This information is not held centrally. Compliance with general food hygiene legislation is a matter for food authorities under the Food Safety Act 1990.

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food how many slaughterhouses in England have *(a)* applied for and *(b)* been granted licences to handle ostriches; and if he will make a statement. [16161]

Mr. Rooker: As at 1 November 1997, no slaughterhouse in England had applied for a licence to handle ostriches.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Homes (Brown-field Sites)

9. **Mr. Gerald Howarth:** To ask the Secretary of State for the Environment, Transport and the Regions what is his Department's policy on the proportion of the new homes estimated by his Department to be needed by 2016 which should be accommodated on brown-field sites. [14849]

Mr. Caborn: The current policy is for local authorities to make the best possible use of previously used sites for accommodating the country's future housing requirements. The national target set by the previous administration was for half of all new housing to be built on previously developed land, and this is under review. Urban areas could make a larger contribution to total additional housing provision if new conversions are included.

Rough Sleepers Initiative

10. **Mr. Hope:** To ask the Secretary of State for the Environment, Transport and the Regions what progress he has made in his rough sleepers' initiative; and what plans he has to extend it. [14850]

Ms Armstrong: We are committed to ensuring that nobody should have to sleep rough. We also announced in June £20 million funding for 13 rough sleepers projects in areas outside central London, and I can announce today that we will be providing up to £1 million worth of pump-priming funding over the next 18 months to support six new rough sleeping strategies in Birmingham, Blackpool, Canterbury, Chester, Southampton and Tower Hamlets.

Planning Applications

12. **Mr. Evans:** To ask the Secretary of State for the Environment, Transport and the Regions what is his policy on seeking local opinion before considering whether or not to call in certain planning applications or to hold public inquiries. [14852]

Mr. Caborn: Our policy is to leave local planning authorities to decide planning applications in all but the most exceptional cases. In deciding whether to make an exception, the nature and volume of local representations made would be taken into account.

Flood Defence

13. **Mr. Mitchell:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to take flood defence levies out of the other services block in reviewing standard spending assessments for 1998–99. [14853]

Ms Armstrong: Provisional decisions on standard spending assessments for 1998–99 will be announced in due course, as part of the local government revenue finance settlement.

Climate Change Conference

14. **Mr. Dafis:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the United Kingdom Government's main objectives at the Kyoto climate change conference. [14854]

Angela Eagle: In Kyoto our main objective will be to secure agreement by developed countries to a system of legally binding targets for reductions in greenhouse gas emission. The EU has proposed reductions to at least 7.5 per cent. below 1990 levels by 2005 and 15 per cent. below by 2010. We also want developing countries' agreement that over time they will have to play an increasing role in tackling climate change.

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the outcome of the meeting of advanced industrial states in Japan on preparations for the Kyoto Conference on climate change; and if he will place in the Library copies of unrestricted documents circulated at the meeting by *(a)* the United Kingdom and *(b)* other participants. [14748]

Mr. Prescott *[holding answer 10 November 1997]:* I chaired the meeting of developed countries on Saturday 8 November, which was attended by representatives from Japan, Australia, Canada, France, Germany, Italy Luxembourg, Netherlands, New Zealand, Norway, Russia, the USA, the European Community, and by my right hon. Friend the Minister for the Environment on behalf of the UK.

We had an excellent and constructive discussion, with some positive movement on a number of issues. For example, we reached agreement that targets should be set in terms of budget periods; and three countries indicated that they would shortly be proposing targets. But even more importantly, I was convinced of the strong political will to ensure a successful outcome at Kyoto. We left the meeting with a much better understanding of each others' positions and I urged all colleagues to build on this spirit of co-operation and to resolve the key outstanding issues in the few weeks ahead. For my part, I met the Vice-President of the USA in Washington on my way to Tokyo and I shall be visiting Australia, New Zealand and India shortly. My right hon. Friend the Foreign Secretary, the Minister for the Environment and other colleagues will also be visiting Hungary, Poland, Mexico, South Korea, Japan and a number of European capitals in the run-up to Kyoto.

As Chair I made a personal report of the meeting of developed countries, a copy of which I have placed in the Library. Other documents tabled by Ministers were of a private nature, intended to ensure a frank discussion.

The Japanese Environment Minister, Mr. Ohki, chaired a meeting on Sunday 9 November at which we were joined by colleagues from a number of developing countries: Argentina, Brazil, Korea, Indonesia, Mexico, Samoa and Tanzania. Again, the meeting was both constructive and positive.

Regional Government

15. **Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government's policy towards regional Government in England. [14855]

Mr. Caborn: We will shortly be publishing a White Paper on the regions setting out the Government's detailed proposals for taking forward the regional agenda in England.

28. **Mr. Jim Cunningham:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the discussions he has had with interested organisations on proposals for regional government. [14869]

Mr. Caborn: We have received around 1,500 responses to the issues paper on regional development agencies which we published on 11 June. The White Paper on the Regions which we will be publishing shortly will set out the Government's detailed proposals for taking forward the regional agenda in England.

Homes (Developed Land)

16. **Mr. John M. Taylor:** To ask the Secretary of State for the Environment, Transport and the Regions, what is his Department's policy on the proportion of new homes required by 2016 which should be built on developed land. [14856]

Mr. Raynsford: The current policy is for local authorities to make the best possible use of previously used sites for accommodating the country's future housing requirements. The current national target is for half of all new housing to be built on previously developed land.

National Parks

17. **Helen Jackson:** To ask the Secretary of State for the Environment, Transport and the Regions, what representations he has received with regard to countryside protection in national parks. [14857]

Angela Eagle: Ministers on a regular basis receive a variety of representations about a range of issues affecting the national parks. The new National Park Authorities are achieving a great deal in pursuing their revised purposes as set out in the Environment Act 1995. In doing so they are often able to act as models for the conservation and enhancement of the wider countryside.

Local Authorities (Best Value Pilot Schemes)

18. **Ms Blears:** To ask the Secretary of State for the Environment, Transport and the Regions, when he expects to make an announcement on local authority best value pilot schemes; and if he will make a statement. [14858]

Ms Armstrong: I will announce the list of authorities who will be invited to join the best value pilot programme in early December, following advice from an expert panel comprising representatives of central government, the CBI, the TUC and the Audit Commission.

27. **Mr. Coaker:** To ask the Secretary of State for the Environment, Transport and the Regions when he plans to make an announcement on local authority best value pilot schemes; and if he will make a statement. [14868]

Ms Armstrong: I will announce the list of authorities that will be invited to join the best value pilot programme in early December, following advice from an expert panel comprising representatives of central government, the CBI, the TUC and the Audit Commission.

Regional Development Agencies

20. **Mr. Keith Simpson:** To ask the Secretary of State for the Environment, Transport and the Regions what are the Government's plans for regional development agencies. [14860]

Mr. Caborn: The White Paper on the regions which we will be publishing shortly will set out the Government's detailed proposals for regional development agencies in England.

Mr. Rowe: To ask the Secretary of State for the Environment, Transport and the Regions if he plans to replace all the existing inward investment agencies if regional development agencies are introduced. [14865]

Mr. Caborn: The White Paper on the Regions which we will be publishing shortly will set out the Government's detailed proposals for regional development agencies in England, including their role in inward investment.

Revenue Support Grant

21. **Mr. Lansley:** To ask the Secretary of State for the Environment, Transport and the Regions how he proposes to adjust the revenue support grant in 1998–99 to take account of the relative costs of providing services between local authorities. [14862]

Ms Armstrong: Our proposals for the distribution of revenue support grant for 1998–99 will be announced in due course.

As my hon. Friend the Minister for London and Construction said on 30 October 1997, *Official Report*, column 1082, we have recently announced that we intend to commission further research to examine the specific cost approach to calculating the area cost adjustment element of standard spending assessments.

As a consequence of commissioning this research we have decided not to implement for 1998–99 standard spending assessments any options for change proposed by the 1996 Review of the Area Cost Adjustment or the additional research on the area cost adjustment done this year. These options remain available for consideration alongside the findings of the specific cost research.

Green Belt

22. **Miss Kirkbride:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to change the planning guidance on the green belt. [14863]

Mr. Raynsford: The Government's green belt policy remains as set out in Planning Policy Guidance note (PPG) 2.

Planning Authorities

23. **Mr. Steen:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he will take to ensure that planning authorities abide by approved and current local structure plans. [14864]

Mr. Raynsford: Section 54A of the Town and Country Planning Act 1990 requires that, where the development plan contains relevant policies, applications for development which are in accordance with the plan shall be allowed unless material considerations indicate otherwise. Applicants have the right of appeal against any decision by the local authority not to grant planning permission.

Under the Town and Country Planning (Development Plans and Consultation) Direction 1992, local planning authorities are required to notify the Secretary of State of planning applications for specified types of development which do not accord with the development plan currently in force, where they propose to grant permission. This enables the Secretary of State to consider whether to call in such applications for his own determination.

We have recently consulted on draft revised Directions and improved guidance for local planning authorities, and will issue a final version as soon as possible.

Business Rates

25. **Mr. Stringer:** To ask the Secretary of State for the Environment, Transport and the Regions what progress he has made in his plans to secure greater localisation of business rates. [14866]

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what progress he has made in his plans to restore a greater degree of local discretion over business rates. [14859]

Mr. Raynsford: Since July we have been discussing with the Local Government Association and business representatives how rates could be returned to local control. We aim to issue a consultation paper at the end of this year.

Petrol Leaks

26. **Mr. Llwyd:** To ask the Secretary of State for the Environment, Transport and the Regions how many incidents of leakage of petrol from underground storage tanks at garages there have been in the past two years; and if he will make a statement about the role of the Environment Agency in such circumstances. [14867]

Angela Eagle: In the period since January 1995 the Environment Agency recorded 55 incidents of water pollution from underground petrol storage at petrol filling stations in England and six such incidents in Wales.

The Agency is not responsible for licensing petrol filling stations. However, it is able to influence the siting of new petrol filling station developments as a statutory consultee under Town and Country Planning legislation and can object to petrol filling stations in sensitive areas of groundwater.

There are powers available to the Agency under section 161 of the Water Resources Act 1991 to carry out remedial pollution works and recover costs. The powers have not yet been used in relation to petrol filling stations. The new works notices power under section 161A of the 1991 Act, when brought into force shortly, will enable the Agency to require anti-pollution works to be carried out and thus be more proactive in preventing water pollution from petrol filling stations.

We are considering comments received during a consultation exercise earlier this year on water pollution from industrial and commercial oil storage, included the issue of whether petrol storage should be subject to additional measures of control.

Local Authorities

29. **Mr. Truswell:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to give increased decision-making power to local authorities. [14870]

Mr. Raynsford: We believe that local decision making should be less constrained by Central Government and more accountable to local people. Our programme to modernise local government, therefore, includes in parallel with the renewal of local democracy, placing on councils a new duty to promote the economic, social, and environmental well-being of their area and ending crude and universal council tax capping.

Road Schemes

30. **Mr. Boswell:** To ask the Secretary of State for the Environment, Transport and the Regions if he will carry out preliminary administration procedures to minimise delay in road schemes on their release after publication of the current review. [14872]

Dr. Strang: We aim to avoid unnecessary delays to schemes approved in the Roads Review. Preparatory work on schemes is being taken forward to the end of the current stage so that they could be re-started without the need to repeat work.

Channel Tunnel Rail Link

38. **Mr. Timms:** To ask the Secretary of State for the Environment, Transport and the Regions if she will make a statement on her policy for the channel tunnel rail link. [14880]

Dr. Strang: The Government have a Development Agreement with London and Continental Railways for the design, construction and operation of the Channel Tunnel Rail Link.

Airports and Aviation

39. **Mr. Mackinlay:** To ask the Secretary of State for the Environment, Transport and the Regions if the proposed White Paper on an integrated transport policy will incorporate policies relating to airports and aviation provision. [14882]

Dr. Strang: Yes. Airports and aviation have a vital role to play in an integrated transport system. We intend to set out in the White Paper key policies relating to surface access to airports, environmental impact and the role of regional airports.

Rural Railway Stations

40. **Mr. David Heath:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions she has had with rail companies to encourage the opening, retention or reopening of small rural railway stations. [14883]

Ms Glenda Jackson: The revised objectives, instructions and Guidance issued to the Franchising Director on 6 November require him to encourage and facilitate the development of worthwhile investment proposals. He has regular discussions with train operating companies, Railtrack and other potential sponsors of station projects.

Thames Crossing

41. **Jane Griffiths:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the agreement by Reading and Oxfordshire councils concerning a third Thames crossing. [14884]

Ms Glenda Jackson: We welcome the announcement that Oxfordshire and Berkshire Local Authorities are to commission a joint, wide-ranging study of travel across the Thames in the Reading area. I understand that the study will identify issues and possible solutions, which may, or may not, include proposals for a third crossing.

Fishing Vessels (Safety)

42. **Mr. Godman:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to modify the regulations and rules governing the occupational safety of the crews of United Kingdom registered fishing vessels. [14885]

Ms Glenda Jackson: The occupational safety of crews in United Kingdom fishing vessels is being pursued through the development of several regulations which will implement EC health and safety directives. Guidance on the requirements of the new regulations will be published in a new Code of Safe Working Practices for Fishing Vessels.

Eurofreight Terminal

43. **Mr. Edwards:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the location of the proposed Eurofreight terminal for south Wales. [14887]

Ms Glenda Jackson: This is a matter for my right hon. Friend the Secretary of State for Wales.

Driving Tests

44. **Mr. Keith Simpson:** To ask the Secretary of State for the Environment, Transport and the Regions what response he has made to the European Parliament Transport Committee's recommendation that driving tests be retaken every five years. [14888]

Dr. Strang: There has been no such recommendation. The Transport and Tourism Committee of the European Parliament are currently reviewing road safety policy, but have not yet reported. In the course of their deliberations, one of the members put forward the idea of periodic re-testing of drivers, but it has not been supported by the Committee as a whole, nor by any of the European Institutions.

London Underground (Acton)

45. **Mr. Forth:** To ask the Secretary of State for the Environment, Transport and the Regions what factors led to his decision to postpone the sale of London Underground's Acton works. [14889]

Ms Glenda Jackson: London Transport's proposal to sell the Railway Engineering Workshop at Acton requires the Secretary of State's consent (to dispose of one of their subsidiaries under section 9 of the London Regional Transport Act 1984). The Secretary of State does not want to make a decision on whether to give his consent until the Government has reached a clearer view on the future funding and structure of the underground as a whole, and he has held further discussions with interested parties.

Civil Aviation Authority

46. **Miss Kirkbride:** To ask the Secretary of State for the Environment, Transport and the Regions when he next proposes to meet the Chairman of the Civil Aviation Authority to discuss its future. [14891]

Ms Glenda Jackson: My colleagues and I hold regular meetings with the Chairman of the Civil Aviation Authority where the future of the Authority and National Air Traffic Services is among a wide number of topics that are discussed.

Road Congestion

47. **Mr. Burns:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on how he plans to tackle congestion on Britain's roads. [14892]

Dr. Strang: We are currently undertaking a strategic roads review as part of the work we are doing to develop an integrated transport policy. One of the main objectives is to develop a strategy for dealing with increasing congestion.

Transport Policy

48. **Mr. Rammell:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the approach he will adopt in assessing transport policies and programmes bids. [14893]

Dr. Strang: Assessment of bids takes account of a variety of factors. The main criterion is the extent to which the proposed expenditure offers value for money in the context of the objectives communicated to authorities in the circular inviting them to bid.

Railway Investment

49. **Mr. Gerald Howarth:** To ask the Secretary of State for the Environment, Transport and the Regions when he plans to meet the chairman of Railtrack to discuss investment in the railways. [14894]

Dr. Strang: My right hon. Friend and I met the chairman of Railtrack on 30 October to discuss a number of issues, including investment in the railways.

British Rail (Planning Obligations)

50. **Mr. Burstow:** To ask the Secretary of State for the Environment, Transport and the Regions what powers he has to direct the British Rail Property Board in the disposal of assets and the discharge of residual legal responsibilities arising from planning obligations and agreements entered into by British Rail. [14895]

Ms Glenda Jackson: The Secretary of State has power to direct the British Railways Board to dispose of any of its property, rights and liabilities under section 89 of the Railways Act 1993, where the principal objective is to secure the result that the function of providing railway services in Great Britain is performed by private sector operators. Discharge of obligations in planning agreements is a matter of contract between the contracting parties.

British Hauliers (France)

51. **Mr. Kirkwood:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has held with his French counterpart regarding difficulties faced by British hauliers as a result of the industrial dispute in France. [14896]

Dr. Strang: At a meeting in Paris on 28 October, just before the dispute started, I told the French transport Minister that in the event of disruption I looked to his Government to ensure free passage for UK lorries, to secure the well-being of any British drivers blocked in France and to deal promptly and sympathetically with any claims for compensation. I spoke similarly to the French ambassador at a meeting in London on 4 November once the strike had started.

Speed Cameras

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the effectiveness of speed cameras in reducing speed. [15650]

Ms Glenda Jackson: Speed cameras are particularly good at reducing vehicle speeds in some circumstances. Twenty one cameras placed on roads in West London have shown a 70 per cent. reduction in fatal accidents between 1992 and 1995. A Home Office study of cameras in 10 police forces undertaken between November 1995 and March 1996 showed that accidents reduced by 28 per cent. and average speeds by 4 mph at speed camera sites. However, the effects of cameras are localised, so we recommend that they are used at sites with a history of speed related accidents where they can successfully reduce the likelihood of further incidents.

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions if he will list his Department's guidelines relating to the installing of speed cameras in villages; what Government funding is available for such cameras; what research his Department has evaluated into the impact of speed cameras on the rate of accidents in villages; and what estimate he has made of the relative costs of installing cameras on A and B roads. [15962]

Ms Glenda Jackson: Guidance on the deployment of speed enforcement cameras was issued by the Department in Circular Roads 1/92. Specific central funding is not usually made available for cameras. Installation costs are typically met by Highway authorities; and operational costs by the police. A Home Office study of cameras in 10 police forces undertaken between November 1995 and March 1996 showed a 28 per cent. drop in accidents and a 4 mph reduction in speed at camera sites. The study showed that the average fixed cost per site for a speed camera was £12,500 and average recurrent costs were around £8,500 per annum. The report did not specify camera site locations. I am unable to give average costs for villages and other areas.

Speed Limits

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on how he plans to reduce *(a)* city and *(b)* rural traffic speeds; and what resources have been made available for such initiatives in each of the last five years. [15649]

Ms Glenda Jackson: The Department is continually developing and trialling measures for reducing inappropriate and excessive vehicle speeds. Advice about those that prove successful is made available to Local Highway Authorities to employ on their roads. Examples include 20 mph zones, road humps and horizontal deflections for urban areas, and gateway treatments and low cost measures for rural roads. We are looking at ways to make better use of speed cameras which are particularly effective at sites prone to accidents. This complements our long term aim to change driver behaviour through education and advertising. The latest stage of the "Kill your speed campaign" was launched on 16 September.

No comprehensive information is available centrally on the resources allocated for installing traffic calming and other speed management measures.

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to increase investment in and use of telematic speed limits; and if he will make a statement. [15651]

Ms Glenda Jackson: The Department has a comprehensive research programme which investigates and tries out innovative schemes, including telematics applied to speed limits. The Highways Agency is assessing the Controlled Motorway Project on a part of the M25 which automatically adjusts speed limits to prevailing traffic conditions. Trials are also underway in the East of England to determine the value of warning signs triggered by speeding drivers.

Until the results are known it is not possible to estimate the merit of these schemes, nor what future investment might be involved. We will continue to consider new applications of technology when these become available.

E-mail

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the Answer of 10 November from the Chancellor of the Duchy of Lancaster, *Official Report*, column *441*, if he will list the e-mail addresses of *(a)* Ministers, *(b)* senior officials and *(c)* chief executives of agencies for which he is responsible. [15876]

Angela Eagle: The DETR has several public Internet e-mail addresses for inquiries accessible via the Department's Internet Service at *www.detr.gov.uk*. The Department does not have individual public e-mail addresses for Ministers or senior officials. We do not centrally hold details of public e-mail addresses for chief executives of DETR agencies.

EU Bathing Water Directive

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide a definition of the bathing season for the purposes of the EU Bathing Water Directive. [16122]

Angela Eagle: The Directive defines the bathing season as

"the period during which a large number of bathers can be expected, in the light of local circumstances, and any local rules which may exist concerning bathing and weather conditions". In England and Wales the bathing season is regarded as running from mid-May to the end of September. In Scotland and Northern Ireland, from June to mid-September.

Sea Water (Bacteria and Viruses)

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what advice he has taken on the viability of bacteria and viruses in sea water over time; and what research his Department has conducted into the possible health hazards associated with the persistence of such organisms in coastal waters as a result of the lowering of sewage treatment standards in winter months. [16121]

Angela Eagle: The faster decay of indicator bacteria compared to viruses during sewage treatment and in seawater after discharge is a well recognised phenomenon and is taken into account by the Environment Agency is setting discharge consents. Further research into the viability of viruses has recently been commissioned by the Department, the Environment Agency and the UK water industry. The results will help predictions of the effect of any reduction of sewage treatment during the winter months and assessments of possible health hazards from coastal waters, which are currently regarded as very low.

Medium-density Fibreboard

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the findings of the Health and Safety Executive's review of the international literature into the health effects of medium-density fibreboard. [16067]

Angela Eagle: The literature review into the health effects of medium-density fibreboard being conducted by HSE is expected to be published in June 1998.

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions when the research phase of the Health and Safety Executive's investigation into the health effects of medium-density fibreboard will be completed. [16068]

Angela Eagle: The Health and Safety Executive estimate that the research phase could take about 18 months to two years, but this depends very much on what work is identified as being necessary from the literature review.

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Health and Safety Executive is taking to encourage the use of safer alternatives to medium-density fibreboard in the construction industry. [16063]

Angela Eagle: None. Alternatives to medium-density fibreboard (MDF) may also present risks to health, depending on how they are used. The Health and Safety Executive is of the opinion that any health risks arising from the use at work of MDF, and the alternatives, can and should be effectively controlled by compliance with the requirements of the Control of Substances Hazardous to Health Regulations 1994.

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions what is the maximum exposure limit to softwood dust set by *(a)* the United Kingdom Health and Safety Executive, *(b)* other European Union member states, *(c)* the United States of America, *(d)* Japan and *(e)* Australia. [16066]

Angela Eagle: The maximum exposure limits to softwood dust are:

(a) Softwood dust has been assigned a maximum exposure limit (MEL) of 5 milligrams per cubic metre (mg/m^3) for an 8-hour time weighted average under the Control of Substances Hazardous to Health Regulations 1994 (COSHH).

(b) No other EU member state has a specific occupational exposure limit for softwood dust although some have limits for wood dust in general.

(c) In the United States, the American Conference of Governmental Industrial Hygienists has recommended an 8-hour threshold limit value of 5 mg/m^3 and a short term limit of 10 mg/m^3.

(d) There is no information available on the occupational exposure limit for softwood dust for Japan.

(e) In Australia a limit of 5 mg/m^3 has been assigned for softwood dust.

Under COSHH employers are required to control exposures to softwood dust to a level as low as is reasonably practicable and in any case below the MEL. It is therefore misleading to compare the numerical value of the MEL with limits in other countries, where limits have different definitions and applications.

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Health and Safety Executive is taking to ensure that, where there are no alternatives to the use of medium-density fibreboard in the construction industry, employers use low or zero formaldehyde emission board. [16064]

Angela Eagle: The Health and Safety Executive is of the opinion that effective control of medium density fibreboard (MDF) dust, coupled with good general ventilation, will adequately control exposure to formaldehyde vapour. British Standards restrict the amount of formaldehyde that can be used in making medium density fibreboard. An HSE survey monitoring exposure to formaldehyde during the machining of MDF has found levels to be substantially below the current maximum exposure limit for formaldehyde. Low or zero formaldehyde emission board use other binding resins which may contain hazardous components.

Subways

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions what statutory authority there is for highway authorities to close a subway. [16118]

Ms Glenda Jackson: Section 69 of the Highways Act 1980 permits highway authorities to provide pedestrian subways, and to alter, close temporarily, or remove them.

Sewage Treatment

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those water companies which operate a seasonally variable regime of sewage treatment. [16119]

Angela Eagle: This information is not held centrally but discharge consents set by the Environment Agency in some coastal areas include a requirement for additional treatment during summer months to meet water quality standards under the EC Bathing Water Directive.

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has held with water undertakings concerning the practice of downgrading sewage treatment levels prior to discharge into the sea during winter months. [16120]

Angela Eagle: This is primarily a matter for the Environment Agency when setting consent conditions for water company sewage discharges. These consents are set within the framework of EU and domestic statutory requirements and Government and Agency policy on water quality.

Bridleways

Mr. Blizzard: To ask the Secretary of State for the Environment, Transport and the Regions if he will include measures to encourage the re-establishment of bridleways in his plans for increasing access to the countryside. [16185]

Angela Eagle: We have no plans to do.

Water

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions if he will change the basis on which the Environment Agency forecasts regional demand for water. [16404]

Angela Eagle: At the end of August 1997, the Environment Agency issued to water companies its Water Resources Planning Guidelines. This document, which was drafted in consultation with the Office of Water Services, the water companies and my Department, includes authoritative guidance on the forecasting of demand for water in each discrete water resource zone, from which regional forecasts can be built up. The Environment Agency will update these Guidelines as it considers necessary in response to developing issues.

Coastguards

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the impact of recent cuts in the number of qualified coastguards on public safety. [16175]

Ms Glenda Jackson: Under the Focus for Change review the number of Coastguard officers appropriately qualified increased by some 120. The result is more uniformed regular Coastguards in service than nearly a decade ago. The intention of these measures is to enhance the level of safety of the seagoing and coastal communities and public at large.

Endocrine-disrupting Chemicals

Sir Richard Body: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the research evaluated by his Department since 1995 on *(a)* endocrine-disrupting compounds and *(b)* oestrogenic chemicals. [16177]

Angela Eagle: My Department, with the assistance of recognised experts in the field, continually evaluates the research published on endocrine disrupting chemicals in the environment. Where gaps in the available information have been identified research is being planned to address those gaps. The Department's research plans are published annually and the Department's policy is that the results of its research are disseminated externally. Details of individual projects are publicly available on request and also on the Department's research project database to which the House of Commons Library has online access.

Carbon Dioxide Emissions

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the contribution of the air traffic sector towards meeting the Government's target of a 20 per cent. reduction in carbon dioxide emissions by 2010. [16186]

Ms Glenda Jackson: None.

Mr. Bennett: To ask the Secretary of State for the Environment, Transport, and the Regions what assessment he has made of the contribution which could be made by cars to the target of reducing carbon dioxide emissions by 2010 compared to 1990 levels. [14871]

Mr. Prescott: After the climate convention in December, we shall consult on a programme which will take account of our 20 per cent. and the outcome of Kyoto. Measures to reduce carbon dioxide emissions from road transport are an important element of our transport policy review and will form part of a balanced climate change programme.

Road Safety Education

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his Department's support for road safety education programmes for school pupils; and what plans he has to promote pedestrian training at primary schools. [16342]

Ms Glenda Jackson: The Department of the Environment, Transport and the Regions recognises that children, especially pedestrians, are a particularly vulnerable group of road users and as such are a road safety priority. Road safety education both inside and outside school is an integral part of our approach to reducing road accidents amongst children complementing publicity, enforcement and engineering measures.

My Department works closely with local authority road safety professionals, voluntary and commercial organisations and other Government Departments to encourage road safety education. In 1995, the Department produced Good Practice Guidelines for Road Safety Education in Schools and we are, at present, carrying out a review of the provision of road safety education in schools throughout Great Britain.

Despite a good overall road safety record, Great Britain has a relatively poor child pedestrian safety record. Research has shown that practical approaches to child pedestrian training, in small groups at the roadside, are the most effective at improving child pedestrian skills. My Department has used this approach to develop and evaluate two practical child pedestrian training schemes—"Let's Decide Walkwise" and "Kerbcraft". In addition this Department and the Department of Health have jointly funded the Royal Society for the Prevention of Accidents to produce a video resource—Step Forward—to encourage schools and adult volunteers to participate in local authority pedestrian training schemes.

The Government are committed to reducing car dependency, and in particular, the number of children being driven to school. We are supportive of projects which encourage children to walk and cycle in safety and take the bus to school. The DETR is currently funding research in this area. We are also providing capital resources to a number of local authority transport packages which include safer routes to schools projects. The current fundamental review of transport will be examining journeys to school in conjunction with other Government Departments.

Cyclists (Helmets)

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what action his Department is taking to promote the wearing of helmets by cyclists; and if he will make a statement. [16343]

Ms Glenda Jackson: The Department's Cycle Safe campaign includes the production of posters and educational literature which promote the wearing of cycle helmets. Publicity is distributed to local Road Safety Officers, teachers and the police. Advice to wear helmets is contained in the Highway Code and the Highway Code for Young Road Users. One million copies of the Young Road Users Code are distributed free each year to schools.

We encourage local authorities to co-ordinate what they are doing on cycle safety publicity with the Department's campaign so that the messages are reinforced. We will continue to review ways of promoting the wearing of cycle helmets and wearing rate surveys will be made to determine the success of local and national campaigns.

Compressed Air Powered Vehicles

Mr. Martyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions what assessment his Department has made of the potential of compressed air powered vehicles; and if he will make a statement. [16331]

Ms Glenda Jackson: None.

Homelessness (Christmas)

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to use government buildings other than Admiralty Arch and buildings available for use by members of the Government to house the homeless during the Christmas period. [16159]

Mr. Raynsford: The Government have a Winter Shelter Programme as part of the Rough Sleepers Initiative. This year the Winter Shelter Programme covers London, Bristol and Cambridge. Each year both the Department of the Environment, Transport and the Regions and the voluntary agencies work closely with the Property Advisers to the Civil Estate (PACE), and other Government Departments, to identify suitable buildings from the Government estate for use as winter shelters for rough sleepers. It is particularly important to locate suitable buildings which will ensure a wide geographical spread of winter shelters.

We are currently assessing the bids we have received from the voluntary sector for funding to manage winter shelters as part of the Rough Sleepers Initiative and will make an announcement shortly on the bids which have been successful.

Energy Efficiency

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to improve the energy efficiency standards of homes. [14861]

Angela Eagle: The Home Energy Conservation Act 1995 requires local authorities to implement strategies for improving domestic energy efficiency in all sectors by 30 per cent. over a 10–15 year period. The Government and Energy Saving Trust will continue to support them in this through pump-priming assistance for innovative approaches, and through disseminating advice and best practice. The Trust has also established an energy efficiency programme, involving all sectors of the industry in providing financial incentives, information and advice for householders, and a comprehensive training package for installers and retailers.

Over 2.5 million low-income, disabled and elderly households have been helped to improve their homes through grants under the Home Energy Efficiency Scheme. We will continue to build on this in tackling fuel poverty through a range of policies. Energy conservation has been specified as a priority area in the design of the Environmental Task Force option of the New Deal for 18 to 24-year-olds, and in the capital receipts initiative for local authorities.

Our current review of the Housing Fitness Standard includes consideration of how best to incorporate energy efficiency requirements. We have also just initiated a review of Part L of the Building Regulations, which deals with energy efficiency of new homes. The aim of the review is to establish the maximum possible contribution that can be made by the Regulations to the Government's target of a 20 per cent. reduction on 1990 levels of CO_2 emissions by the year 2010, whilst observing proportionality and flexibility for designers, and avoiding

unreasonable technical risks or excessive cost. The review will be wide ranging, encompassing not just homes, but non-domestic buildings as well.

London Underground (Investment)

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government's plans for the funding of London Underground's investment for 1998 to 2003. [14890]

Ms Glenda Jackson: My Department is currently conducting a Comprehensive Spending Review, the outcome of which will help to determine the future funding of London Transport. We are also considering a range of public-private partnership options for the Underground which are intended to provide the Underground with the funds it needs to overcome its investment backlog.

Council Homes

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions if the Government will take steps to assist people who have bought their council houses and subsequently find them to have major structural defects; and if he will ensure that they are eligible to apply for home improvement loans from their local council. [14935]

Mr. Raynsford: Local authorities already give grants for repairs to owner occupiers. Renovation grant under Part I of the Housing Grants, Construction and Regeneration Act 1996 is available at the authority's discretion for making property fit and for other works of repair or improvement which go beyond making a property fit. Such grants are subject to a means test. Under separate provisions, certain classes of defective properties, designated as defective under sections 528 or 559 of the Housing Act 1985, are eligible for assistance under Part XVI of that Act. However, works to address the defects in such properties are not eligible for grant under the 1996 Act.

Deep Water Harbour (Merseyside)

Rev. Martin Smyth: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on deep water harbour provision on Merseyside. [14936]

Ms Glenda Jackson: There are separate proposals for deep water quays for ro-ro ferry services, at Trafalgar Dock in Liverpool and at Twelve Quays in Birkenhead. Applications have been made for harbour orders to authorise each project. The former has attracted a number of objections and is waiting for the Mersey Dock and Harbour Company to complete a review of their environmental statement; progress with the latter is subject to resolution of one outstanding objection.

Schools (Safe Routes)

Mr. Dawson: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to assist the development of safe routes to schools. [14943]

Ms Glenda Jackson: The Government are committed to reducing car dependency, and in particular, the number of children being driven to school. We are supportive of projects which encourage children to walk and cycle in safety and take the bus to school. The DETR is currently funding research in this area. We are also providing capital resources to a number of local authority transport packages which include safer routes to schools projects. The current fundamental review of transport will be examining journeys to school, and considering how the DETR, in conjunction with other Government Departments, should take this forward.

Scottish Parliament

Mr. Dalyell: To ask the Secretary of State for the Environment, Transport and the Regions (1) what consultation he has had with the Scottish Office since the Referendum on the transfer of responsibilities for transport matters which are currently his to the Scottish Parliament; [15088]

(2) what consultation he has had with the Scottish Office since the Referendum on the transfer of responsibilities for environmental and regional matters which are currently his to the Scottish Parliament. [15089]

Mr. Prescott: The Government's proposals for the legislative competence of the Scottish Parliament were set out in the White Paper "Scotland's Parliament". My Department has been working closely with the Scottish Office to ensure that the legislation which my right hon. Friend the Secretary of State for Scotland will shortly be introducing will accurately give effect to the proposals.

Road Speed Limits

Mr. Hinchliffe: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to complete his review of road speed limits. [14881]

Dr. Strang: We need to consider speed limits and other measures together in order to reduce excessive and inappropriate speed. This will form a prominent part of the work on a road safety strategy announced by my noble friend Lady Hayman on 15 October.

SOCIAL SECURITY

Stakeholder Pensions

Mr. Pond: To ask the Secretary of State for Social Security when she will publish further details of her plans for delivering stakeholder pensions. [16902]

Ms Harman: I shall be publishing a consultation document on Stakeholder Pensions on Wednesday 19 November. Copies will be placed in the Library.

Supported Housing

Mr. Browne: To ask the Secretary of State for Social Security whether she will outline her plans for the second stage of the interim measures introduced to stabilise the position of existing supported housing provision. [16903]

Mr. Keith Bradley: On 24 July 1997 I announced a two stage package of measures to stabilise existing supported housing provision and protect many thousands

of vulnerable people until a long-term solution can be implemented. The first stage of the package—amendments to the Housing regulations—came into effect on 18 August 1997.

We plan to introduce the second stage—the compensation scheme—shortly. This scheme will, where appropriate, enable local authorities to compensate landlords of existing supported accommodation where Housing Benefit has reduced because it was previously meeting charges for those highest levels of care which are outside the scope of the Housing Benefit scheme. The saving in benefit subsidies previously paid to local authorities in respect of these highest levels of care will be applied within Class XII, Vote 2, to underwrite the compensation scheme and will be paid on an extra-statutory basis.

Official Engagements

Mr. Burns: To ask the Secretary of State for Social Security if she will list the official engagements that were carried out by the Under-Secretary of State for Social Security, the hon. Member for Southampton, Itchen (Mr. Denham) on the morning of Thursday 13 November. [16517]

Mr. Denham: I was undertaking duties in connection with Departmental business.

Asylum Seekers

Mr. Waterson: To ask the Secretary of State for Social Security what assessment she has made of the impact of the revised benefit system regulations introduced in 1996 on the number of bogus asylum seekers. [14232]

Mr. Keith Bradley: The Home Secretary announced on 27 October new procedures to speed up the decision making process in abusive asylum claims.

An inter-departmental review led by the Home Office is currently considering all aspects of the asylum process across government, including the provision of accommodation and support to asylum seekers.

"Removing Barriers"

Mr. Burstow: To ask the Secretary of State for Social Security what assessment her Department has made of the report, "Removing Barriers", published by the Local Government Association; and if she will make a statement. [14587]

Mr. Field: I welcome the Local Government Association report, "Removing Barriers: the Case for a New Deal for Social Services and Social Security". Both myself and my right hon. Friend, the Secretary of State for Health, are ensuring that it is taken into account in looking at the interface between the Social Security and social services systems as part of our comprehensive spending reviews.

Cold Weather Payments

Mr. Webb: To ask the Secretary of State for Social Security when she expects the arrangements for cold weather payments to take account of the new post codes in the Greater Bristol area. [14700]

Mr. Denham: The changes to the postcodes were notified too late to be specified in the amending regulations laid before the House on 9 October (S.I. 1997 No. 2311).

The new postcode arrangements will be considered as part of next year's annual review and reflected in the amending regulations.

For this winter, arrangements are in place to treat eligible people living in the new postcode districts as being situated within the appropriate postcode districts as they existed prior to the changes being made.

Income Support

Mr. Webb: To ask the Secretary of State for Social Security how many people qualify for a 26 week linking period on income support because mortgage protection insurance has fully paid out during the previous benefit claim. [15154]

Mr. Keith Bradley: The information is not available.

LETS Credits

Mrs. Ballard: To ask the Secretary of State for Social Security what plans she has to disregard the value of LETS credits when calculating income for social security purposes. [15202]

Mr. Denham: The Government believe that work is the best form of welfare for people of working age. Our welfare-to-work objectives are to provide work incentives, to reduce poverty and welfare dependency and to strike a new balance between responsibilities and rights. A programme of monitoring and evaluation is under way to enable us to ensure that Jobseeker's Allowance contributes to achieving our objectives.

In addition to this major evaluation exercise, we shall also keep the individual benefit rules, including the treatment of LETS credits, under active consideration as we develop our plans.

Earnings Top-up Claimants

Mr. Pond: To ask the Secretary of State for Social Security if she will list the number and proportion of *(a)* men, *(b)* women and *(c)* total current earnings top-up claimants broken down by standard industrial classification. [15511]

Mr. Keith Bradley: The information is not currently available. Work is in hand to produce statistics in line with the standard occupational classifications and they will be made available as soon as possible.

Family Credit

Mr. Pond: To ask the Secretary of State for Social Security if she will list the number and proportion of *(a)* men, *(b)* women and *(c)* total current family credit claimants broken down by standard industrial classification. [15512]

Mr. Keith Bradley: The information is not currently available.

A breakdown by occupation type was previously published in the "Family Credit Quarterly Statistical Enquiry" but, due to concerns over the quality of data, the

tables were withdrawn from the February 1997 publication. Action is being taken to improve the reliability of these statistics and they will be re-introduced as soon as possible.

Myalgic Encephalomyelitis

Kali Mountford: To ask the Secretary of State for Social Security what provision is made for suffers of myalgic encephalomyelitis who claim disability living allowance. [15358]

Mr. Denham: Entitlement to Disability Living Allowance is not based on specific disabilities, but on the effects that a person's disability has on their need for help with personal care and/or mobility.

Adjudication Officers are given information on the care and mobility needs arising from disabilities such as myalgic encephalomyelitis in the "Disability Handbook" which is compiled by senior doctors of this Department and approved and monitored by the Disability Living Allowance Advisory Board.

SCOTLAND

Higher Education (Borders Region)

Mr. Kirkwood: To ask the Secretary of State for Scotland how many students from the Scottish Borders region *(a)* attended full-time undergraduate education at universities or equivalent bodies, *(b)* attended full-time education as mature students and *(c)* were in receipt of further education awards in the last year for which figures are available. [15626]

Mr. Wilson: In 1995–96 there were 1,458 full-time undergraduate students in Scottish higher education institutions from the Scottish Borders. The number of mature entrants studying full-time in Scotland from the Scottish Borders is set out in the table following table:

Mature[1] entrants studying full-time in Scotland from the Scottish Borders

1995–96

	Number
HE undergraduate[2] entrants in HEIs	111
HE undergraduate[2] entrants in FECs	324
FE entrants in FECs	131

[1] Mature entrants are aged 21 years and over.

[2] Undergraduate includes first degree and other HE qualifications.

On the basis of the figures available, around 300 students from the Borders Region received local authority bursaries for further education courses in 1995–96. These local authority bursaries (since replaced by college bursaries) were available only for non-advanced courses.

Obstetrics and Gynaecology

Mr. Dalyell: To ask the Secretary of State for Scotland what consideration he is giving to the recommendations of the Royal College of Obstetricians and Gynaecologists Working Party chaired by Dr. Anne McLaren. [14467]

Mr. Galbraith *[holding answer 13 November 1997]:* The Government have noted the report produced by the Royal College of Obstetricians and Gynaecologists in response to questions about fetal awareness and fetal pain, and welcome the decision to send the report to Fellows and Members of the College to inform and guide their practice.

Forestry Commission Sales

Helen Jackson: To ask the Secretary of State for Scotland (1) if he will list the Forestry Commission-owned sites which were offered for sale *(a)* during 1996 and *(b)* in 1997 (i) before and (ii) after 1 May; [15633]

(2) if he will list the Forestry Commission-owned sites for which disposal is under consideration. [15634]

Mr. Chisholm *[holding answer 13 November 1997]:* The subject of the questions relates to matters undertaken by Forest Enterprise. I have asked its Chief Executive, Dr. Bob McIntosh, to arrange for a reply to be given.

Letter from Bob McIntosh to Helen Jackson, dated 18 November 1997:

The Secretary of State for Scotland has asked me to reply to your two Questions about Forestry Commission land which was offered for sale during 1996 and in 1997 (before and after 1 May) and which we are considering for sale.

I therefore enclose a list of Forest Land which was first offered for sale on the Open Market between 1 January 1996 and 31 December 1996 and 1 January 1997 and 19 March 1997. On 19 March 1997 all Forestry Commission sales were suspended during the General Election. After the Election the Government placed a Moratorium on all Forestry Commission forest land sales in accordance with the Manifesto Commitment. Consequently no forest land has been offered on the open market after 19 March 1997, and we are not considering the sale of any forest land.

Forestry Commission forest land offered for sale on the open market 1 January–31 December 1996

Forest district	*Name of property*	*Area (ha)*
England		
Downs and Chilterns	Back Lane Wood	7.5
	Beech and Howlets Wood	7
	Channers Wood	15
	Compartment 451	4.3
	Crawley Down	29.5
	Dawley Wood	19
	Greens	1.5
	Hazel Grove	6.2
	Hoo Wood	18
	Howes Wood	5
	Idlecombe and Rowborough	73
	Lockleys Wood	4.9
	Mercers Wood	6
	Priest Wood	28
	Puttock Hill	8.5
	Redcap/Catham Coppice	14
	The Square and Cooks Coppice	5.5
	Whitelands Copse	12
	Whores Wood	2.9
East Anglia	Foulden Broom Covert	6
Forest of Dean	East Cranmore Wood	28
	Greyfield Wood	38
	Pink Wood	33
	Stanton Park	58
	The Bushes	15
	Wanstrow (Breach Wood)	45
Kielder	Denton Fell Plantation	627

Forestry Commission forest land offered for sale on the open market 1 January–31 December 1996

Forest district	*Name of property*	*Area (ha)*
Lakes	Birks Wood	8
	Chalk Plains Wood	40
	Tithe Barn Plantation	8
North York Moors	Cold Kirby Woods	116
	Glaisdale Woods	141.5
	Haxby Plantation	50
	Hazel and Hayton Woods	107
	Kilburn Thicket	12
	Robson's Spring	43
	Skelton Banks	11.7
Peninsula	Membury	25
Sherwood and Lincs	Dilliner Wood	20
	Mather Wood	39
	Nut Wood	10
	Park Springs Wood	39
	Roe Wood	47
Weald	Batts Wood	65
	Challock Benacre Wood	25
Scotland		
Aberfoyle	Dundurn	744.1
	Easter Muirhead	34.4
	Warroch	68
Ae	Cairnhead	1,361
	Euchenhead	689
	Polskeoch	830
	Shinnelhead	843
Buchan	Auquharney, Lot 1	81
	Haremoss	21
	Lenabo and Moreseat of Hatton	360
Castle Douglas	Glaisters	382
Cowal	Ardlamont	749.9
Dornoch	Achrugan	559
Fort Augustus	Achintraid	42
	Ardelve	26
	Glencannich, Muchrachd and Craskie	148
	Kirkton	92
	Kishorn	67
	Orbost	575
	Waternish	1,159
Inverness	Creag Dhubh	97
	Tor Clunes and Castle Spynie	138
Lochaber	Ardmolich	92
Lorne	Dererach	177
	Scoor Wood, Lot 5	360
Moray	Auchenroath	62
	Ben Main	72
	Elchies	103
	Rhynagoup, Lot 1	16
	Tulloch	239
Newton Stewart	Glenluce	40
	Knockbain	145
Tay	Ardle Bank	43
	Camusericht	304
	Newbiggin and Braedownie	413
West Argyll	Ardbrecknish	119
	Ford	57
Wales		
Ceredigion	Allt Hengeraint	18.6
	Allt Wig Wen	8.2
	Allt Y Gigfran	18
	Bryn Wichell	15
	Brynamlwg	9
	Crossway	4.5
	Cruglas	6
	Ffynon Rhys	32.2
	Gelli Gwenyn	17
	Rhos Maes Crug	5

Forestry Commission forest land offered for sale on the open market 1 January–31 December 1996

Forest district	*Name of property*	*Area (ha)*
Llandovery	Allt Maes Yr Awdy	6
	Allt Pant Glas	9
	Allt y Fron–Abermarlais 2	5.6
	Blaen Llwydiarth Fern Hill	36
	Cathilas	51.4
	Cilgwyn Wood	13
	Coed Caeau Gwynion–Abermarlais	4.8
	Coed Glyn Aeron	57
	Cotsmoor Wood	7
	Cwmllannarch	32
	Farthings Hook	18
	Gallt Fydr	33
	Martletwy Wood	18
	Measgwyn	20
	Nant Ffrwd	26
	Pentre Mawr Trebwi	10
	Rosehill Wood–Abermarlais 3	3.9
	Ty Rhyg	120
Llanrwst	Bodfuan	101
	Bryn Hendre	10
	Brynffynnon Coed	6
	Bwlch Derwyn	266
	Caeau Bodfel	28
	Coed Allt Ddu	3
	Coed Bryn Kenrick	8
	Coed Mynydd Nefyn	31
	Coed Plas Isaf	5
	Coed Rhosfawr	29
	Coed Salisbury	4
	Coed Tai Hirion	45
	Crown Wood	29
	Frochas 1	7.5
	Frochas 2	3.1
	Frochas 3	5.4
	Frochas 5	2.9
	Gwinllan Rhos Ddu	10
	Nant Merddyn	48
	Nebo	9
	Rhos Hendre	2
	Tyddyn Y Famaeth	4
	Ynys Galed	22
Morgannwg	Craig Y Parc	16
Newtown	Broad Leasow Wood	12.5
	Bryn Gorse	5.6
	Caldy Bank	8.9
	Cefn Derw Cil Owen	10
	Cefn Perfa Wood	3.4
	Cil Llwyn	15
	Common Wood	16
	Curnia Bank	13.3
	Frostal Wood	5
	Geufron	10.1
	Gloddfa Nursery	5.2
	Gorther Rough	8
	Husky Hall	1.8
	Knill Garaway	48.5
	Llan Llwyd	3.8
	Llyn Y Waun	51.6
	Long Nursery Coppice	2
	Lower Ceulannau	3.7
	Lower Wig	2.2
	Molecatchers Wood	16
	Oldland Wood	6
	Parsons Land Coppice	2.7
	Penycarreg East	3
	Penycarreg West	11
	Penycastle Wood	10.4
	Pool Plantation and Kerry Hill	12.7
	Pwll Yr Rhedyn	7

Forestry Commission forest land offered for sale on the open market
1 January–31 December 1996

Forest district	*Name of property*	*Area (ha)*
	Rock Wood and Fronfraith Wood	30.5
	Treflyn Bach	2
	Tyny Cwm	3.5
S.E. Wales	New Forest Plantation	9
	Newhouse Wood	227.5
	Tack Wood	63

[1] Boundary change.

1 January to 19 March 1997

Forest district	*Name of property*	*Area (ha)*
Scotland		
Fort Augustus	Fairy Bridge, Glenhinnisdale	92
Wales		
Morgannwg	Hendre Rhys	18.3
England	Nil	—

Compulsory Competitive Tendering

Mr. Tredinnick: To ask the Secretary of State for Scotland if he has taken legal advice on the Local Government Act 1988 (Competition) (Scotland) Regulations 1997, S.I. 1997, No. 197, following the reporting of these Regulations by the Joint Committee on Statutory Instruments on the ground that they may be ultra vires (16th Report, HC29-xvi, Session 1996–97); and if he will make a statement. [15481]

Mr. Chisholm *[holding answer 13 November 1997]:* The Local Government Act 1988 (Competition) (Scotland) Regulations 1997, S.I. 1997, No. 197, which were made by the previous Secretary of State, have no practical effect at present. Amendments were made to them by S.I. 1997/1436. This is part of the continuing moratorium on Compulsory Competitive Tendering in Scotland while a Best Value regime is being developed. The Government will re-examine these regulations if CCT under the Local Government Act 1988 has to be reimposed on any Scottish council.

Trunk Roads

Mr. Home Robertson: To ask the Secretary of State for Scotland what public consultations he is undertaking about future investment in trunk roads in Scotland; and if he will issue a consultation document. [15951]

Mr. Chisholm *[holding answer 14 November 1997]:* As part of the strategic review of Trunk Roads in Scotland we shall issue a consultation document in spring 1998 on the new trunk road appraisal system. This system will fulfil our manifesto commitment to assess road proposals against the criteria of integration, accessibility, economy, safety and environmental impact.

Student Fees

Mr. Jenkin: To ask the Secretary of State for Scotland if the Scottish Office plans to fund all four years of study by students from England, Wales or Northern Ireland at Scottish Universities; how many students from England, Wales or Northern Ireland are currently in the fourth year of a degree course at a Scottish University; and what assessment he has made of the cost of funding this fourth year. [16094]

Mr. Wilson *[holding answer 14 November 1997]:* The Scottish Office provides a block grant for teaching in higher education to the Scottish Higher Education Funding Council. SHEFC funding supports about 118,000 full-time equivalent places in Scottish higher education institutions. These places are filled by students from any part of the European Union, including Scotland, England, Northern Ireland and Wales, and the provision includes among other things all years of the Scottish first degree courses, including the fourth year of Scottish Honours courses. Broadly speaking, the funding from the Scottish Office for the fourth year of English, Welsh and Northern Irish students is about £15 million.

Current figures on student numbers are not yet available. Students in Scottish higher education institutions in the fourth year of a degree programme in December 1996 included around 3,400 domiciled in England, around 100 domiciled in Wales and around 900 domiciled in Northern Ireland.

The Scottish Office also provides student support to Scottish domiciled students for higher education courses no matter where in the UK they study.

Land Policy

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland if he will list the members of the Scottish Office Committee to investigate land policy in Scotland, and the grade, department and relevant area of expertise of the civil servant members; and if he will make a statement. [15735]

Mr. Dewar *[holding answer 17 November 1997]:* The Land Reform Policy Group is chaired by my noble Friend the Minister for Agriculture, the Environment and Fisheries; the Minister for Education and Industry and my special adviser Murray Elder also attend when available. In other core membership comprises the following officials of The Scottish Office and the Forestry Commission:

	Grade	*Department*	*Area*
Isabelle Low	Senior Civil Service	Agriculture, Environment and Fisheries Department	Land Use Division
Alan Fraser	Senior Civil Service	Education and Industry Department	Enterprise and Tourism Division
John Randall	Senior Civil Service	Agriculture, Environment and Fisheries Department	Rural Affairs and Natural Heritage Unit
Douglas Greig	Senior Civil Service/Chief Economist	Agriculture, Environment and Fisheries Department	Economics and Statistics Division
Hugh MacDiarmid	Senior Civil Service	Home Department	Solicitor's Office

	Grade	Department	Area
Joyce Lugton	Grade 7	Home Department	Civil Law and Legal Aid Division
David Henderson-Howat	Chief Conservator	Forestry Commission	
Angela Saunders (Secretariat)	Senior Executive Office	Agriculture, Environment and Fisheries Department	Land Use Division

Professor John Bryden of Aberdeen University, who has long experience of land tenure issues, acts as external assessor. The group also draws upon the relevant expertise of other officials as required, and upon the useful body of knowledge and literature produced by organisations that have devoted considerable time and effort to these issues.

Scottish Environment Protection Agency

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland (1) what submission he has received from the Scottish Environment Protection Agency for the 1998–99 Public Expenditure Survey; [16096]

(2) what level of grant-in-aid the Scottish Environment Protection Agency sought for 1998–99; what the grant-in-aid provision was for 1998–99 in the previous Public Expenditure Survey; and what assessment he has made of the level of grant-in-aid requested by the agency to fulfil its responsibilities. [16097]

Mr. Chisholm: My officials have met SEPA on several recent occasions, and funding for 1998–99 has been among the subjects discussed. My right hon. Friend will announce his detailed spending plans for 1998–99 in due course. SEPA's baseline for 1998–99 from last year's survey is £18.3 million.

DEFENCE

Defence Conversion

Mr. Cohen: To ask the Secretary of State for Defence (1) if he will make a statement on progress made on Defence Conversion; [14477]

(2) when the Green Paper on the proposed Defence Diversification Agency will be published. [14478]

Mr. Spellar: My Department has no plans to promote defence conversion. However, we will shortly be bringing forward proposals on defence diversification. We said in our election manifesto that

"we support a strong UK defence industry which is a strategic part of our industrial base as well as our defence effort. We believe that part of its expertise can be extended to civilian use through a defence diversification agency".

We will publish a Green Paper on Defence Diversification before Christmas.

Mustard Gas

Mr. Livingstone: To ask the Secretary of State for Defence what evaluation the Chemical Defence Establishment has made of whether short-term exposure to mustard gas causes *(a)* skin cancer, *(b)* leukaemia and *(c)* recurrent corneal ulcerative disease. [15554]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Ken Livingstone, dated 18 November 1997:

I am replying to your question to the Secretary of State for Defence about the evaluation of the effects of mustard gas as this matter falls within my area of responsibility as Chief Executive of the Defence Evaluation and Research Agency (DERA).

The Chemical and Biological Defence Sector at Porton Down has not conducted any practical evaluation into the long term effects of short term exposure to mustard gas. However, DERA is aware of some reports that suggest a casual relationship between mustard gas exposure and respiratory and skin cancer, and possibly leukaemia. In particular, I refer you to the "Veterans at Risk" reports, details of which are given below.

You will recall from my reply to your earlier question about the ocular effects of mustard gas that case reports from the United States suggest that doses of between 400 and 800 milligrams per cubic metre per minute of mustard vapour result in corneal damage with ulceration and scarring of the conjunctiva. As far as recurrent corneal ulcerative disease is concerned, it has been reported that some individuals who experience acute eye injuries following exposure to high doses of mustard gas, particularly with liquid contamination of the eye, may exhibit clinical eye problems after their initial injuries have subsided. Sometimes recurrent and persistent corneal ulceration may occur after latent periods.

I hope this is helpful.

References:

1. C. M. Pechura and D. P. Rall (Editors). Veterans at Risk. The Health Effects of Mustard Gas and Lewisite. *National Academy Press*, Washington. 1993. ISBN 0-309-04832-X.

2. W. F. Hughes. Mustard gas injuries to the eyes. *Archives of Ophthalmology*. 27: 582-601, 1942.

Nuclear Materials

Mr. Mullin: To ask the Secretary of State for Defence (1) for what purpose special nuclear materials are being carried by air between RAF Brize Norton and the USA; and if he will make a statement; [16130]

(2) what steps he has taken to assure himself that flights carrying special nuclear materials between RAF Brize Norton and the USAF base at Dover in Delaware are in keeping with the United Kingdom's obligations under the Non-Proliferation Treaty; and if he will make a statement. [16131]

Dr. Reid: The Government are committed to all their obligations under the Nuclear Non-Proliferation Treaty. I can confirm that the transportation of special nuclear material by aircraft between the United Kingdom and the United States does not contravene the obligations of the Nuclear Non-Proliferation Treaty. It is conducted under the provisions of the 1958 UK/US Agreement for Co-operation on the Uses of Atomic Energy for Mutual Defence Purposes.

Press Releases

Mr. Matthew Taylor: To ask the Secretary of State for Defence what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16313]

Dr. Reid: My Department does not have a policy on the faxing of press releases to Opposition spokesmen. It has not been our practice routinely to fax such releases; this practice has not changed since 1 May. All Ministry of Defence Press Releases are distributed via the Central Office of Information News Distribution Service and are available in the House on POLIS.

Courts Martial

Mr. Sutcliffe: To ask the Secretary of State for Defence how many successful appeals there have been as a percentage of the total number of cases of courts martial in the *(a)* Army, *(b)* Navy and *(c)* Royal Air Force. [16086]

Dr. Reid *[holding answer 14 November 1997]:* Across the three Services, there were 31 applications to the Court-Martial Appeal Court in 1995 and 36 in 1996. The numbers of these which were successful, as a percentage of court-martial cases, are as follows:

Per cent.

	Army	*Royal Navy*	*Royal Air Force*
1995	0	0	0
1996	1	0	1

Changes were made to the court-martial system by the Armed Forces Act 1996 and the new system came into force on 1 April 1997. Before that date, however, where a court-martial had found an accused guilty, he was able to submit a petition to the Defence Council asking for a review of finding and/or sentence. If an applicant was granted the relief he sought at this stage there was no case to go forward to the CMAC. However, Service personnel were able to appeal to the CMAC against finding and sentence but not against sentence only. Since 1 April this year, the Reviewing Authority now automatically reviews all cases, whether a petition is submitted or not. Additionally, Service personnel can now appeal to the CMAC against finding and/or sentence.

The figures provided above do not reflect appeals against finding and/or sentence which were successful at the internal stage. The number of successful internal petitions as a percentage of the total number of courts-martial were:

Per cent.

	Army	*Royal Navy*	*Royal Air Force*
1995	2	11	17
1996	1	14	9

All figures have been rounded to the nearest percentage point.

Boarding School Allowance

Mr. Clifton-Brown: To ask the Secretary of State for Defence (1) what arrangements will be made for service personnel to receive professional help in the presentation of their case to their commanding officer for a special exception to be granted for boarding school allowance for under eight-year-old children; [16423]

(2) what will be the impact on public funds of the removal of the boarding school allowance for under eight-year-olds for service personnel; what estimate he has made of the number of personnel who will *(a)* leave the armed forces and *(b)* not volunteer for foreign postings as a result of this change; [16434]

(3) what consultation has taken place and on what occasions with *(a)* groups representing service personnel and *(b)* organisations representing independent schools in respect of the removal of boarding school allowance for under eight-year-olds; [16424]

(4) what research his Department has conducted into the educational impact of those children moved from school to school because of their parents' different service postings; [16433]

(5) if he will postpone his decision on the removal of the boarding school allowance for children aged under eight years for service personnel to allow more time for consultation; [16428]

(6) how many children will be affected in a full academic year by the removal of the boarding school allowance for under eight-year-olds; [16426]

(7) what arrangements are being made to notify *(a)* service personnel affected and *(b)* schools that will be affected by the removal of boarding school allowance for under eights for service personnel; [16427]

(8) when the boarding school allowance will be removed for under eight-year-olds. [16425]

Dr. Reid: The decision to increase the minimum age for eligibility for Boarding School Allowance was made by the previous Administration in response to the recommendations made in Sir Michael Bett's review of Armed Forces pay and allowances. These recommendations were made in light of the recognition that, whilst excessive turbulence can damage a child's educational progress, it was also recognised that some degree of mobility need not be harmful. A list of the organisations and agencies consulted during the review are listed in Sir Michael's report to the then Secretary of State for Defence, a copy of which is in the Library of the House.

Service personnel and other interested parties were informed of the changes in the regulations through the publication of the Information Document issued in February of this year. This publication was accompanied by an announcement by the then Minister for the Armed Forces, and the changes were also given wide publicity through the normal Service channels. It is the responsibility of individual parents to inform schools if the change in regulations is likely to affect the attendance of their children at school.

The amended regulations will come into force on 1 December 1997. There are no plans to postpone the implementation date.

Parents who are currently in receipt of BSA in respect of children under the age of eight will retain reserved rights to the allowance and will not, therefore, be directly affected by the change in the regulations. There are currently 80 children between the age of five and seven whose parents are claiming BSA, and the majority of these are either welfare cases or cases involving children with special educational needs. It is our policy that cases in these categories will continue to be viewed sympathetically. In view of the small number of children in the affected age group, and as many of these are receiving BSA for welfare reasons, the withdrawal of entitlement to BSA for children aged less than eight will have a marginal impact on public spending, and it is not

anticipated that the changes will have any significant effect on recruitment and retention levels in the Armed Forces.

Service parents who believe that they fall into a category that warrants special consideration may seek advice in preparing their application from their unit administrative staff, who will have experience of preparing such cases; from the Service Childrens' Education agency—an organisation tasked specifically with the educational needs of Service children; and from the personnel and welfare staffs of the three Services.

Mr. Key: To ask the Secretary of State for Defence if he will list the total cost to his Department of boarding school allowance for the academic year 1996–97 together with the total average number of children for whom boarding school allowance was claimed in that year and the average number of children whose parent is of *(a)* officer and *(b)* other rank; and if he will place in the Library a copy of the current admissible schools list. [16365]

Dr. Reid *[holding answer 17 November 1997]:* Costs for Boarding School Allowance are not held centrally for academic years. However the total cost to my Department of Boarding School Allowance in financial year 1996–97 was £87.5 million. The total average number of children for whom the allowance was claimed in the same year was 9,833, of whom 6,538 were the children of officers and 3,295 were the children of other ranks.

Mr. Key: To ask the Secretary of State for Defence if he will make a statement on the future of the boarding school allowance. [16361]

Dr. Reid *[holding answer Monday 17 November 1997]:* My Department remains committed to the principle of providing a stable educational environment for the children of Armed Forces personnel. Boarding School Allowance is a central part of this provision and we remain confident that payment of this allowance is an effective way of ensuring continuity of education for the children of personnel who are subject to frequent postings throughout their Service careers.

With effect from 1 December 1997 certain changes will be introduced to the way in which BSA is regulated. These will help to target the allowance more accurately at those members of the Armed Forces who most need support in providing a stable education for their children. These changes were introduced in response to the recommendations made in Sir Michael Bett's report on pay and allowances in the Armed Forces, and were originally announced in the Information Document published by the previous administration in February of this year.

Chinook Helicopters

Mr. Key: To ask the Secretary of State for Defence how much was paid in compensation to the Ministry of Defence in 1995 by Textron Lycoming in connection with the manufacture and supply of fully automated digital engine control systems for RAF Chinook helicopters. [14782]

Mr. Spellar: The Ministry of Defence had no claim against, and therefore in 1995 received no money in compensation from, Textron Lycoming for the manufacture and supply of fully automated digital engine control systems for RAF Chinook Helicopters.

However, compensation totalling just over $3 million was received from Textron Lycoming in November 1995 in respect of damage caused to an RAF Chinook HC Mk1 aircraft during development testing of a pre-production Full Authority Digital Electronic Control system.

Mr. Key: To ask the Secretary of State for Defence what was the outcome of the case against Boeing brought by the Ministry of Defence in United States courts in connection with the manufacture and supply of fully automated digital engine control systems for RAF Chinook helicopters; and when the case was *(a)* commenced and *(b)* concluded. [14783]

Mr. Spellar: The Ministry of Defence brought no case against Boeing in United States courts in connection with the manufacture and supply of fully automated digital engine control systems for RAF Chinook Helicopters.

However, an RAF Chinook HC Mk1 aircraft was damaged in January 1989 during development testing of a pre-production Full Authority Digital Electronic Control system. The Ministry of Defence held that both Boeing and Textron Lycoming were responsible. A settlement was made by Being as a discount on a separate contract placed in September 1993.

Mr. Key: To ask the Secretary of State for Defence what independent assessment was made, and by whom, of the performance and reliability of the software used in 1994 on RAF Chinook helicopters including aircraft ZD 576; and what were the conclusions and recommendations. [14779]

Mr. Spellar: FADEC software was subjected to an independent review by EDS Scicon Ltd. in July 1993. This review was commissioned because A&AEE, Boscombe Down (now part of DERA) was concerned with the method of software qualification used by the FADEC Design Authority, Textron Lycoming.

EDS Scicon were contracted to verify the software using a State Code Analysis (SCA) technique recommended by Boscombe Down. However, the contracted software documentation was not amenable to such analysis, so the work stopped after only 17 per cent. of the code had been reviewed; 485 observations were made, but none was considered safety critical and most related to errors in the documentation. The EDS final report did not make recommendations.

In October 1993, EDS Scicon made preliminary proposals to carry out a limited rewrite of the software to make it more compatible with SCA verification. This proposal was not accepted, but to satisfy Boscombe Down's concerns and provide improved maintainability for any future update of the software code, the Ministry of Defence decided to re-document the software to make it suitable for SCA. Textron Lycoming were contracted on a shared cost basis and the software re-documentation work was eventually completed in 1996.

Mr. Key: To ask the Secretary of State for Defence when the planned introduction of cockpit voice recorders and accident data recorders into all Chinook helicopters commenced; and when it will be completed. [14781]

Mr. Spellar: Cockpit Voice Recorders and Flight Data Recorders will be fitted to all Chinook helicopters as part of the Chinook Health and Usage Monitoring (HUMs) programme. A contract was signed with Smith

Industries (UK) Ltd., on 25 October 1996. The equipment will be fitted to the first 6 aircraft by December 1998, and embodied on the rest of the fleet by late Spring 2000.

Mr. Key: To ask the Secretary of State for Defence how many incident signals have been issued relating to the fully automated digital engine control system on Chinook Mark II aircraft since they were introduced into squadron service with the RAF. [14780]

Mr. Spellar: Incident Signals are raised for both ground and air incidents. Some incidents may be spurious; that is to say a fault is indicated in some way which has not actually occurred; some may occur through use other than as recommended by the Aircraft Design Authority; some will be unconfirmed, which is to say no faults found on a subsequent examination; and some will be due to system faults.

With regard to the Chinook HC Mk2; there have been a total of 519 Incident Signals, of which 70 have been FADEC related. Of those FADEC related signals, seven were spurious, 24 arose through carrying out engine overspeed tests other than as designed, three were unconfirmed, and 36 were attributed to system faults. Of the 36 attributed faults, 14 were due to mechanical failure, five were due to electrical failure and 17 were software faults.

Strategic Review

Sir Michael Spicer: To ask the Secretary of State for Defence what deadline he has given for receiving the report of the part of the Strategic Review relating to DERA. [16694]

Dr. Reid: As part of the Strategic Defence Review, we are examining options for the future of the Defence Evaluation and Research Agency. No precise deadline has been set for a report to Ministers on this work, which will be conducted in accordance with the overall timetable for the Strategic Defence Review.

Fox Hunting

Mr. Grey: To ask the Secretary of State for Defence how much private land which the military have previously used for training purposes is no longer available as a result of the change of policy with regard to fox hunting over his Department's land. [16518]

Mr. Spellar: We have renewed licences for fox hunting on the Defence Estate and therefore there should be no question of training use of private land being withheld on this account.

Mr. Gray: To ask the Secretary of State for Defence what is his Department's policy on fox hunting as a means of fox control on his Department's estate. [16548]

Mr. Spellar: Hunting with hounds is one of the means by which fox numbers on the Defence Estate are reduced.

HMY Britannia

Mr. Flynn: To ask the Secretary of State for Defence, pursuant to his answer of 7 November, *Official Report*, column *361*, if he will provide a breakdown of the estimated additional cost of the farewell voyage of HMY Britannia; and what estimate he has made of the level of costs incurred by the voyage to which they are additional. [16160]

Dr. Reid: The additional costs associated with the farewell voyage of HMY Britannia and its escort vessel can be broken down as follows:

	£
HMY Britannia	
Port and harbour dues	51,000
Fuel	71,000
Travel and subsistence	2,000
Telecommunications	3,000
Entertainment	5,000
Escort vessel	
Port and harbour dues	20,000
Fuel	5,000

The only other identified costs specifically associated with the voyage are those of the support tanker RAF Brambleleaf. These amounted to £81,000 for Port and Harbour dues and £19,000 for fuel.

These costs are in each case additional to the underlying cost of running the vessels, including manpower, that would have been incurred whether or not they had undertaken the farewell voyage.

EDUCATION AND EMPLOYMENT

Greenhouse Gas Emissions

Mr. Stunell: To ask the Secretary of State for Education and Employment if he will list *(a)* his Department's policies and initiatives designed to reduce carbon dioxide emissions and *(b)* the departmental policies and initiatives designed to reduce other greenhouse gases; if he will estimate for each the annual reduction in tonnage of greenhouse gas emissions achieved in the most recent year for which figures are available compared to those for 1990; and what estimate he has made of further reductions, or increases, predicted for 2000 and 2010, assuming continuation of current policies. [15545]

Dr. Howells: I refer the hon. Member to the United Kingdom's Second Report under the UN Framework Convention on Climate Change which was published in February 1997. It reports the UK's progress in implementing its programme for reducing greenhouse gas emissions and gives a projection of what the programme is expected to deliver by 2000. The report projects forward what the current programme is expected to achieve to 2020.

Primary Schools (Class Sizes)

Mr. Brady: To ask the Secretary of State for Education and Employment what was the average class size for key stage 1 classes in primary schools *(a)* in January and *(b)* in September 1997. [15552]

Mr. Byers: The average class size of Key stage 1 classes taught by one teacher in maintained primary schools in England in January 1997 was 26.9.

Information on class sizes in September is not collected centrally.

Universities (Building, Equipment and Collaborative Projects)

Dr. Naysmith: To ask the Secretary of State for Education and Employment if he will establish the revolving loan fund for university building refurbishment, equipment and collaborative projects recommended by the Dearing report; and if he will make a statement on what measures his Department plans to take to encourage support for the scheme among public and private research sponsors. [15322]

Dr. Howells: It is for the Higher Education Funding Council for England to consider, in the light of other forms of finance and support schemes, whether or not to establish a revolving loan fund for university building refurbishment, equipment and collaborative projects, as recommended in the Dearing Report (recommendation 75). The Funding Council has already encouraged other research sponsors to support its joint research equipment initiative: this provides grants rather than loans.

The Government are currently considering, in the light of responses to consultation, the separate recommendation in the Dearing Report (recommendation 34) for a revolving loan fund to support infrastructure in a limited number of top quality research departments.

University for Industry

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment what factors he will take into account when deciding where to locate the HQ of the proposed University for Industry. [15515]

Dr. Howells: The University for Industry will not require a large physical presence as it will make full use of information and communications technologies and networks to deliver its information, brokerage and commissioning services and it will not itself deliver courses. It is too soon to determine that factors that will be taken into account in locating its administrative centre.

Electronic Data (Access)

Mr. Stunell: To ask the Secretary of State for Education and Employment what proposals he has to maintain the free access for research purposes to academic and scientific data stored electronically recommended by the Dearing report; and if he will make a statement. [15587]

Dr. Howells: We are currently considering the communications and information technology recommendations of the Dearing Report in the light of consultations and wider issues of policy on copyright.

Dance and Drama

Mr. Luff: To ask the Secretary of State for Education and Employment what discussions he has held with ministers in the Department for Culture, Media and Sport on the funding of students of dance and drama; and if he will make a statement. [15604]

Dr. Howells: The Secretary of State for Education and Employment met the Secretary of State for Culture, Media and Sport on 28 October 1997. The matters they discussed included the arrangements for providing financial support for dance and drama students, which are under review.

Training (Fraud)

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment what estimate he has made of the level of fraud carried out by training providers who claim for work that has been undertaken. [15514]

Dr. Howells: It is not possible to estimate the level of fraud carried out by training providers. Currently the Department for Education and Employment's Financial Scrutiny Unit is investigating 20 cases of alleged fraud or irregularity by training providers. We believe around 5,000 providers deliver training so these cases represent a very small proportion, but one, nevertheless which we seek to eradicate.

Training and Enterprise Councils (Internet)

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment if he will list those TECs which have internet sites and what percentage of the total this represents. [15516]

Dr. Howells: I understand from the TEC National Council that, at 15 September, 40 TECs had internet sites. This represents 55 per cent. of all English TECs. A list follows:

AZTEC
Barnsley and Doncaster TEC
Birmingham TEC
Bradford and District TEC
CAMSTEC
Central England TEC
County Durham and Darlington TEC
Cumbria TEC
Devon and Cornwall TEC
Focus Central London TEC
Gloucestershire TEC
Greater Nottingham TEC
Hampshire TEC
Hereford and Worcester CCTE
Humberside TEC
Kent TEC
Leeds TEC
Lincolnshire TEC
Manchester TEC
Merseyside TEC
Milton Keynes and North Bucks CCTE
Norfolk and Waveney TEC
North Derbyshire TEC
North London TEC
North Nottinghamshire TEC
Northumberland TEC
Rochdale TEC
Rotherham CCTE
Sheffield TEC
SOLOTEC
Somerset TEC
South and East Cheshire TEC
Southern Derbyshire CCTE
Sunderland City TEC
Surrey TEC
Sussex CCTE
Thames Valley Enterprise
Tyneside TEC
Wakefield TEC
West London TEC.

Fair Trade (Coffee and Tea)

Mr. MacShane: To ask the Secretary of State for Education and Employment, pursuant to the oral Statement by the Secretary of State for International Development, *Official Report*, 5 November, column 332, if he will instruct officials to serve coffee and tea furnished by suppliers who adhere to fair trade standards in his Department. [15489]

Dr. Howells: I refer my hon. Friend to the reply given by the Prime Minister on 13 November, *Official Report*, column *617*.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Education and Employment if he will list each of the overseas trips made by himself and other members of his ministerial team since 2 May, specifying in each case *(a)* the participating Minister or Ministers, *(b)* the destination of the trip, *(c)* the purpose of the trip and *(d)* the cost of the trip; and if he will make a statement. [15260]

Dr. Howells *[holding answer 11 November 1997]:* Seventeen overseas trips have been made by the Department for Education and Employment Ministers since 2 May. A breakdown is shown in the following table:

Ministerial Overseas Travel: 2 May–11 November

Minister	*Date(s) of visit*		*Country*	*Purpose of visit*	*Expenditure (£)*
	From	*To*			
Andrew Smith	09/06/97	10/06/97	Switzerland	ILO Conference	2,110.28
Baroness Blackstone	25/06/97	26/06/97	Luxembourg	Education Council	2,804.91
Secretary of State/Andrew Smith	26/06/97	27/06/97	Luxembourg	Social Affairs Council	6,938.85
Kim Howells	04/07/97	05/07/97	Switzerland	Attendance at Skills Olympics	1,664.67
Baroness Blackstone	04/07/97	05/07/97	Luxembourg	Social Affairs Council	1,736.14
Kim Howells	13/07/97	14/07/97	Germany	UNESCO Conference	1,907.41
Baroness Blackstone	25/07/97	01/08/97	Botswana	Commonwealth Education Ministers' Conference	22,602.49
Baroness Blackstone	26/09/97	28/09/97	Italy	Conference on Education	527.57
Alan Howarth	05/10/97	09/10/97	USA	To examine Welfare to Work Initiative and Disability Legislation	12,651.00
Kim Howells	06/10/97	07/10/97	Germany	To examine German "dual" system of training	1,190.13
Andrew Smith	06/10/97	07/10/97	Luxembourg	Social Affairs Council	2,785.03
Andrew Smith	14/10/97	15/10/97	France	OECD Meeting	2,424.37
Secretary of State	15/10/97	16/10/97	France	Bilateral Meeting	1,084.83
Kim Howells	27/10/97	28/10/97	Luxembourg	EC Youth Council Meeting	2,122.46
Baroness Blackstone	02/11/97	03/11/97	Netherlands	Bilateral Meeting	—
Andrew Smith	06/11/97	07/11/97	Belgium	Employment Week and Special Social Affairs Council	—
Andrew Smith	10/11/97	11/11/97	Sweden	Meeting with French Minister of Labour	—

[1] Costs have not yet been brought to account.

Welfare to Work

Mr. Bob Russell: To ask the Secretary of State for Education and Employment for what reasons the Colchester area was selected, under the Welfare to Work New Deal proposals, for private sector bidding; and if he will make a statement. [15857]

Mr. Andrew Smith: We have invited the private sector to lead the organisation and delivery of New Deal in a total of ten locations. The competition to identify private sector lead organisations in the two pathfinder areas of Hackney and City and South Humber is complete. The additional eight areas were selected on the basis of a judgment as to where a private sector led partnership would have most to contribute.

Mr. Bob Russell: To ask the Secretary of State for Education and Employment how many hon. Members responded to his consultation letter on the Government's Welfare to Work proposals; and if he will list those responded. [15856]

Mr. Andrew Smith: The response to our Welfare to Work proposals has been very encouraging, from hon. Members as well as from employers, voluntary sector organisations and other interested partners. Consultation on the New Deal and other Welfare to Work proposals has been wide ranging and it is not possible to identify from our records which of many representations we have received have been as a direct response to my right hon. Friend's letter.

Montserrat Evacuees

Mr. Gapes: To ask the Secretary of State for Education and Employment what assistance his Department is giving to evacuees from Montserrat who wish to *(a)* study and *(b)* work in the United Kingdom. [15850]

Mr. Alan Howarth: Montserrat evacuees have full access to the education system. The Montserrat Emergency Awards Scheme has been set up to help with the fees and living expenses of higher education students. The evacuees are being helped by the Employment Service to find work and they may enter the Government's employment and training programmes, providing they meet the eligibility criteria.

Student Support Agency

Mr. Bayley: To ask the Secretary of State for Education and Employment pursuant to paragraph 21.56 of the main report of the National Committee of Inquiry into Higher Education, when he expects to establish a student support agency; if he will make a statement about *(a)* the likely responsibilities of the agency and *(b)* the likely number of its employees; and if he will assess the advantages of housing the agency at his Department's Albion Wharf offices, York. [15763]

Dr. Howells: The Government are currently considering the National Committee of Inquiry into Higher Education's recommendation for a student support agency and expects to make an announcement shortly.

Student Funding

Mr. Welsh: To ask the Secretary of State for Education and Employment if students who currently claim supplementary allowance will continue to receive this as grants under the Government's student finance reforms. [15523]

Dr. Howells *[holding answer 12 November 1997]:* Subject to means-testing, higher education students currently eligible for supplementary allowances as part of their mandatory award will continue to be eligible for them until the end of their course. Students who enter full-time higher education in 1998–99 will be eligible for these allowances as part of their mandatory award on the same basis as now for 1998–99 only. The Disabled Students Allowances will no longer be subject to a means-test from 1998–99. The Government will review the position for 1999–2000 and beyond.

Student Loan Book

Mr. Welsh: To ask the Secretary of State for Education and Employment if the Government will use the money raised from the sale of the student loan book for re-investment in higher education. [15524]

Dr. Howells *[holding answer 12 November 1997]:* The sale proceeds will be available to the Government to meet their expenditure commitments including those in higher education, and have already been taken into account within the Department's spending plans.

Americans with Disabilities Act

Mr. Burstow: To ask the Secretary of State for Education and Employment what assessment his Department has made of the Americans with Disabilities Act; and if officials from his Department visited the United States of America to study the impact of this legislation. [16033]

Mr. Alan Howarth: The Department has not made a comprehensive assessment of the Americans with Disabilities Act.

I recently visited the USA and discussed the effectiveness of the Act with, amongst others: Ronald Drach, Vice Chairman of the President's Committee on the Employment of People with Disabilities and Paul Inasaki, Vice Chairman of the Equal Employment Opportunities Commission.

My senior official dealing directly with policy on civil rights for disabled people has also visited for more extensive discussions. Both I and my officials met Paul Miller, a Commissioner from the American Employment Equal Opportunities Commission when he visited London recently. We also receive a range of journals and other publications on the Act.

We are aware of evidence that there have been very significant benefits not just for disabled people but for business from this legislation, particularly in relation to retention of employees who become disabled and to improving access to customers. Research has shown a general acceptance of the principles of the legislation among American employers and it has been found that costs associated with making adjustments were often lower than many employers anticipated. This is in line with experience here.

However, the Act has not yet ended discrimination against disabled people.

Higher and Further Education

Mr. McNulty: To ask the Secretary of State for Education and Employment what criteria his Department will use to determine the distribution of the 500,000 additional places in higher and further education throughout the United Kingdom announced by the Prime Minister. [16133]

Dr. Howells: We are currently drawing up proposals for taking forward the Prime Minister's pledge. The distribution of the 500,000 will reflect our policies on lifelong learning, in particular widening participation and increasing attainment. We intend to concentrate especially on those who have not benefited from learning previously and young people at risk of dropping out, and will provide more details of our proposals in the forthcoming Lifelong Learning White Paper.

School Playing Fields

Mr. Letwin: To ask the Secretary of State for Education and Employment what is his Department's policy on the sale of school playing fields required for educational or community purposes; and if he will estimate the number of such fields *(a)* currently declared surplus to educational requirements and *(b)* where planning consent has been given for change of use. [15946]

Mr. Byers: We intend to make sure that those playing fields which schools and their local communities need are not sold in future. To that end, my right hon. Friend the Secretary of State for Education and Employment is discussing a wide range of options with the Secretary of State for Culture, Media and Sport and the Secretary of State for the Environment, Transport and the Regions.

The current legal framework allows local authorities to dispose of the assets they own without reference to the Secretary of State. The governors of grant-maintained schools, however, do need prior approval. But we expect local authorities to consider carefully projected pupil numbers for the foreseeable future and the needs of the wider communities that their schools serve, before they decide that any land is surplus to requirements.

Decisions on the sale of LEA-maintained playing fields are for local determination. The Department does not collate this information centrally.

Planning consent is a matter for my right hon. Friend the Secretary of State for the Environment, Transport and the Regions.

GCSE Results

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he plans to publish the average point score for each school's GCSE results; and if he will make a statement. [16054]

Dr. Howells *[holding answers 14 November 1997]:* The secondary school performance tables to be published shortly will continue to show the percentage of 15 year old pupils in each school who achieved five or more GCSE grades A*–C,5 or more grades A*–G, and 1 or more grades A*–G. Presentation of GCSE achievements in this way have received broad support in the past. We shall consult fully early next year onthe 1998 performance tables.

Mr. Fitzpatrick: To ask the Secretary of State for Education and Employment which local education authority has achieved the greatest improvement in performance at GCSE level and equivalent since 1994. [16649]

Dr. Howells: Newham local education authority has achieved the greatest improvement in performance at GCSE and equivalent since 1994 with an increase of 10 percentage points in the percentage of 15 year old pupils achieving five or more grades A*–C at GCSE or equivalent. This has increased from 23 per cent. in 1994 to 33.4 per cent. in 1997.

Smoking

Mr. Mitchell: To ask the Secretary of State for Education and Employment if he will introduce measures to ban smoking by pupils in all schools and educational establishments. [16448]

Ms Estelle Morris: We have no plans to do so. We encourage schools and other educational establishments to decide their won policies, bearing in mind the needs of both the students and staff. An increasing number of schools already prohibit smoking entirely on their premises, or limit it to a designated area for all teachers, non-teaching staff and visitors. Research conducted this year by Ofsted, via a questionnaire sent to 1,500 schools, found that 88 per cent. of primary schools and 79 per cent. of secondary schools already have no-smoking policies in place.

University Funding

Mr. Jenkin: To ask the Secretary of State for Education and Employment if his Department plans to fund all four years of study by students from England at Scottish Universities; how many students from England are currently in the fourth year of a degree course at a Scottish University; and what assessment he has made of the cost of funding this fourth year. [16091]

Dr. Howells *[holding answer 14 November 1997]:* There were some 3,400 students from England in the fourth year of first degree courses at Scottish institutions in 1996–97 (the latest year for which figures are available). Under our plans, students from lower-income families will have the whole of their tuition fees paid for them in the fourth as in the previous three years, whilst others may have part of their fees paid, depending on an assessment of their parents', spouses' or own income.

We estimate that the extra cost of meeting the contributions payable by students from England towards fees in the fourth year of first degree courses at Scottish institutions would be some £1.5 million.

Child Care

Ms Julie Morgan: To ask the Secretary of State for Education and Employment (1) if he will make a statement on the role of child care information in the new child care strategy in relation to the Welfare to Work and Lifelong Learning Initiatives; [16439]

(2) if he will make a statement on co-ordination between the bodies involved in the New Deal in relation to child care information; [16440]

(3) what role the national child care organisations will play in the development of child care information services for the New Deal and Lifelong Learning Initiatives. [16441]

Mr. Andrew Smith: Child care is important to our Welfare to Work and Lifelong Learning strategies, particularly the New Deal for Lone Parents, which is why we have been consulting with national child care organisations to look at new and innovative ways of ensuring that information about child care opportunities will be readily available. This will feed into the National Childcare Strategy, which we are currently developing.

Social Fund Training Courses

Mr. Dafis: To ask the Secretary of State for Education and Employment if he will make a statement on the termination of training courses previously run with the support of the European Social Fund. [16405]

Mr. Andrew Smith: The annual competition for funding through the European Social Fund (ESF) is intense and inevitably some projects are unsuccessful. In the competition for 1998 a proportion of successful applicants will be given approval for two years, subject to satisfactory performance. This will reduce for some projects the difficulties caused by the annual nature of the ESF.

Disability Discrimination Act 1995

Mr. Burstow: To ask the Secretary of State for Education and Employment what steps his Department is taking to promote the principles of the employment provisions of the Disability Discrimination Act 1995 among small employers exempted from the employment duties set out in the Act. [16422]

Mr. Alan Howarth: The Department has been considering how to proceed with the small employer exclusion threshold and has held initial discussions with representatives of employer and disability organisations on the matter. We will announce plans shortly.

Student Loans Company

Mr. Fitzpatrick: To ask the Secretary of State for Education and Employment when the Student Loans Company's 1997 annual report and accounts will be available. [16874]

Dr. Howells: Copies of the report and accounts have today been placed in the Library.

Employment Service

Mr. Rooney: To ask the Secretary of State for Education and Employment what targets were set for the Employment Service for 1997–98; and to what extent these have been achieved, broken down into standard regions to the latest date for which information is available. [16485]

Mr. Andrew Smith: Figures are available for the first six months of the 1997–98 Operational Year (1 April to 30 September 1997). The following summary tables give a breakdown of cumulative performance against the Annual Performance Agreement targets by the standard Employment Service Regions. The overall performance figure is shown in the final column. This column also shows variance against profiled targets.

Performance figures relate to the period April to September 1997

Operation year: 1997–98

APA indicators		*Northern*	*Yorks and The Humber*	*East Midlands and Eastern*	*London and South East*	*South West*
Unemployed placings	End year target	76,475	147,000	140,700	415,800	138,775
	Performance to September	33,459	65,835	67,488	182,289	69,431
JSA claimant placings	End year target	52,000	95,865	88,700	261,000	86,100
	Performance to September	23,085	42,875	43,071	111,203	42,273
Long term claimant placings (as percentage of JSA claimant placings)	End year target (per cent.)	45.4	43.4	44.0	57.1	42.4
	Performance to September (per cent.)	38.4	39.3	35.4	46.7	37.7
2 year plus claimant placings	End year target	4,800	6,750	6,450	27,300	4,500
	Performance to September	1,911	4,437	3,527	16,110	4,399
Placings of people with disabilities (as percentage of unemployed placings)	End year target (per cent.)	4.6	5.0	5.2	4.9	5.0
	Performance to September (per cent.)	5.6	6.2	6.0	6.3	7.5

Performance figures relate to the period April to September 1997

Operation year: 1997–98

APA indicators		*Northern*	*Yorks and The Humber*	*East Midlands and Eastern*	*London and South East*	*South West*
Training for Work starts	End year target	11,146	14,771	14,342	36,835	12,335
	Performance to September	5,062	6,744	6,037	16,462	5,744
Positive outcomes for unemployed claimants invited to a 12 month advisory interview	End year target (per cent.)	43.0	43.0	43.0	43.0	43.0
	Performance to September (per cent.)	48.3	48.3	53.1	44.8	56.2
Claims not pursued	End year target (per cent.)	10.0	10.0	10.0	10.0	10.0
	Performance to September (per cent.)	12.9	11.5	13.4	11.8	12.8
Adjudication decisions made within 14 working days	End year target (per cent.)	70.0	70.0	70.0	70.0	70.0
	Performance to September (per cent.)	This is information is not yet available. System changes have been commissioned.				
Accuracy of Training for Work payments	End year target (per cent.)	97.0	97.0	97.0	97.0	97.0
	Performance to September (per cent.	99.0	98.7	98.3	97.8	97.3
JSA claims passed to the Benefits Agency within 7 days[1]	End year target (per cent.)	90.0	90.0	90.0	90.0	90.0
	Performance to September (per cent.)	88.0	85.9	86.6	84.0	86.2
Accuracy of JSA payments[2]	End year target (per cent).	97.0	97.0	97.0	97.0	97.0
	Performance to September (per cent.)	95.4	95.0	96.5	95.8	95.9
Efficiency savings		The efficiency savings target is not profiled or allocated to Regions. The national target is £43 million. By September the ES had achieved £19.3 million.				

[1] These figures should be treated with caution. The data are currently being investigated.
[2] Correct as at 10 October 1997.

		Office for Wales	*West Midlands*	*North West*	*Office for Scotland*	*National*
Unemployed placings	End year target	121,800	175,200	292,250	242,000	1,750,000
	Performance to September	55,973	79,316	108,827	105,309	767,927
JSA claimant placings	End year target	65,100	108,435	161,300	131,500	1,050,000
	Performance to September	28,912	47,522	61,064	60,784	460,789
Long term claimant placings (as percentage of JSA claimant placings)	End year target (per cent.)	39.0	48.8	43.7	46.8	47.5
	Performance to September (per cent.)	35.4	39.5	34.9	36.2	39.3
2 year plus claimant placings	End year target	3,450	6,750	8,175	6,825	75,000
	Performance to September	2,231	4,881	4,505	3,747	45,748
Placings of people with disabilities (as percentage of unemployed placings)	End year target (per cent.)	5.2	4.9	4.5	4.4	4.8
	Performance to September (per cent.)	6.7	6.8	5.3	5.4	6.1
Training for Work starts	End year target	7,199	15,520	21,848	15,999	14,995
	Performance to September	3,003	6,968	10,632	8,863	69,515
Positive outcomes for unemployed claimants invited to a 12 month advisory interview	End year target (per cent.)	43.0	43.0	43.0	43.043.0	
	Performance to September (per cent.)	53.0	50.4	52.7	49.4	49.3
Claims not pursued	End year target (per cent.)	10.0	10.0	10.0	10.0	10.0
	Performance to September (per cent.)	12.9	12.3	11.3	12.0	12.1
Adjudication decisions made within 14 working days	End year target (per cent.)	70.0	70.0	70.0	70.0	70.0
	Performance to September (per cent.)	This information is not yet available. System changes have been commissioned.				
Accuracy of Training for Work payments	End year target (per cent.)	97.0	97.0	97.0	97.0	97.0
	Performance to September (per cent.)	98.8	98.2	99.0	99.0	98.4
JSA claims passed to the benefits agency within 7 days[1]	End year target (per cent.)	90.0	90.0	90.0	90.0	90.0
	Performance to September (per cent.)	87.8	85.5	88.0	87.4	86.1
Accuracy of JSA payments[2]	End year target (per cent.)	97.0	97.0	97.0	97.0	97.0
	Performance to September	98.2	95.4	92.9	93.5	95.0
Efficiency savings		The efficiency savings target is not profiled or allocated to Regions. The national target is £43 million. By September the ES had achieved £19.3 million.				

[1] These figures should be treated with caution. The data are currently being investigated.
[2] Correct as at 10 October 1997.

Mr. Rooney: To ask the Secretary of State for Education and Employment what targets were set for the Employment Service in 1996–97; and to what extent these were achieved, broken down into standard regions. [16484]

Mr. Andrew Smith: The following summary tables give a breakdown of cumulative performance in 1996–97 against the Annual Performance Agreement targets by the standard Employment Service Regions. The overall National performance figure is shown in the final column. This column also shows variance against profiled targets.

More detailed information is available in the Employment Service Annual Report and Accounts laid before the House on 7 November 1997.

Operational year: 1996–97

APA indicators		*Northern*	*Yorkshire and the Humber*	*East Midlands and Eastern*	*London and South East*	*South West*
Unemployed placings	Target	93,900	145,600	160,450	500,900	157,200
	Actual	77,988	140,904	137,503	402,973	143,647
	Variance (per cent.)	-17	-3	-14	-20	-9
JSA claimant	Target	27,960	41,780	47,690	154,130	43,400
Placings (from October 1996)	Actual	25,215	44,979	47,314	127,747	46,731
	Variance (per cent.)	-10	8	-1	-17	8
Long term claimant placings	Actual (per cent.)	25.8	26.6	24.1	28.7	23.8
(as percentage of unemployed placings)	Target (per cent.)	28.7	28.9	29.5	37.1	27.0
	Variance	-2.9	-2.3	-5.4	-8.4	-3.2
Placings of people with disabilities	Target (per cent.)	4.0	4.4	4.6	4.8	4.2
(as percentage of unemployed placings)	Actual (per cent.)	4.7	5.4	5.4	5.2	5.8
	Variance	+0.7	+1.0	+0.8	+0.4	+1.6
Training for Work referrals	Target	36,000	48,000	50,880	125,745	39,000
	Actual	28,632	36,905	39,010	100,229	31,598
	Variance (per cent.)	-20	-23	-23	-20	-19
Training for Work starts	Target	12,000	16,000	16,960	41,915	13,000
	Actual	10,846	14,366	13,950	35,830	11,999
	Variance (per cent.)	-10	-10	-18	-15	-8
Positive outcomes for unemployed claimants	Target (per cent.)	43.0	43.0	43.0	43.0	43.0
invited to a 12 month advisory interview	Actual (per cent.)	36.6	36.7	38.5	35.3	45.7
	Variance	-6.4	-6.3	-4.5	-7.7	+2.7
Positive outcomes for unemployed claimants	Target (per cent.)	35.0	35.0	35.0	35.0	35.0
invited to a 24 month advisory interview	Actual (per cent.)	28.8	28.5	29.7	29.3	37.5
	Variance	-6.2	-6.5	-5.3	-5.7	+2.5
Claims not pursued	Target (per cent.)	10.0	10.0	10.0	10.0	10.0
	Actual (per cent.)	11.6	10.7	11.3	12.3	11.6
	Variance	+1.6	+0.7	+1.3	+2.3	+1.6
Submissions to adjudication[1]	Target	8,226	17,980	19,748	79,045	15,335
	Actual	8,742	17,910	17,680	78,485	13,276
	Variance (per cent.)	6	-0	-10	-1	-13
Accuracy of Training for Work payments	Target (per cent.)	97.0	97.0	97.0	97.0	97.0
	Actual (per cent.)	99.3	98.3	97.9	95.7	97.5
	Variance	+2.3	+1.3	+0.9	-1.3	+0.5
JSA claimants offered a jobseekers agreement	Target (per cent.)	100.0	100.0	100.0	100.0	100.0
	Actual (per cent.)	99.7	98.2	96.7	99.2	100.0
	Variance	-0.3	-1.8	-3.3	-0.8	-
Efficiency savings		The efficiency savings target is not profiled or allocated to Regions. In 1996–97 the national target was £43 million. The year end achievement was £44.34 million.				

[1] Sum of individual regional targets greater than national target of 215,000 submissions.

APA Indicators		*Office for Wales*	*West Midlands*	*North West*	*Office for Scotland*	*National*
Unemployed placings	Target	130,750	191,350	333,850	256,000	1,970,000
	Actual	115,994	161,675	270,021	234,607	1,685,312
	Variance (per cent.)	–11	–16	–19	–8	–14
JSA claimant	Target	29,970	59,360	82,080	75,040	561,450
placings (from October 1996)	Actual	29,644	51,990	68,239	66,557	508,416
	Variance (per cent.)	–1	–12	–17	–11	–9
Long term claimant placings	Target (per cent.)	18.9	31.6	23.9	27.5	29.5
(as percentage of unemployed placings)	Actual (per cent.)	18.7	26.0	19.7	22.5	24.3
	Variance (per cent.)	–0.2	–5.6	–4.2	–5	–5.2
Placing of people with disabilities	Target (per cent.)	4.4	4.5	4.0	4.1	4.4
(as percentage of unemployed placings)	Actual (per cent.)	5.5	5.5	4.4	4.6	5.1
	Variance	+1.1	+1.0	+0.4	+0.5	+0.7

APA Indicators		*Office for Wales*	*West Midlands*	*North West*	*Office for Scotland*	*National*
Training for Work referrals	Target	29,790	45,000	69,825	44,760	489,000
	Actual	21,561	38,551	55,040	42,477	394,003
	Variance (per cent.)	–28	–14	–21	–5	–19
Training for Work starts	Target	9,930	15,000	23,275	14,920	163,000
	Actual	7,693	15,098	21,258	19,308	150,348
	Variance (per cent.)	–23	1	–9	29	–8
Positive outcomes for unemployed claimants invited to a 12 month advisory interview	Target (per cent.)	43.0	43.0	43.0	43.0	43.0
	Actual (per cent.)	36.2	41.5	37.6	39.0	37.8
	Variance	–6.8	–1.5	–5.4	–4.0	–5.2
Positive outcomes for unemployed claimants invited to a 24 month advisory interview	Target (per cent.)	35.0	35.0	35.0	35.0	35.0
	Actual (per cent.)	29.5	33.4	29.9	30.7	30.3
	Variance	–5.5	–1.6	–5.1	–4.3	–4.7
Claims not pursued	Target (per cent.)	10.0	10.0	10.0	10.0	10.0
	Actual (per cent.)	11.4	11.6	9.6	10.8	11.3
	Variance	+1.4	+1.6	+0.4	+0.8	+1.3
Submissions to adjudication[1]	Target	9,513	13,500	36,223	16,942	216,512
	Actual	9,714	10,245	32,498	14,141	202,691
	Variance (per cent.)	2	–24	–10	–17	–6
Accuracy of Training for Work payments	Target (per cent.)	97.0	97.0	97.0	97.0	97.0
	Actual (per cent.)	98.4	98.6	98.6	98.8	98.1
	Variance (per cent.)	+1.4	+1.6	+1.6	+1.8	+1.1
JSA claimants offered a jobseekers agreement	Target (per cent.)	100.0	100.0	100.0	100.0	100.0
	Actual (per cent.)	97.8	99.7	98.6	100.0	98.9
	Variance	–2.2	—0.3	—0.4	–	–1.1
Efficiency savings		The efficiency savings target is not profiled or allocated to Regions. In 1996–97 the national target was £43 million. The year end achievement was £44.34 million.				

[1] Sum of individual regional targets greater than national target of 215,000 submissions.

HEALTH

Blood

Dr. Harris: To ask the Secretary of State for Health if increased cost recovery charges for donated blood products will be levied to national health service hospitals and national health service trusts during the financial year 1998–99. [15560]

Mr. Boateng: Blood handling costs for 1998–99 are currently under review.

Dr. Harris: To ask the Secretary of State for Health what plans the National Blood Authority has to introduce tests for anti-malaria antibodies. [15564]

Mr. Boateng: The National Blood Authority is currently piloting malarial antibody screening tests in two centres.

Dr. Harris: To ask the Secretary of State for Health how many staff were employed at the National Blood Authority's headquarters at Watford, and what were the centre's operating costs in the last year for which figures are available. [15563]

Mr. Boateng: In 1996–97 there were 25 staff at the Watford headquarters. The operating costs were £1.7 million for that year.

Dr. Harris: To ask the Secretary of State for Health if he will publish the surveys of blood donors on the sale or disposal of surplus blood products, quoted by the National Blood Authority in their communications. [15585]

Mr. Boateng *[holding answer 11 November 1997]:* The latest survey was carried out in 1996, and copies of the report "Blood Donors and Exports" have been placed in the Library.

Dr. Harris: To ask the Secretary of State for Health what was the value of transitional funding provided to the three zones of the National Blood Service in order to facilitate the reorganisation of the English blood services. [15576]

Mr. Boateng *[holding answer 11 November 1997]:* The transitional funding to the zones was £3.3 million, £1.1 million per zone.

Dr. Harris: To ask the Secretary of State for Health how many working days during 1996–97 and during the first half-year of 1997–98, *(a)* total blood stocks in England were less than 15,000 units, *(b)* stocks of group O positive were less than 3,200 units, *(c)* stocks of group O negative were less than 1,100 units and *(d)* stocks of group AB positive exceeded 1,200 units. [15581]

Mr. Boateng *[holding answer 11 November 1997]:* The information requested is in the table.

	1996–97 Number of working days (251)	*1997–98 (April–end September) Number of working days (126)*
Total stock less than 15,000	49	0
O positive stock less than 3,200	43	1
O negative stock less than 1,100	14	0
AB positive stock more than 1,200	247	125

Dr. Harris: To ask the Secretary of State for Health how many red cell units were issued by zone and by year, by the National Blood Service during (i) 1994–95, (ii) 1995–96, (iii) 1996–97 and (iv) the first half-year of 1997–98. [15580]

Mr. Boateng *[holding answer 11 November 1997]:* The information requested is in the table:

	1994–95	*1995–96*	*1996–97*	*1997–98 (6 months)*
Midlands and South West	577,803	586,425	586,113	303,861
London and South East	782,457	803,411	814,619	422,271
North	756,277	763,656	782,706	403,832
NBS	2,116,537	2,153,492	2,183,438	1,129,964

Dr. Harris: To ask the Secretary of State for Health what are the National Blood Service performance indicators for each zone for the financial year 1996–97 and for the first half-year of 1997–98. [15579]

Mr. Boateng *[holding answer 11 November 1997]:* I refer the hon. Member to the reply my right hon. Friend the Secretary of State for Health gave him on 11 November 1997, *Official Report*, columns *705–06*.

Dr. Harris: To ask the Secretary of State for Health what were the costs of redundancy payments made to National Blood Service personnel since 1 April 1995, in each National Blood Service zone and in each financial year. [15577]

Mr. Boateng *[holding answer 11 November 1997]:* The information requested is given in the table.

£000

	1995–96	*1996–97*	*1997–98 (April–end September)*
London and South East	Nil	328	131
Midlands and South West	26	281	152
North	133	505	146
Total	159	1,114	429

Dr. Harris: To ask the Secretary of State for Health what was the total expenditure by the National Blood Authority in (i) 1994–95, (ii) 1995–96 and (iii) 1996–97 and what is the forecast expenditure for 1997–98. [15583]

Mr. Boateng *[holding answer 11 November 1997]:* The information requested is as follows:

Year	*£ million*
1994–95	173
1995–96	188
1996–97	202
1997–98	[1]207

[1] Forecast.

The figures given are for the authority as a whole, and are rounded to the nearest million.

Dr. Harris: To ask the Secretary of State for Health what was the operating surplus or deficit for each zone of the National Blood Service for (i) 1995–96, (ii) 1996–97 and (iii) the first six months of 1997–98. [15584]

Mr. Boateng *[holding answer 11 November 1997]:* The information requested is in the table.

	1995–96 £	*1996–97 £*	*April to end September 1997 £*
London and South East	(301,000)	18,000	88,000
Midlands and South West	(730,000)	(1,119,000)	(766,000)
North	(735,000)	(301,000)	(620,000)

Source:
National Blood Authority.

Hearing

Sir Nicholas Lyell: To ask the Secretary of State for Health what was the cost to the National Health Service in the last year for which figures are available of providing health care for people suffering from hearing difficulties, separately identifying the cost of providing hearing aids. [15677]

Mr. Boateng: The National Health Service does not collect figures for the health care costs of people with hearing loss or for the cost of providing hearing aids. However, we know that more than half a million hearing aids per year are purchased from the NHS Supplies Authority. Audiology departments also purchase some hearing aids from commercial suppliers.

Waiting Lists (Sportspeople)

Mr. Letwin: To ask the Secretary of State for Health what guidelines his Department issues in respect of the priority to be afforded to professional sportspeople on waiting lists for NHS treatment for injuries incurred during competition. [15949]

Mr. Milburn: We have not issued any guidance on this subject. We would expect that where professional sportspeople turn to the National Health Service for treatment the priority they are given will depend on their clinical and other needs compared with those of other patients waiting for treatment.

Incontinence

Mr. Burstow: To ask the Secretary of State for Health (1) what assessment his Department has made of the Royal College of Nursing briefing paper on "The Cost of

Continence"; and if a representative of his Department will meet representatives of the Royal College of Nursing to discuss the report; [15927]

(2) what plans his Department has to improve the care for people with incontinence who are still living in their own homes. [15928]

Mr. Boateng: The Royal College of Nursing briefing paper "The Cost of Continence" provides a useful summary of the problems experienced by people who are incontinent and the social, psychological and financial costs of this distressing condition. I have already had a brief discussion about the report with Christine Hancock, the General Secretary of the Royal College of Nursing, and officials of the Department of Health would be happy to meet RCN officials for further discussion.

The £269 million additional funding for the National Health Service in England, which we have recently announced, is aimed partly at helped hospitals cope with medical emergencies, reducing delays in discharging patients and reducing the need for people to be admitted to hospital in the first place, for example by providing more specialist nursing and community services, such as continence services, for people—particularly older people—in their own homes. We are considering what further action it may be possible to take in this area.

Asylum Seekers

Mr. Burstow: To ask the Secretary of State for Health if he will list the provision his Department will make for 1998–99 to support expenditure incurred by local authorities in assisting asylum seekers. [16195]

Mr. Boateng: We have given a commitment to reimburse local authorities for their expenditure in supporting asylum seekers for the current year. Whether or not local authorities will need reimbursing in 1998–99 depends on both the outcome of the forthcoming House of Lords appeal against the Court of Appeal ruling that the National Assistance Act 1948 applies to adult asylum seekers, and on the outcome of the current cross-departmental review of the whole asylum process which will report early in the new year.

Mr. Burstow: To ask the Secretary of State for Health if the special grants to cover the costs incurred by local authorities in 1997–98 in support of asylum seekers will meet the full costs incurred by local authorities. [16323]

Mr. Boateng: Three special grants will be made available to local authorities for 1997–98, subject to Parliamentary approval, in respect of their expenditure on support for asylum seeking: adults, families and unaccompanied children.

For adult asylum seekers, local authorities will be able to claim their full costs up to a limit of £140 per week, averaged out over the year, for each asylum seeker supported. Local authorities will also be able to claim an additional £10 per week for each asylum seeker accommodated in specially commissioned or re-commissioned premises.

For the Families with Children Grant, local authorities will be able to recover 80 per cent. of the additional cost above the threshold set in council tax band D. This is in recognition of the additional burden on local authorities as a consequence of a change in legislation. The grant recognises that services for children and families have always formed a core part of social service functions, and so it would not be appropriate to meet costs in full. This grant will compensate local authorities for their additional costs.

Responsibilities for unaccompanied asylum seeking children and associated costs have fallen on a limited number of authorities. In recognition of these costs, a special grant of £3 million will be made available to local authorities. The grant is intended as a contribution towards helping local authorities meet their spending on unaccompanied asylum seeking children and it was never intended that the Government would be responsible for meeting the full costs.

Mr. Burstow: To ask the Secretary of State for Health when he will present a special grant report to Parliament, under section 88B of the Local Government Finance Act 1988, to cover the costs incurred by local authorities in 1997–98 in support of asylum seekers under the National Assistance Act 1948 and the Children Act 1989. [16324]

Mr. Boateng: We will shortly be consulting with local authority associations on the terms of the three special grants and plan to present them to Parliament before the end of this year.

London Strategic Review

Mr. Simon Hughes: To ask the Secretary of State for Health when he will publish the report by the Independent Advisory Panel on the London Strategic Review; and what is the length of the public consultation period between the publication of the report and the Government's response. [16546]

Mr. Milburn: We will be publishing the Independent Advisory Panel's advice and the Government's response in due course.

Community Hospitals

Mr. Prior: To ask the Secretary of State for Health if he will make a statement on his policy on the future of community hospitals *(a)* nationally and *(b)* in North Norfolk. [16544]

Mr. Boateng: Health authorities are responsible for determining the most appropriate balance of health services for their populations. However, we are currently examining national policy on effective service configurations, including the balance between acute hospital care and more community based services. The role of community hospitals is one element of a review of intermediate services currently being carried out by East Norfolk Health Authority. No short-term measures will be taken in respect of community hospitals in North Norfolk, which would prejudice debate on their longer-term future.

Young People (Assistance)

Mr. Dawson: To ask the Secretary of State for Health if he will seek to amend section 24 of the Children Act 1989 to impose an enforceable duty on local authorities to assist young people who have left care with cash or material assistance until their 21st birthday. [16648]

Mr. Boateng: In addition to carrying out their duties to advise and befriend care leavers, local authorities make use of their powers under the Children Act 1989 to provide individual care leavers with assistance in kind or in cash to supplement any income that the young person receives whilst in training, education, employment or from state benefits. The Government are aware, however, of the social exclusion experienced by many care leavers and consider that the question of providing cash or material assistance cannot be separated from issues of housing, education, training and employment and Income Support. These are all matters which the Government intend to address as part of preventing social exclusion and we have no plans at present to amend.

Trust and Health Authority Boards

Mr. Simon Hughes: To ask the Secretary of State for Health how many appointments to *(a)* trust and *(b)* health authority boards were due to be made in each month since 1 May; and how many appointments (i) have been made and (ii) are outstanding. [16545]

Mr. Milburn: A total of 570 trust board posts fell vacant on 1 November, of which 391 have now been filled. A further 502 trust board posts fall vacant on 1 December, 23 of which have already been filled.

Publicity and Advertising

Mr. Malcolm Bruce: To ask the Secretary of State for Health what is his estimate of the total expenditure on all forms of publicity and advertising by *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies for (i) 1993–94, (ii) 1994–95, (iii) 1995–96, (iv) 1996–97, (v) the 1997–98, year to date (vi) the 1997–98, full year estimate and (vii) the 1998–99 planned expenditure. [15221]

Ms Jowell *[holding answer 11 November 1997]:* Annual spending on publicity and advertising for the financial years 1993–94 to 1997–98 is shown in the attached table. Information for the year 1998–99 is not yet available.

£ million

Financial year	*Total publicity expenditure (including advertising)*	*Advertising expenditure*
1993–94		
Department of Health	19.20	6.10
Agencies	—	—
Non-departmental public bodies	0.15	—
1994–95		
Department of Health	18.20	4.30
Agencies	0.19	—
Non-departmental public bodies	0.24	—
1995–96		
Department of Health	15.56	2.08
Agencies	0.18	—
Non-departmental public bodies	0.32	—
1996–97		
Department of Health	15.73	2.50
Agencies	0.20	—
Non-departmental public bodies	0.28	—
1997–98 (to date)		
Department of Health	3.29	0.27
Agencies	0.12	—
Non-departmental public bodies	0.08	—
1997–98 (full year estimate)		
Department of Health	15.13	1.83
Agencies	0.26	—
Non-departmental public bodies	0.22	—

Written Answers to Questions

Wednesday 19 November 1997

INTERNATIONAL DEVELOPMENT

China

Dr. Lynne Jones: To ask the Secretary of State for International Development if she will give details of the training and equipment assistance provided to the Chinese police; how much has been spent on it so far; and what future cost commitments there are. [16042]

Clare Short: DFID assistance is limited to a £1 million contribution, approved in September 1996, to a United Nations project (managed by the UN Drug Control Programme) in Yunnan Province. The purpose of the project is to strengthen the drugs law enforcement capability of customs and police officials. Activities include training, development of guidelines for prosecution of traffickers and provision of vehicles and communications equipment to assist drug control operations in the mountainous border region between Yunnan and Burma.

World Bank Group

Mrs. Ellman: To ask the Secretary of State for International Development if she will set out the recent changes in ministerial responsibilities for the World Bank Group and indicate how these will impact on the role of officials. [17259]

Mr. Foulkes: I am pleased to inform the House that the Chancellor of the Exchequer and the Secretary of State for International Development have agreed that, following the creation of the Department for International Development, the Secretary of State for International Development should become the United Kingdom Governor of the World Bank Group. The Chancellor has taken over the role of United Kingdom Alternate Governor of the World Bank Group. He and the Secretary of State for International Development attended the meeting of the Development Committee in Hong Kong in September, followed by the Annual meetings of the IMF and World Bank.

The division of responsibilities at official level in our Delegation to the World Bank and International Monetary Fund (IMF) in Washington remains as before. The United Kingdom has one Executive Director for the World Bank and IMF who is a Treasury official appointed after consultation with the Department for International Development. On World Bank work, the Executive Director is assisted by an Alternate appointed by the Department for International Development.

Afghanistan

Dr. Tonge: To ask the Secretary of State for International Development what steps she has taken to protect the human rights of women in Afghanistan; and if she will make a statement. [16039]

Clare Short: UK assistance in Afghanistan is guided by a common position agreed with other aid donors. This calls on all parties to recognise, protect and promote the equal rights and dignity of men and women, including access to education, employment outside the home, personal security and freedom from intimidation and harassment, and to support only aid programmes which actively attempt to promote the equitable participation of both men and women.

In repeated representations to the Taliban and other factions, we have urged respect for women's human rights, for example in urging them to relax their restrictions on women's work and education. We are also supporting Oxfam to research gender issues and advocate for women's rights in Kabul.

My Department has recently appointed a field manager for Afghanistan to monitor our programme and its relation to human rights more effectively. A team from my Department is currently in Afghanistan looking into these issues amongst others.

We will continue to give a high priority to measures aimed at protecting human rights in Afghanistan in the UN, the Afghanistan Donor Support Group and other fora.

East Timor

Dr. Tonge: To ask the Secretary of State for International Development what action she has taken to implement her undertaking not to support any new programmes by the Government of Indonesia covering East Timor. [16040]

Clare Short: We are not supporting any projects through the Government of Indonesia which cover East Timor.

Dr. Tonge: To ask the Secretary of State for International Development what assessment she has made of the compliance of the European Union's three-year programme of aid to East Timor with the European Union's objectives in respect of strengthening respect for human rights. [16041]

Clare Short: The European Commission are still developing their proposals. My officials are maintaining contacts with their counterparts in the Commission.

Dr. Tonge: To ask the Secretary of State for International Development what human rights projects she intends to support in East Timor. [16044]

Clare Short: We are actively investigating the best means of addressing human rights issues in East Timor (including economic and social rights) in consultation with NGOs and other interested parties.

Somalia

Mr. Mullin: To ask the Secretary of State for International Development what assistance she has offered in respect of the recent floods in Somalia; and if she will make a statement. [16129]

Clare Short: The UN estimate about 200,000 people have been affected by recent flooding in the Shabelle and Juba river valleys: 1,000 may have died. Access is difficult. My Department has provided £0.5 million bilaterally to

help SCF and World Vision reach 50,000 people with supplies. The EU has earmarked about £1.6 million (UK contribution—£228,000) for logistics and supplies. We are in close touch with UN agencies and NGOs and will consider new needs as they emerge.

Vietnam

Mr. Mullin: To ask the Secretary of State for International Development what assistance she has offered to Vietnam following the recent hurricane; and if she will make a statement. [16126]

Clare Short: We offered a grant of £50,000 on 8 November through the British Embassy, Hanoi for the provision of immediate relief items. Most of this is being distributed by Oxfam to beneficiaries in the severely affected provinces of Tra vinh and Ca Mau. We are continuing to review the relief effort.

CULTURE, MEDIA AND SPORT

Millennium Dome

Mr. Marshall-Andrews: To ask the Secretary of State for Culture, Media and Sport if he will place the consultation documents obtained during the review of the Millennium Dome Exhibition in the Library. [12998]

Mr. Chris Smith: I do not intend at this juncture to disclose the detailed review of the Exhibition which took place immediately after the General Election. As I explained in my letter to the hon. Gentleman of 9 September, my decision to invoke the exemption relating to internal discussion and advice under the Code of Practice on Access to Government Information was taken so as not to prejudice sensitive discussions between the New Millennium Company and contractors and sponsors. With the hon. Gentleman's agreement, I have made available in the Library of the House a copy of my letter of 9 September and of my letter of 10 September to him in my capacity as Chairman of the Millennium Commission.

Mr. Marshall-Andrews: To ask the Secretary of State for Culture, Media and Sport what was the date of the meeting of the Millennium Commission which approved funding for the Millennium Dome Exhibition of an additional £250 million. [12993]

Mr. Chris Smith: At its meeting of 9 July 1997, the Millennium Commission, of which I am Chairman, approved an offer of grant to the New Millennium Experience Company of up to a maximum of £449 million (gross) by December 1999 and £399 (net), inclusive of grant already paid under the interim agreement signed on 27 March 1997.

Opera and Ballet (London)

Mr. Luff: To ask the Secretary of State for Culture, Media and Sport if Sir Richard Eyre's appointment to chair the review group on the future of the London Coliseum and the Royal Opera House was conditional on his support for the basic principle of merger; and if he will make a statement. [15606]

Mr. Fisher: The text of my letter to Sir Richard Eyre has already been placed in the Libraries of the House. It says:

> "I shall be happy to receive the Working Group's recommendations, and I encourage you to think freely and creatively about the options".

I am not aware of any suggestion of a merger of any kind between the Royal Opera House companies and English National Opera.

Television Licences (Blind People)

Mr. Burstow: To ask the Secretary of State for Culture, Media and Sport what is the estimated number of blind people who receive a discount for their television licence; when the amount was last reviewed; and if he will make it his policy to increase the discount for blind people. [16123]

Mr. Fisher: Approximately 34,400 registered blind people received a reduction in their television licence fee in the year to August 1997. The concessionary scheme, including this reduction, was reviewed within Government in 1985, but that review did not lead to the discount for the blind being increased.

The Government have no plans at present to increase the level of the reduction for blind people. However, the current Agreement between the Secretary of State and the BBC provides for a review of the television licence fee as the mechanism for funding the BBC after 2002. We shall conduct such a review before that date, and it will include a detailed consideration of the concessionary arrangements, including those for blind people.

Radio Rights

Ms Walley: To ask the Secretary of State for Culture, Media and Sport (1) what plans he has to prevent radio rights from being sold to non-radio broadcasters; and if he will make a statement; [16193]

(2) what measures he is taking to safeguard local radio live sports coverage; and if he will make a statement. [16194]

Mr. Fisher: Radio coverage of major sports events is included in the voluntary code signed by sports rights holders under the umbrella of the Central Council for Physical Recreation. This code appears to be working well. The current review of listed sports events will, however, allow the question of live radio broadcast rights to be considered further.

Sports Coverage

Ms Walley: To ask the Secretary of State for Culture, Media and Sport if he will introduce a statutory code on news access to sports coverage; and if he will make a statement. [16192]

Mr. Fisher: News access to major sports events is protected under the fair dealing provisions of the Copyright, Designs and Patents Act 1988. A voluntary code of practice signed by a number of broadcasters also exists and this appears to be working well.

Pay Television

Mrs. Gillan: To ask the Secretary of State for Culture, Media and Sport when the ITC review into bundling and competition in the pay television market will be completed. [16693]

Mr. Fisher *[holding answer 18 November 1997]:* The closing date for responses to the Independent Television Commission's consultation document "Competition Investigation into Bundling in the Pay TV Market: Second Phase", was 30 September. I understand that the Commission are currently considering the responses and have not put any timescale on an announcement.

SCOTLAND

Health Service (Consultant Posts)

Mr. Moore: To ask the Secretary of State for Scotland how many consultant posts in the Scottish Health Service are unfilled at present; where the unfilled posts are located; and what was the equivalent position 12 months ago. [16169]

Mr. Galbraith: The information requested is shown in the table.

Hospital medical and dental consultant vacancies as at 30 September

	1996		1997	
Trust/Health Board	*Total vacancies*	*Posts vacant more than six months*	*Total vacancies*	*Posts vacant more than six months*
Aberdeen Royal Hospitals NHS Trust	10	5	5	4
Angus NHS Trust	—	—	3	—
Argyll and Bute NHS Trust	1	1	2	1
Ayrshire and Arran Community Health Care NHS Trust	5	5	5	5
Borders Community Health Services NHS Trust	—	—	1	—
Borders General Hospital NHS Trust	6	1	2	2
Caithness and Sutherland NHS Trust	—	1	3	—
Central Scotland Healthcare NHS Trust	5	1	2	1
Dumfries and Galloway Acute and Maternity Hospitals NHS Trust	5	5	6	5
Dumfries and Galloway Community Health NHS Trust	1	1	1	1
Dundee Teaching Hospitals NHS Trust	2	—	2	1
Dundee Healthcare NHS Trust	—	—	—	—
East and Midlothian NHS Trust	—	—	—	—
Edinburgh Healthcare NHS Trust	1	1	2	—
Edinburgh Sick Children's NHS Trust	2	2	—	—
Falkirk and District Royal Infirmary NHS Trust	6	2	1	1
Fife Healthcare NHS Trust	2	1	2	1
Glasgow Dental Hospital and School NHS Trust	1	—	1	—
Glasgow Royal Infirmary University NHS Trust	7	—	—	—
Grampian Healthcare NHS Trust	12	4	5	1
Greater Glasgow Community and Mental Health Services NHS Trust	9	3	4	2
Hairmyres and Stonehouse Hospitals NHS Trust	2	2	2	1
Highland Communities NHS Trust	2	2	1	—
Inverclyde Royal NHS Trust	8	5	3	3
Kirkcaldy Acute Hospitals NHS Trust	3	1	3	—
Lanarkshire Healthcare NHS Trust	12	12	10	7
Law Hospital NHS Trust	10	9	9	7
Lomond Healthcare NHS Trust	4	1	—	—
Monklands and Bellshill Hospitals NHS Trust	12	4	10	7
Moray Health Services NHS Trust	3	—	6	—
North Ayrshire and Arran NHS Trust	1	—	2	1
Orkney Health Board Unit	—	—	—	—
Perth and Kinross Healthcare NHS Trust	2	1	1	1
Queen Margaret Hospital NHS Trust	3	2	3	1
Raigmore Hospital NHS Trust	5	4	3	2
Renfrewshire Healthcare NHS Trust	6	4	6	3

Hospital medical and dental consultant vacancies as at 30 September

Trust/Health Board	1996 Total vacancies	1996 Posts vacant more than six months	1997 Total vacancies	1997 Posts vacant more than six months
Royal Alexandra Hospital NHS Trust	4	2	3	2
Royal Infirmary of Edinburgh NHS Trust	9	9	2	—
Scottish National Blood Transfusion Service	—	—	2	1
Shetland Hospitals and Community Services Unit	1	—	4	4
South Ayrshire Hospitals NHS Trust	4	1	7	—
Southern General Hospital NHS Trust	2	1	2	1
State Hospital	—	—	—	—
Stirling Royal Infirmary NHS Trust	2	2	2	—
Stobhill NHS Trust	1	—	3	—
Victoria Infirmary NHS Trust	2	1	3	1
West Glasgow Hospitals University NHS Trust	—	—	1	—
West Lothian NHS Trust	—	—	3	—
Western General Hospitals NHS Trust	6	1	3	1
Western Isles Health Unit	3	2	2	—
Yorkhill NHS Trust	5	2	1	1
Total	187	101	144	69

Water Quality

Mr. Ernie Ross: To ask the Secretary of State for Scotland if he will make a statement on Scottish river and coastal water quality. [17260]

Mr. Dewar: The report on the Water Quality Survey of Scotland 1995 is being published today, and a copy has been placed in the House Library. I am pleased that the results confirm that the majority of Scottish rivers, lochs, estuaries and coastal waters are of a high quality.

However, I intend that progress will continue to improve further the Scottish water environment. For very large discharges (that is those serving more than 150,000 population equivalent), Article 8(5) of the Urban Waste Water Treatment Directive allows for primary treatment only to be provided, where it can be demonstrated that there would be no environmental benefit from secondary treatment. I have decided that only in very exceptional circumstances will we allow waste water discharges from major conurbations into coastal waters to be provided with anything less than secondary treatment. Following advice from the Scottish Environment Protection Agency (SEPA) it is clear that the discharge from the Aberdeen Waste Water Treatment Works, which discharges directly to the open North Sea via a 2.5km long outfall, is exceptional in that it far exceeds the criteria established to judge such cases. The North of Scotland Water Authority's plans to invest in primary treatment will significantly improve the discharge, but I have accepted SEPA's advice that providing secondary treatment would not lead to any additional environmental benefit. The Government therefore have proposed to the European Commission that Article 8(5) of the Directive should be applied to the Aberdeen case.

Having also carefully considered SEPA's recommendations following comprehensive studies at Edinburgh and Levenmouth, I have decided that secondary treatment should be provided at those two sites. I do not envisage that the Government will wish to put forward to the Commission any further cases for relaxations under Article 8(5) for discharges from large sewage works into other Scottish waters.

Kent Report

Mr. Ernie Ross: To ask the Secretary of State for Scotland if he will make a statement on the report commissioned from Mr. Roger Kent on safeguards for children living away from home. [17261]

Mr. Dewar: In July last year, Roger Kent was invited to look at the measures in place for the protection of children living away from home and to assess their effectiveness. I have now received Mr. Kent's report. It identifies the risks that exist for this group of vulnerable children, the safeguards which apply at present and makes a number of recommendations—61 in total—on how those safeguards could be improved. The recommendations are wide-ranging, addressing the needs of children living in residential and foster care, children in boarding schools and children otherwise living away from home.

I welcome the report as a further step in ensuring that children living away from home can do so in safety and security. Because the report raises a number of important issues spanning a range of interests, I have asked for it to be published. A consultation exercise on the report's recommendations will be undertaken before final decisions are taken on the recommendations.

HEALTH

Finished Consultant Episodes

Mr. Simon Hughes: To ask the Secretary of State for Health (1) how many elective finished consultant episodes took place in the NHS in 1996–97; [15672]

(2) how many emergency patients the NHS received in 1996–97. [15670]

Mr. Boateng: The number of general and acute elective finished consultant episodes commissioned by health authorities in England in 1996–97 was 5.0 million. The number of non-elective finished consultant episodes was 4.3 million. These data are drawn from the quarterly monitoring of health authorities.

EDUCATION AND EMPLOYMENT

Rural Employment

Mr. Waterson: To ask the Secretary of State for Education and Employment what plans the Government have to sustain rural employment and local communities which depend upon such employment; and if he will make a statement. [16496]

Mr. Andrew Smith: The proportion of people in employment in rural areas is generally much higher than in urban areas. However, the figures can mask pockets of deprivation in the most remote areas.

The Government are taking forward a number of initiatives to sustain rural employment. The New Deal will help all young people, including those living in rural areas, to make the transition from welfare to work. In order to ensure diversity of opportunity in all parts of the country, we have invited local organisations and providers to participate in consortia to deliver the programme. I am delighted that Eastbourne has been selected as one of the New Deal "Pathfinder" areas in which the programme will start to operate from 5 January.

The Government's Local Competitiveness Challenge Fund can be particularly helpful for rural firms. The hon. Member may be familiar with the "Wired County" project in Sussex, which is developing local multimedia and on-line service industries. In addition, Single Regeneration Budget money is being used by the Salsey Regeneration Group to develop integrated public access systems for local businesses and individuals seeking training and employment.

Higher Education (Student Complaints)

Helen Jones: To ask the Secretary of State for Education and Employment what plans he has to ensure that higher education establishments review their arrangements for handling complaints from students. [16554]

Dr. Howells: Universities and colleges of higher education are independent, autonomous bodies responsible for their own academic and administrative affairs, including arrangements for handling complaints from students. The Government have no powers to intervene directly. However, the Department is discussing with higher education representative bodies the recommendation from the National Committee of Inquiry into Higher Education (the Dearing Committee) that institutions should, over the next two years, review and, if necessary, amend their arrangements. I understand also that the Committee of Vice-Chancellors and Principals have been reviewing appeal arrangements for students and they expect to publish their final report and recommendations shortly.

Higher Education (Staff Contracts)

Helen Jones: To ask the Secretary of State for Education and Employment what steps he intends to take to ensure that confidentiality clauses in the contracts of staff working in higher education institutions are restricted to cases of clear commercial confidentiality; and if he will make a statement. [16555]

Dr. Howells: Higher education institutions are autonomous, private corporations and as such are responsible for the terms and conditions of contracts of employment of their staff. Ministers have no powers to intervene.

Youth Council

Mr. Trickett: To ask the Secretary of State for Education and Employment if he will make a statement on the outcome of the Youth Council on 28 October. [17246]

Dr. Howells: I attended a useful Council discussion about the prospects for Community action on youth beyond 1999. Debate focused on a Commission non-paper suggesting that there should be a single programme integrating the best elements of Youth for Europe III and the European Voluntary Service for Young People. The latter has yet to be adopted but is being "trialled" in what the Commission have described as a pilot programme in 1996 and 1997. Member States confirmed their attachment to an active youth policy at Community level.

The Commission's proposal to establish a European Voluntary Service for Young People from 1998 was also discussed. The UK maintained a Parliamentary scrutiny reserve but there was broad concensus on the text of the proposal. The budget had been a particular area of difficulty for the UK. Although we firmly support the concept of a voluntary service for young people, we considered that expenditure at the level that had been proposed (60 million ecu over two years) would be excessive in the early stages of an activity that is relatively undeveloped in some Member States. After discussion agreement to a figure of 35 million ecu over two years was secured. Subject to the UK scrutiny reserve being lifted, the common position reached at Council will be formally adopted and conveyed to the European Parliament as part of the co-decision process.

The Council also adopted a statement in the context of the European Year Against Racism, stressing the importance of informal education to promote the principles of tolerance and respect for other people; and welcoming initiatives by the member states and the Commission to enable young people and those working with them to counter racism.

Finally, the Council adopted a statement expressing concern about the difficult situation of many young Europeans in the context of high unemployment; welcoming the emphasis on the fight against youth unemployment; and calling for the adoption of concrete and effective measures in favour of young Europeans at the European Council on 21 November.

Positive Discrimination

Mrs. Gillan: To ask the Secretary of State for Education and Employment what guidance he proposes to issue to the Civil Service relating to the European Court of Justice's ruling on positive discrimination in favour of women. [16419]

Dr. David Clark *[holding answer 17 November 1997]:* I have been asked to reply.

The issues raised by the European Court of Justice's judgment in the case of Marschall *v* Land NordRhein Westfalen are still being considered.

I have no current plans to issue guidance.

WALES

Welsh Assembly

Mr. Llwyd: To ask the Secretary of State for Wales if he will list the policy areas which will be the responsibility of the Welsh Assembly; and if he will make a statement. [15746]

Mr. Ron Davies: A list is in paragraph 1.7 of the White Paper 'A Voice for Wales' (Cm 3718). The details of the functions to be exercised by the Assembly will be set out in the Bill that establishes the Assembly and the transfer order which will be made under it in due course.

Training and Enterprise Councils

Mr. Alan Williams: To ask the Secretary of State for Wales how much money each training and enterprise council in Wales has accumulated as reserves. [16138]

Mr. Hain: The information requested is contained in the following table. The figures show that the reserves consist of funds which have already been used to acquire assets, or funds required to meet day-to-day needs, or funds which were committed to be spent over a reasonable period. The balance available for discretionary spending at 31 March 1997 (£8.9 million) represents funds which have been earmarked by the TECs for planned expenditure during 1997–98 and for longer term projects.

Reserve levels in Wales are projected to fall to £18.217 million by March 1998. Officials in the Welsh Office continue to monitor closely the level of TEC reserves in order to ensure that they are clearly related to demonstrable working capital needs or reinvestment plans. Further discussions are to be held with the TECs shortly to asses the extent to which TECs might be able to re-direct their reserves towards other objectives within the Government's strategic agenda and to provide an indication of when this could be done.

Welsh TEC reserve levels March 1997 to March 1998

£000s

TEC	*Reserve Level*	*Fixed Assets*	*Long Terms Loans*	*Working Capital*[2]	*Amount available for discretionary spend*
1996–97 End of year position					
CELTEC[1]	5,032	440	824	2,733	1,035
Gwent	5,193	359	0	2,836	1,998
Mid Glamorgan	2,682	229	0	1,807	646
Powys	869	47	0	511	311
South Glamorgan	4,326	125	175	1,625	2,401
West Wales	6,352	427	0	3,368	2,557
All TECs	24,454	1,627	999	12,880	8,948

Source:
TEC Statutory Accounts.
Notes:
[1] CELTEC came into being on 1 April 1997—the figures represent the combined reserve levels of its two predecessor TECs in North Wales.
[2] N.B. estimated at six weeks turnover.

£000s

TEC	*Reserve level*	*Foxed assets*	*Long term loans*	*Working capital*[1]	*Amount available for discretionary spend*
1997–98 Projected end of year position					
CELTEC	4,046	316	824	2,540	366
Gwent	3,911	293	0	2,585	1,033
Mid Glamorgan	1,601	249	0	946	406
Powys	567	50	0	442	75
South Glamorgan	4,040	1,048	100	1,469	1,423
West Wales	4,052	5,599	0	2,731	762
All TECs	18,217	2,515	924	10,713	4,065

Source:
TEC Statutory Accounts.
Note:
[1] Less than six weeks turnover.

Quarries (Planning Permission)

Mr. Barry Jones: To ask the Secretary of State for Wales if he will take action to prevent the reactivation of a dormant quarry planning permission near the village of Llanfyaydd, Flintshire. [16107]

Mr. Win Griffiths: The Environment Act 1995 prevents the reactivation of a dormant site with an old planning permission for mineral working unless full modern planning conditions have been imposed. Advice on the procedures is provided in Mineral Planning Guidance note 14 "Environment Act 1995: Review of

Mineral Planning Permissions". Cae Rheinallt Quarry near Llanfynydd has been duly registered with Flintshire County Council under the provisions of the Act as a dormant site, and the principle of the existence of permission to quarry is not in question. To date, no application to determine conditions to control any future working have been received by the local authority.

Mr. Barry Jones: To ask the Secretary of State for Wales what plans he has to legislate to prevent the reactivation of dormant quarry planning permissions; and if he will make a statement. [16108]

Mr. Win Griffiths: My right hon. Friend has no plans to legislate on this matter. The Planning and Compensation Act 1991 and the Environment Act 1995 introduced new requirements for initial and periodic reviews of old mineral permissions. The principle of their existence is not an issue, but provisions in the existing legislation will ensure that dormant quarry permissions cannot be reactivated without full modern planning conditions attached to protect the environment and amenity, and to ensure that suitable restoration and aftercare takes place.

Press Releases

Mr. Matthew Taylor: To ask the Secretary of State for Wales what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16299]

Mr. Ron Davies: There is no formal arrangement for faxing departmental press releases to Opposition party spokesmen on the day of release, but they are supplied on request. No changes have been made since 1 May.

Cycleways

Mr. Ruane: To ask the Secretary of State for Wales if he will collate the information on the planning and management of cycleways, currently held by the new unitary authorities in Wales. [16510]

Mr. Hain: I am keen to encourage the development of cycleways throughout Wales, but wish to await the outcome of the Government's consultation on integrated transport before re-assessing Welsh Office responsibilities in this area.

TRADE AND INDUSTRY

Monetary Union

Mr. Redwood: To ask the President of the Board of Trade which Minister briefed the *Financial Times* in respect of its September story on British entry into monetary union. [14005]

Mrs. Beckett: To my knowledge, none.

Gas Appliances

Mr. Gordon Prentice: To ask the President of the Board of Trade what steps he is taking to ensure that gas appliances are safe and regularly maintained. [15160]

Mr. Nigel Griffiths: A carbon monoxide safety awareness campaign is currently under way to warn as many households as possible in the country about the dangers of carbon monoxide, including the need to make sure that heating systems are serviced once a year by a qualified engineer.

Gas appliances made or sold in the UK including imports must comply with the Gas Appliances (Safety) Regulations 1995, which implement into UK law the Gas Appliances Directive, and this Department is in the process of considering the results of a formal consultation on proposed regulations to control the safety of second-hand gas appliances.

Gas safety legislation requires landlords to maintain in a safe condition, gas appliances that they own in let property. Failure to do so can result in unlimited fines and up to two years imprisonment.

Fireworks

Ms Stuart: To ask the President of the Board of Trade which Ministers responsible for firework safety have visited *(a)* Liverpool, *(b)* Manchester, *(c)* Newcastle, *(d)* Glasgow, *(e)* Birmingham and *(f)* Leeds since 1979 to promote firework safety. [15615]

Mr. Nigel Griffiths: I understand that since 1993 no Minister responsible for firework safety has visited these cities to promote firework safety. I undertook to visit all these cities prior to this bonfire night to promote safety awareness.

Mr. John M. Taylor: To ask the President of the Board of Trade if she will make a statement on her policy on the length of the firework season *(a)* in terms of retail availability of fireworks and *(b)* in terms of a possible permissible period for letting them off. [16340]

Mr. Nigel Griffiths: The policy remains the same as that of my predecessor. However, a range of measures has been implemented to assist in tackling more dangerous fireworks and those used by hooligans. Details of these are in the House of Commons Library.

Action 2000

Mrs. May: To ask the President of the Board of Trade if she will publish the job specification for the Chairman of Action 2000. [16136]

Mrs. Roche: The statement of his particular responsibilities is reproduced below:

"(a) To appoint the other members of the Advisory Board. The choice of members will be your decision, but you will consider including representatives of:

CBI

FEI

CSSA

BBA

NCC

IEE

the Business Links

and you will consult the organisations concerned. In addition you may appoint up to seven additional members, drawn mainly from the private sector. Before you make any appointments you should consult the Secretary of State for Trade and Industry.

(b) To advise the Secretary of State and the Chancellor of the Duchy of Lancaster on the state of preparedness of the private sector—particularly in key sectors identified by them—and to make such contribution to their work on contingency planning as they may require.

(c) To advise the Secretary of State whether the DTI should offer funding to organisations other than the Company.

(d) To draw up, agree with the Secretary of State, and implement through the Company a costed programme of collective activities—Action 2000—to support businesses in the private sector in their efforts to tackle the century date problem.

(e) To appoint a Director, other board members and staff of the Company. The Director will be appointed after consulting the Secretary of State and after considering a number of candidates on a competitive basis.

(f) Expenditure on activities under the agreed costed programme will be disbursed by the CTI, on advice from you or the Director, acting on behalf of the Advisory Board."

Funeral Industry

Mr. Chidgey: To ask the President of the Board of Trade on how many occasions mergers and acquisitions of *(a)* funeral directors, *(b)* crematoria and *(c)* funeral directors and crematoria have been referred to and investigated by the Monopolies and Mergers Commission; in how many cases the Monopolies and Mergers Commission has recommended divestment; and if she will list the firms concerned. [16703]

Mr. Nigel Griffiths: Two mergers involving funeral directors have been referred to the Monopolies and Mergers Commission (MMC).

The acquisition by The Co-operative Wholesale Society Ltd. (CWS) of the Scottish funerals business of House of Fraser PLC was referred to the MMC on 4 June 1987. The MMC recommended divestment of four funeral undertaking businesses (in Aberdeen, Falkirk, Crieff and Perth) or divestment of all the businesses acquired from House of Fraser.

The acquisition by Service Corporation International (SCI) of Planstbrook Group plc. was referred to the MMC on 20 December 1994. The MMC's report was published on 25 May 1995. The MMC recommended divestment of individual funeral directors' businesses in ten specified areas.

No acquisitions of crematoria, or of funeral directors and crematoria, have been referred to the MMC.

Mr. Chidgey: To ask the President of the Board of Trade what contacts she has had with the Monopolies and Mergers Commission regarding the marketing and selling of pre-purchase funeral plans. [16706]

Mr. Nigel Griffiths: My right hon. Friend has had no contact with the Monopolies and Mergers Commission regarding pre-paid funeral plans, nor a request from the MMC to discuss this.

Mr. Chidgey: To ask the President of the Board of Trade what consultations she has had with the Director General of Fair Trading regarding the marketing and selling of pre-purchase funeral plans. [16707]

Mr. Nigel Griffiths: I have had a number of meetings with the Director General of Fair Trading regarding pre-paid funerals and have sought his views on a number of possible options for consumer protection. I share the Director General's concern to protect consumers who purchase their funerals in advance. I am discussing with my colleagues in the Treasury what speedy action might be taken to further protect consumers.

Mr. Chidgey: To ask the President of the Board of Trade what representations she has received regarding the maintenance of fair trade practices in the marketing and selling of pre-purchase funeral plans. [16708]

Mr. Nigel Griffiths: I have had a number of representations on fair trade practices in the marketing and selling of pre-paid funeral plans. I am considering these, and working on proposals with my Treasury colleagues to protect those consumers who purchase their funerals in advance.

Mr. Chidgey: To ask the President of the Board of Trade what representations she has received on the potential for trading links *(a)* between insurance companies and providers of funeral services and *(b)* between providers of funeral services and trading companies that are subsidiaries of registered charities to operate against the public interest and to the detriment of consumers. [16705]

Mr. Nigel Griffiths: A number of representations have been received about the links between providers of funeral services and trading companies that are subsidiaries of registered charities. These have been passed to the Charity Commission. No representations have been received on links between insurance companies and providers of funeral services.

Health Service (Bereavement and Mortuary Services)

Mr. Chidgey: To ask the President of the Board of Trade what representations she has received from NHS hospitals on the contracting cost of bereavement and mortuary services to the private sector. [16712]

Mr. Nigel Griffiths: No NHS hospital has made representations on this subject.

Mr. Chidgey: To ask the President of the Board of Trade what guidance she has provided on fair trade practices to NHS hospitals which *(a)* have contracted out and *(b)* have expressed an interest in seeking to contract out bereavement and mortuary services. [16709]

Mr. Nigel Griffiths: This department has no responsibility for NHS hospitals, and no guidance has been sought.

Inward Investment

Mr. Denis Murphy: To ask the President of the Board of Trade how many jobs have been created via inward investment in each of the last five years; and if she will give a breakdown of the number of jobs created in each county or equivalent area. [16166]

Mr. Ian McCartney: This information is available only on a regional basis. According to figures notified to my Department's Invest in Britain Bureau, the number of new jobs associated with inward investment in each of the last five years by each region as follows:

Inward investment into the United Kingdom

Year/Region	*Total number of new jobs*
1992–93	
East	363
East Midlands	183
North-east	2,312
Northern Ireland	2,742
North-west	1,012
Scotland	4,497
South-east	1,212
South-west	285
Wales	2,382
West Midlands	1,568
Yorkshire and Humberside	1,286
Total for the year	17,842
1993–94	
East	482
East Midlands	3,218
North-east	2,256
Northern Ireland	3,030
North-west	2,427
Scotland	7,635
South-east	916
South-west	1,065
Wales	3,913
West Midlands	3,370
Yorkshire and Humberside	2,329
Total for the year	30,641
1994–95	
East	842
East Midlands	3,028
London	27
North-east	5,780
Northern Ireland	3,251
North-west	1,986
Scotland	7,678
South-east	3,273
South-west	1,386
Wales	3,151
West Midlands	4,797
Yorkshire and Humberside	3,152
Total for the year	38,351
1995–96	
Region not identified	0
East	372
East Midlands	1,437
London[1]	2,588
North-East	6,075
Northern Ireland	3,741
North-West	3,592
Scotland	9,092
South-East	5,385
South-West	1,468
United Kingdom	0
West of England[2]	250
Wales	4,429
West Midlands	7,034
Yorkshire and Humberside	2,004
Total for the year	47,467

Inward investment into the United Kingdom

Year/Region	*Total number of new jobs*
1996–97	
East	925
East Midlands	1,306
London[1]	2,631
North East	3,089
Northern Ireland	4,135
North West	1,402
Scotland	9,928
South East	3,905
South West	682
West of England[2]	1,622
Wales	10,397
West Midlands	4,387
Yorkshire and Humberside	1,830
Total for the year	46,239
Total for the last 5 years	180,540

[1] Prior to 1994–95 the figures for London were included in those for the South-East.

[2] Prior to 1995–96 the figures for the West of England were included in those for the South-West.

The IBB only records inward investment decisions by regions of the UK and these figures are based on information provided by the companies at the time of the announcement of the decision to invest in the UK. They are based on the companies best estimate of jobs created by the investment in its first three years. The figures take no account of subsequent developments.

There is no requirement to notify the Department and so the figures include only those projects where the Department's Invest In Britain Bureau and its regional partners were involved or which have come to their notice.

Trade Union Membership

Mr. Cox: To ask the President of the Board of Trade what is the policy of her Department in respect of the membership of trade unions for those in employment; and if he will make a statement. [14342]

Mr. Ian McCartney *[holding answer 13 November 1997]:* The Government considers that employees should be free to belong, or not to belong, to trade unions and, where a majority of a relevant workforce vote for it in a ballot, unions should be recognised for collective bargaining purposes. My Department will be publishing a White Paper on fairness at work, and principally on union recognition, in the first part of next year.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Weald and Downland Roads Project

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 27 October 1997, *Official Report*, columns *722–23*, on the Weald and Downland DBFO, if the outcome of the roads review will provide clear guidance on the future of the individual schemes which make up the Weald and Downland DBFO. [14969]

Ms Glenda Jackson: We intend that the output of the Roads Review should include a forward programme of high priority projects and work to develop strategies for transport problems from which investment programmes will emerge. This applies equally to the schemes that were included in the Weald and Downland DBFO as to other schemes.

Climate Change

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has made to the Canadian Government concerning their policies towards global climate change. [15627]

Angela Eagle: We have discussed climate change with Canada in a number of fora, including most recently at the Ministerial meeting of key developed countries in Tokyo on 8 November, chaired by my right hon. Friend the Secretary of State for the Environment, Transport and the Regions, where Canada indicated that they would shortly be proposing a greenhouse gas emissions target.

Pedestrian Fatalities

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government's attempts to reduce the incidence of *(a)* child and *(b)* total pedestrian fatalities. [15645]

Ms Glenda Jackson: Measures to reduce the incidence of pedestrian and child pedestrian accidents focus on both engineering and enforcement, supported by education (including publicity).

Traffic calming and 20 mph zones have proved successful in slowing traffic, with a consequential reduction in the number and severity of accidents to all pedestrians. Effective enforcement is also necessary generally to reduce speed, and we are considering ways of making better use of speed cameras to help achieve this. These measures are reinforced by publicity campaigns, and my noble Friend the Minister for Roads launched the current "Kill Your Speed" campaign on 16 September.

While seeking to reduce the risks to all pedestrians, we also educate children, in particular, to develop the skills they need to cope with the risks they face. We support road safety practitioners by providing resources such as 'Kerbcraft' (launched in September), which promotes practical child pedestrian training. A new child safety campaign is planned for January.

Measures further to improve safety for child and adult pedestrians will be a priority aim of the road safety strategy announced by my noble Friend the Minister for Roads on 15 October.

Telecommunications Developments

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions (1) what guidance his Department offers in respect of publicity for telecommunication developments with reference to *(a)* site notices, *(b)* notifications to town or parish councils and *(c)* notification to local residents; and if he will make a statement; [15664]

(2) what guidance his Department has issued in respect of publicity for telecommunication developments in respect of (i) site notices, (ii) notifications to town or parish councils and (iii) notification to local residents; and if he will make a statement. [16189]

Mr. Raynsford: Where telecommunications development is subject to a planning application, the local planning authority is required by law to publicise the application. This will be either by a site notice or by neighbour notification, and may also include a newspaper advertisement. Departmental guidance on this is given in Circular 15/92: "Publicity for Planning Applications". There is a statutory requirement for local planning authorities to consult the relevant parish council, at the council's request, of planning applications. Where development is subject to a prior approval determination under Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, Appendix E to Circular 9/95 encourages publicity so that people likely to be affected by the proposed development can make their views known to the local planning authority.

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the 28 day prior notification limit for telecommunications developments on (i) consultation with parish or town councils and councillors, (ii) opportunities for comment from local residents and (iii) the opportunities to negotiate and amend proposed schemes; and if he will make a statement. [16188]

Mr. Raynsford: I refer my hon. Friend to the answer I gave on 17 November 1997, *Official Report*, column *3*.

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will enable local planning authorities to extend the 28 day limit in their determination of applications for telecommunications developments; and if he will make a statement. [16187]

Mr. Raynsford: This is an issue on which I expect the Working Group reviewing the Code of Best Practice on telecommunications prior approval procedures as applied to mast/tower development will make representations to me. I will reflect on their conclusion in due course.

Car Airbag Systems

Mr. McNulty: To ask the Secretary of State for the Environment, Transport and the Regions what research he has *(a)* commissioned and *(b)* evaluated on the safety of car airbag systems. [16132]

Ms Glenda Jackson: We continue to collect detailed information on a sample of road accident injuries as part of the Department's research programme, and this allows us to monitor effects such as airbags in cars. To date, we are not aware of any cases of airbags having caused serious injuries in the UK.

In 1993 the Department commissioned TRL to investigate airbag effectiveness. This was largely a review of published research on both airbag testing and airbag performance in the field. By necessity, this review was mainly based on the experience in the USA where airbags, which are required by law, are far more prevalent than in Europe.

US airbags tend to be more aggressive than those in Europe, as the US seat belt wearing rate is low and airbags are designed to be the primary source of protection. TRL therefore also looked at the sample of accidents in the UK to establish the role which airbags had played. However, the number of accidents examined was small, and there was insufficient evidence to reach a conclusion on the efficacy of airbags in European cars. The results of this study were part of a wider European paper presented at the Enhanced Safety Vehicles conference in 1996. TRL also carried out some very limited laboratory testing to supplement the information already available for grossly out of position occupants where there is a considerable injury risk.

Overall, international research indicates that airbags reduce the risk of serious head and chest injuries for vehicle occupants and any adverse effects are minimised if the vehicle occupants use their seat belt correctly and sit as far from the airbag as is comfortably possible. In particular rear facing child restraints should never be used in a front facing passenger position where an airbag is fitted.

Severn Bridge Tolls

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the amounts raised from tolls, and the cost involved in collecting the tolls, for *(a)* the original Severn Bridge and *(b)* the second Severn Bridge in the last year for which figures are available; and if he will make a statement. [15963]

Ms Glenda Jackson: The accounts for Severn River Crossing plc show that in the year ending 31 December 1996 they had a turnover from toll revenue of £47.2 million. Separate figures for the toll revenue from each crossing are not available but 75–80 per cent. of the traffic uses the new bridge. Toll operating costs and maintenance are not dis-aggregated but, with administrative expenses, total running costs amounted to £7.6 million.

Planning Applications

Mr Vaz: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many planning applications he has called in since 1 May; [16465]

(2) how many planning applications he has determined since 1 May. [16466]

Mr. Raynsford: Since 1 May this year, 95 planning applications have been called in and 60 called-in applications have been determined.

Mr. McDonnell: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those London boroughs which have introduced ethnic monitoring of planning applications. [16482]

Mr. Raynsford: The Department does not collect information on local planning authorities' monitoring of the ethnic background of applicants for planning permission. The Local Government Association has commissioned research on "Race and the built environment". The resulting good practice guide will be published in the New Year and will contain information on the extent of ethnic monitoring of planning applications by local planning authorities.

Water

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to enhance the role of water companies in the water planning process. [16402]

Angela Eagle: Under section 37 of the Water Industry Act 1991, water companies already have the duty to develop and maintain an efficient and economical system of water supply in their areas. In revising current planning policy guidance for local authorities we will consider how increased emphasis may be given to the impact of proposed development on water supply provision.

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions if he will create forums to include water companies and all of the planning authorities in an area to discuss resource issues. [16403]

Angela Eagle: The Department's current policy guidance requires local authorities to consult with all infrastructure providers, including water supply companies, when preparing their development plans. The creation of discussion fora is a matter for local government.

Fly Tipping

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions if he will increase the resources devoted to controlling fly tipping. [16394]

Angela Eagle: The responsibility for monitoring illegal fly tipping, clearance of the wastes involved and pursuing offenders lies with a number of organisations including local authorities, the Police and the Environment Agency. My Department has no conclusive evidence that fly tipping in England is increasing. However the Environment Agency is continuing to monitor the situation closely and is working with the other bodies to implement a three-part strategy: First, to enhance co-operation with local authorities to monitor and control fly tipping and prosecute offenders—an emergency hotline number has been established and widely published for information on vehicles and individuals involved on fly tipping to be given; secondly, to gather the more reliable information needed, the Agency is working with the Tidy Britain Group to produce a comprehensive study of the incidence of fly tipping before and after the introduction of the Landfill Tax. It is intended that this report will be published in Spring 1998. It should assist the Agency and others, particularly local authorities, to respond to fly tipping in a co-ordinated, proportionate and effective manner; thirdly, the Agency continues to work with a broad range of partners including trade associations, landowners and local government to encourage good waste management practice.

EU Environment Council

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the conclusions of the Environment Council meeting of 16 October. [16322]

Mr. Meacher: With Lord Sewel, I represented the United Kingdom at the Environment Council which took place in Luxembourg on 16 October.

The Council reached political agreement on the proposal for a new Drinking Water Directive. This sets new standards in line with current scientific thinking for the quality of drinking water; these will provide additional protection for human health. The text also provides for much greater subsidiarity and flexibility for Member States. It will now go forward for the opinion of the European Parliament. The Council further developed the Community's negotiating position for the Third Conference of the Parties to the UN Framework Convention on Climate Change in Kyoto, Japan, in December this year.

In the debate on the landfill directive, I indicated our strong support for the tight regulation of all landfills but that greater flexibility was needed on the requirements for biodegradable waste going to landfill. In the discussion of the Strategy prepared by the Commission to reduce the problems of acid rain in the Community I made it clear that the UK strongly supported action on this, though more technical work was needed to clarify the benefits and costs—a view shared by the majority who spoke.

The Council also noted the progress of discussions on the directive tightening emissions from light commercial vehicles and on the Water Framework Directive. The Commission made a presentation on its Communication on Environmental Taxes and Charges which was not discussed.

Energy Saving Trust

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the resources made available to the Energy Saving Trust in each of the last five years; and what is next year's budget. [16173]

Angela Eagle: My Department has provided funding for the Energy Saving Trust since 1995–96 as follows:

1995–96: £500,000

1996–97: £25,000,000.

Funding of up to £19,000,000 has been made available for 1997–98. The budget for 1998–99 has not yet been finalised.

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the work of the Energy saving Trust's energy efficiency programme. [16174]

Angela Eagle: The Energy Saving Trust's "Energy Efficiency" programme has our full support. It aims to promote energy efficiency to domestic consumers so that they can save money and help the environment. The Trust's October campaign of promotional activities under the programme has just been completed, culminating in "Energy Efficiency Week" between 20 and 27 October.

My Department has contributed funding of up to £2.5 million towards "Energy Efficiency" in 1997–98. I have recently approved a further £4 million in Government funding for the programme in 1998–99.

Household Growth Green Paper

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to make a statement on the outcome of the consultation on last year's Green Paper on Household Growth. [16400]

Mr. Caborn: The Government are considering the question of household growth not just in isolation but within the wider context of policies to promote sustainable development, including integrated transport policy and regional planning. We will make a statement in due course.

Wheelchairs

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made by his officials in relation to discussions with wheelchair manufacturers on establishing a marking protocol to indicate the suitability of manual and powered wheelchairs for use on public transport. [16443]

Ms Glenda Jackson: Officials from my Department have established a working group with representatives of the wheelchair manufacturing industry and the Medical Devices Agency. The purpose of the working group is twofold: to develop a testing protocol for new wheelchairs to assess their suitability for use in vehicles and secondly, to work towards a marking system that indicates the transport "compatibility" of manual and powered wheelchairs.

The work is progressing well. As a first step towards the marking protocol, the Group is drawing up an information leaflet for wheelchair users and those advising on wheelchair choice, which will help them to choose an appropriate wheelchair for their lifestyle. We hope that the leaflet will be finalised by the beginning of next year.

On the testing protocol, the Group has agreed to use as a base the proposed requirement in a draft International Standards Organisation standard for new products. The Group will be producing a leaflet to inform wheelchair users and transport operators about the testing protocol and the role of wheelchair tie downs and occupant restraints in vehicles. Again, we hope that that leaflet will be available early in the new year.

Press Releases

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16311]

Angela Eagle: My Department will provide press releases to Opposition party spokesman by fax on the day of release if requested to do so. This standardises the policy of the former Departments of the Environment and of Transport, which operated different systems prior to the Election and before their

subsequent merger. The Department also issues press releases on the day of release via the Internet at address http://www.detr./gov.uk/. and copies are placed in the Library of the House of Commons.

Air Quality

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the air quality in the United Kingdom's main urban centres on *(a)* 31 October and *(b)* 4 November; and what warnings were given to the public concerning air quality on those days. [16413]

Angela Eagle: On 31 October 1997 air quality in a number of UK urban centres was poor. High concentrations of nitrogen dioxide were measured in Birmingham, Bristol, London, Lincoln and Reading. Nitrogen dioxide levels were highest on 31 October, peaking at 257 parts per billion at Camden Roadside. A table summarising the highest hourly nitrogen dioxide concentrations that occurred on that day is shown below. On 4 November 1997 there were no occurrences of poor or very poor air quality at any national UK monitoring site.

Monitoring site location	*Maximum hourly NO_2 levels (parts per billion)*
Bromley Roadside	110
Camden Roadside	257
Southwark Roadside	185
Sutton Roadside	172
Tower Hamlets Roadside	110
West London	213
London A3 Roadside	117
London Bridge Place	194
London Eltham	124
London Hackney	100
London Lewisham	131
London Marylebone Road	153
London North Kensington	142
London Southwark	237
London Teddington	114
London Wandsworth	216
Birmingham Centre	151
Birmingham East	115
Bristol Old Market	102
Lincoln Roadside	170
Reading	105

On both 31 October and 4 November hourly air pollution information and air quality forecasts were available on CEEFAX (pages 410–417), TELETEXT (page 106), the Department's free phone information line (0800 556677) and through the Department's Internet site. In addition, air quality forecasts and information on pollutant levels were sent to national and regional newspapers, television, radio stations, Government agencies, local authorities and environmental groups.

Local Government Finance

Dr. Iddon: To ask the Secretary of State for the Environment, Transport and the Regions pursuant to his answer of 31 July 1997, *Official Report*, column *548*, if he will list the percentages of management and maintenance allowances for council-owned homes for 1990–91 to 1997–98 inclusive. [16476]

Mr. Raynsford: I have placed in the House of Commons Library a list showing for each local authority the percentage increase in their HRS Subsidy Management and Maintenance Allowance year by year from 1990–91 to 1997–98.

Landfill Sites

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those landfill sites which are unlined and permitted to receive low-level radioactive waste. [16453]

Angela Eagle: The Environment Agency advise that disposal of low-level radioactive waste is authorised under the Radioactive Substances Act 1993 at the following sites in England and Wales:

Landfill site	*Operator and location*	*Engineered containment status*
Arpley Quarry	3C Waste Ltd., Arpley, Warrington	Engineered containment
Lamby Way	Cardiff County Council	Clay based engineered containment
Milton Landfill	Milton Cambridgeshire	Clay based engineered containment
Cowpen Bewley	ICI Ltd., Billingham, Cleveland	No engineered containment
Clifton Marsh	Lancashire Waste Services, Preston Lancashire	Current phase unlined, next phase will include an engineered containment
Stanford Quarry	Oxfordshire County Council, Stanford in the Vale	No engineered containment
Beighton Tip	Sheffield Waste Disposal Authority	No engineered containment, closure early 1998
Asham Quarry	East Sussex County Council, Beddingham, East Sussex	Opened 1979, old phases unlined. From 1995, fully engineered lining for new phase
Hilts Quarry	Rolls Royce Ltd., Crich, Derbyshire	No engineered containment
Magnesium Elektron Swinton	Magnesium Elektron, Swinton, Greater Manchester	No engineered containment
Millennium Inorganic Chemicals Ltd.	Millennium Inorganic Chemicals, Grimsby, Humberside	No engineered containment
Cilgwyn Quarry	Cwmni Gwastraf Mon Arfon cyf, Caernorfon, Gwynedd	No engineered containment

The Scottish Environment Protection Agency advise that disposal of low level radioactive waste is authorised under the Radioactive Substances Act 1993 at the following sites in Scotland:

Landfill Site	*Operator and location*	*Engineered containment status*
Black Devon	Operated by local authority, Clackmannanshire	Unlined
Balbarton	Operated by local authority, Fife	Unlined
Braehead Quarry	Operated by local authority, Edinburgh	Unlined
Riveside	Operated by local authority, Dundee	Unlined

Landfill Site	*Operator and location*	*Engineered containment status*
Kilgarth	Operated by local authority, North Lanarkshire	Unlined
Dalmacouter	Operated by local authority, North Lanarkshire	Unlined
Ness Farm	Operated by local authority, Aberdeen	Unlined
Longman	Operated by local authority, Inverness	Unlined
Lower Polmaise	Operated by local authority, Stirling	Unengineered natural clay lining
Lower Polmaise	Operated by local authority, Stirling	Unengineered natural clay lining
Melville Wood	Operated by local authority, Fife	Current disposals to lined area—engineered natural clay lining with bentonite (cement slurry) wall. Historic disposals to unlined area
Summerston	Operated by local authority, Glasgow	Natural clay and geotextile lining

The Environment and Heritage Service advise that disposal of low level radioactive waste is authorised under the Radioactive Substances Act 1993 at the following sites in Northern Ireland.

Landfill site	*Operator and location*	*Engineered containment status*
Dargan Road	Belfast City Council	Lined
Culmore Point	Derry City Council	Unlined
Letterloan	Coleraine Borough Council	Unlined
Mayboy Road	Coleraine Borough Council	Unlined

The radiological impact of disposals to these landfill sites are assessed by the Environment Agencies and the Environment and Heritage Service when determining applications for authorisation.

Mesothelioma and Asbestosis

Mr. Clapham: To ask the Secretary of State for the Environment, Transport and the Regions how many people died as a result of *(a)* mesothelioma and *(b)* asbestos induced lung cancer in (i) 1995 and (ii) 1996 broken down by (1) parliamentary constituency and (2) local authority unit. [16479]

Angela Eagle: The numbers of mesothelioma deaths in 1995 by local authority are shown in Table 1. Information on mesothelioma deaths is not yet available for 1996. Information for parliamentary constituencies is not collected.

The total number of lung cancers caused by asbestos is estimated to be at least equal to the number of mesothelioma cases, and may be greater, but it is not possible to give a more precise figure as they are not distinguishable from the much larger number due to other causes such as smoking.

Table 1: Mesothelioma deaths in Great Britain 1995 by local authority

County/Local authority	*Mesothelioma deaths 1995*
Greater London	138
City of London	0
Barking and Dagenham	12
Barnet	2
Bexley	7
Brent	2
Bromley	2
Camden	2
Croydon	3
Ealing	7
Enfield	1
Greenwich	6
Hackney	1
Hammersmith and Fulham	2
Haringey	3
Harrow	2
Havering	7
Hillingdon	7
Hounslow	2
Islington	4
Kensington and Chelsea	0
Kingston upon Thames	3
Lambeth	3
Lewisham	5
Merton	2
Newham	8
Redbridge	6
Richmond upon Thames	6
Southwark	2
Sutton	3
Tower Hamlets	9
Waltham Forest	4
Wandsworth	11
City of Westminster	4
Greater Manchester	37
Bolton	4
Bury	2
Manchester	3
Oldham	4
Rochdale	3
Salford	1
Stockport	3
Tameside	8
Trafford	2
Wigan	7
Merseyside	35
Knowsley	3
Liverpool	9
St. Helens	4
Sefton	11
Wirral	8
South Yorkshire	27
Barnsley	3
Doncaster	11
Rotherham	3
Sheffield	10
Tyne and Wear	64
Gateshead	9
Newcastle-upon-Tyne	10
North Tyneside	13
South Tyneside	13
Sunderland	19
West Midlands	41
Birmingham	26
Coventry	2
Dudley	2

Table 1: Mesothelloma deaths in Great Britain 1995 by local authority

County/Local authority	*Mesothelloma deaths 1995*
Sandwell	1
Solihull	4
Walsall	4
Wolverhampton	2
West Yorkshire	57
Bradford	12
Calderdale	6
Kirklees	12
Leeds	21
Wakefield	6
Avon	17
Bath	1
Bristol	9
Northavon	4
Kingswood	0
Wansdyke	0
Woodspring	3
Bedfordshire	8
Bedford	1
Luton	2
Mid Bedfordshire	2
South Bedfordshire	3
Berkshire	21
Bracknell Forest	2
Newbury	4
Reading	3
Slough	7
Windsor and Maidenhead	4
Wokingham	1
Buckinghamshire	20
Aylesbury Vale	2
South Bucks	4
Chiltern	3
Milton Keynes	7
Wycombe	4
Cambridgeshire	16
Cambridge	2
East Cambridgeshire	5
Fenland	3
Huntingdonshire	1
Peterborough	5
South Cambridgeshire	0
Cheshire	22
Chester	2
Congleton	0
Crewe and Nantwich	2
Ellesmere Port and Neston	2
Halton	6
Macclesfield	4
Vale Royal	3
Warrington	3
Cleveland	17
Hartlepool	7
Langbaurgh-on-Tees	4
Middlesborough	2
Stockton-on-Tees	4
Cornwall and Isles of Scilly	8
Caradon	0
Carrick	2
Kerrier	1
North Cornwall	1
Penwith	2

Table 1: Mesothelloma deaths in Great Britain 1995 by local authority

County/Local authority	*Mesothelloma deaths 1995*
Restormel	1
Isles of Scilly	1
Cumbria	16
Allerdale	0
Barrow-in-Furness	11
Carlisle	2
Copeland	1
Eden	0
South Lakeland	2
Derbyshire	15
Amber Valley	2
Bolsover	2
Chesterfield	2
Derby	6
Erewash	0
High Peak	2
North East Derbyshire	0
South Derbyshire	1
Derbyshire Dales	0
Devon	31
East Devon	2
Exeter	2
North Devon	3
Plymouth	19
South Hams	1
Teignbridge	1
Mid Devon	1
Torbay	1
Torridge	0
West Devon	1
Dorset	14
Bournemouth	2
Christchurch	2
North Dorset	3
Poole	4
Purbeck	1
West Dorset	1
Weymouth and Portland	0
East Dorset	1
Durham	15
Chester le Street	1
Darlington	5
Derwentside	1
Durham	0
Easington	5
Sedgefield	2
Teesdale	0
Wear Valley	1
East Sussex	12
Brighton	2
Eastbourne	1
Hastings	2
Hove	0
Lewes	2
Rother	3
Wealden	2
Essex	39
Basildon	9
Braintree	2
Brentwood	4
Castle Point	2
Chelmsford	2
Colchester	2
Epping Forest	3

Table 1: Mesothelloma deaths in Great Britain 1995 by local authority

County/Local authority	*Mesothelloma deaths 1995*
Harlow	1
Maldon	3
Rochford	1
Southend on Sea	2
Tendering	3
Thurrock	5
Uttlesford	0
Gloucestershire	11
Cheltenham	1
Cotswold	3
Forest of Dean	1
Gloucester	2
Stroud	3
Tewkesbury	1
Hampshire	70
Basingstoke and Deane	4
East Hampshire	2
Eastleigh	6
Fareham	2
Gosport	1
Hart	3
Havant	8
New Forest	5
Portsmouth	13
Rushmoor	3
Southampton	16
Test Valley	6
Winchester	1
Hereford and Worcester	14
Bromsgrove	3
Hereford	1
Leonminster	0
Malvern Hills	0
Redditch	2
South Herefordshire	1
Worcester	0
Wychavon	4
Wyre Forest	3
Hertfordshire	21
Broxbourne	0
Dacorum	4
East Hertfordshire	0
Hertsmere	4
North Hertfordshire	3
St. Albans	2
Stevenage	1
Three Rivers	2
Watford	1
Welwyn Hatfield	4
Humberside	22
Beverley	7
Boothferry	2
Cleethorpes	3
Glanford	3
Great Grimsby	1
Holderness	1
Kingston upon Hull	4
East Yorkshire	0
Scunthrope	1
Isle of Wight	5
Medina	4
South Wight	1
Kent	54
Ashford	5

Table 1: Mesothelloma deaths in Great Britain 1995 by local authority

County/Local authority	*Mesothelloma deaths 1995*
Canterbury	5
Dartford	5
Dover	4
Gillingham	2
Gravesham	3
Maidstone	4
Rochester upon Medway	13
Sevenoaks	2
Shepway	1
Swale	3
Thanet	4
Tonbridge and Malling	3
Tunbridge Wells	0
Lancashire	32
Blackburn	7
Blackpool	4
Burnley	0
Chorley	1
Fylde	4
Hyndburn	1
Lancaster	1
Pendle	0
Preston	4
Ribble Valley	1
Rossendale	1
South Ribble	3
West Lancashire	3
Wyre	2
Leicestershire	9
Blaby	0
Charnwood	0
Harborough	1
Hinckley and Bosworth	2
Leicester	3
Melton	1
North West Leicester	0
Oadby and Wigston	1
Rutland	1
Lincolnshire	8
Boston	1
East Lindsey	0
Lincoln	1
North Kesteven	2
South Holland	1
South Kesteven	1
West Lindsey	2
Norfolk	23
Breckland	4
Broadland	6
Great Yarmouth	3
North Norfolk	3
Norwich	2
South Norfolk	3
Kings Lynn and West Norfolk	2
Northamptonshire	15
Corby	3
Daventry	0
East Northants	2
Kettering	0
Northampton	4
South Northants	2
Wellingborough	4
Northumberland	7
Ainwick	2
Berwick upon Tweed	1

Table 1: Mesothelloma deaths in Great Britain 1995 by local authority

County/Local authority	Mesothelloma deaths 1995
Blyth Valley	1
Castle Morpeth	1
Tynedale	1
Wansbeck	1
North Yorkshire	14
Craven	0
Hambleton	0
Harrogate	3
Richmond	0
Ryedale	3
Scarborough	3
Selby	0
York	5
Nottinghamshire	31
Ashfield	1
Bassetlaw	2
Broxtowe	2
Gedling	5
Mansfield	3
Newark and Sherwood	6
Nottingham	5
Rushcliffe	7
Oxfordshire	12
Cherwell	2
Oxford	1
South Oxfordshire	1
Vale of White Horses	4
West Oxfordshire	4
Shropshire	2
Bridgnorth	0
North Shropshire	1
Oswestry	0
Shrewsbury and Atcham	1
South Shropshire	0
The Wrekin	0
Somerset	5
Mendip	0
Sedgemoor	2
Taunton Deane	0
West Somerset	0
South Somerset	3
Staffordshire	18
Cannock Chase	4
East Staffordshire	3
Lichfield	2
Newcastle-Under-Lyme	1
South Staffordshire	0
Stafford	3
Staffordshire Moorlands	0
Stoke on Trent	4
Tamworth	1
Suffolk	11
Babergh	5
Forest Heath	0
Ipswich	3
Mid Suffolk	1
St. Edmundsbury	2
Suffolk Coastal	0
Waveney	0
Surrey	18
Elmbridge	1
Epsom and Ewell	1
Guildford	0

Table 1: Mesothelloma deaths in Great Britain 1995 by local authority

County/Local authority	Mesothelloma deaths 1995
Ipswich	2
Mole Valley	2
Reigate and Banstead	3
Runnymeade	2
Spelthorne	3
Surrey Heath	0
Tandridge	3
Waverley	1
Woking	0
Warwickshire	8
North Warwickshire	1
Nuneaton and Bedworth	2
Rugby	1
Stratford on Avon	1
Warwick	3
West Sussex	18
Adur	1
Arun	3
Chichester	3
Crawley	3
Horsham	4
Mid Sussex	2
Worthing	2
Wiltshire	10
Kennet	0
North Wiltshire	1
Salisbury	2
Thamesdown	5
West Wiltshire	2
Clwyd	7
Alyn and Deeside	0
Colwyn	0
Delyn	2
Glyndwr	2
Rhuddlan	1
Wrexham Maelor	2
Dyfed	9
Carmarthen	1
Ceredigion	1
Grampian	9

NORTHERN IRELAND

Strangford-Portaferry Ferry Service

Mr. McGrady: To ask the Secretary of State for Northern Ireland what progress has been made on the replacement of the MV Portaferry vessel used on the Strangford-Portaferry service. [15667]

Mr. Paul Murphy: Responsibility for the subject in question has been delegated to the Roads Service under its Chief Executive Mr. W. McCoubrey. I have asked him to arrange for a reply to be given.

Letter from V. Crawford to Mr. Eddie McGrady dated 17 November 1997:

The Secretary of State has asked the Chief Executive to respond to your recently tabled Parliamentary Question about progress on the replacement of the MV Portaferry vessel used on the Strangford Lough ferry service. In Mr McCoubrey's absence, I am replying.

Invitation to Negotiate documents were issued on 4 July 1997 to 4 companies who prequalified under the Private Finance Initiative process. Three of the companies subsequently withdrew from the bidding process although we are confident the remaining company will submit its bid by the due return date in December 1997. Assuming this bid represents value for money against the public sector comparator, we expect that the contract for the operation of the ferry service will be awarded in the Spring of 1998 with the replacement ferry becoming available about a year later. The timing of the replacement vessel will depend on whether a refurbished or new ferry is to be provided.

I hope you find this information helpful.

Roads Schemes

Mr. McGrady: To ask the Secretary of State for Northern Ireland if he will make a statement on changes in policy in relation to the funding of major road schemes in Northern Ireland since 1 May. [15676]

Mr. Paul Murphy: Responsibility for the subject in question has been delegated to the Roads Service under its chief executive, Mr. W. McCoubrey. I have asked him to arrange for a reply to be given.

Letter from V. Crawford to Mr. Eddie McGrady, dated 17 November 1997:

The Secretary of State for Northern Ireland has asked the Chief Executive to respond to your recently tabled Parliamentary Question about changes in policy in relation to the funding of major road schemes since 1 May. In Mr McCoubrey's absence I am replying.

There have been no changes to the policy of funding major roads schemes in Northern Ireland since 1 May 1997. With the level of funding available for major road works being severely restricted, the policy remains that the only schemes being promoted are those which are being carried out under the Private Finance Initiative.

You will be aware that the Government is carrying out a fundamental review of transport policy and intends to issue a White Paper on an Integrated Transport Policy next year. This will be complemented by a policy statement on transport in Northern Ireland. The Government is also undertaking a Comprehensive Spending Review also to be completed next year. Both reviews have the potential to change the policy of funding major roads schemes.

I hope you find this information helpful.

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) what has been the funding allocation to the maintenance programme in each roads division in each year from 1 April 1987 to 31 March 1997; [15668]

(2) what has been the funding allocation to major and minor roads schemes in each roads division in each year from 1 April 1987 to 31 March 1997. [15669]

Mr. Paul Murphy: Responsibility for the subject in question has been delegated to the Roads Service under its Chief Executive Mr. W. McCoubrey. I have asked him to arrange for a reply to be given.

Letter from V. Crawford to Mr. Eddie McGrady, dated 17 November 1997:

The Secretary of State has asked the Chief Executive to respond to your recently tabled Parliamentary Questions about the funding allocation to the major road works, minor road works and road maintenance programmes in each Roads Division in each of the last 10 years from 1 April 1987 to 31 March 1997. In Mr. McCoubrey's absence I am replying.

The information is set out in the attached tables.

I hope you find this information helpful.

Funding allocated to road maintenance in each Division of Roads Service has, for the period in question been as follows:

Road maintenance

Expenditure in £000's

Financial year	*Ballymena*	*Belfast*	*Coleraine*	*Craigavon*	*Downpatrick*	*Omagh*
1987–88	6,195	9,217	5,404	7,813	9,166	8,605
1988–89	6,275	9,583	6,261	8,477	9,298	9,541
1989–90	7,272	11,044	7,019	9,015	10,438	10,739
1990–91	7,792	11,142	7,734	10,259	10,903	12,101
1991–92	7,350	11,195	7,727	9,842	10,465	11,398
1992–93	7,815	10,993	8,065	10,162	10,345	12,513
1993–94	7,134	10,762	7,699	9,893	10,202	12,640
1994–95	7,903	12,619	8,495	11,236	11,540	14,484
1995–96	10,524	15,255	10,998	13,990	13,356	19,472
1996–97	10,957	14,796	10,792	14,667	12,368	19,335

All figures relate to maintenance of roads. Operation and maintenance costs of street lighting and car parks not included.
Figures from 1995–96 are inclusive of supervisory and other indirect administrative costs not previously apportioned on a Divisional basis.

Funding allocated to major road works (i.e. works costing over £200,000) in each Division of Roads Service, for the period in question, has been as follows:

Major road works

Expenditure in £000s

Financial year	*HQ*[1]	*Ballymena*	*Belfast*	*Coleraine*	*Craigavon*	*Downpatrick*	*Omagh*
1987–88	690	1,071	3,169	1,821	1,784	890	793
1988–89	1,755	3,063	1,999	986	1,844	1,827	694
1989–90	100	1,895	6,510	1,298	1,233	2,217	3,144
1990–91	35	1,518	4,991	1,091	1,313	2,782	3,379
1991–92	—	2,308	8,430	1,813	2,807	2,982	1,600

Major road works

Expenditure in £000s

Financial year	*HQ*[1]	*Ballymena*	*Belfast*	*Coleraine*	*Craigavon*	*Downpatrick*	*Omagh*
1992–93	—	706	7,759	1,634	377	1,744	1,646
1993–94	—	1,846	12,679	1,586	1,368	888	300
1994–95	—	1,526	11,231	1,291	4,571	521	814
1995–96[2]	—	605	7,421	748	7,385	880	2,724
1996–97	126	2,631	7,455	288	2,628	1,744	1,882

[1] Relates to schemes handled centrally.
[2] Figures from 1995–96 are inclusive of supervisory and other indirect administrative costs not previously apportioned on a Divisional basis.

Funding allocated to minor road works (ie works costing less than £200,000) in each Division of Roads Service has, for the period in question, been as follows:

Minor Road Works

Expenditure in £000s

Financial year	*Ballymena*	*Belfast*	*Coleraine*	*Craigavon*	*Downpatrick*	*Omagh*
1987–88	1,341	1,480	1,271	1,174	1,401	1,382
1988–89	1,078	1,399	1,147	1,057	1,307	1,306
1989–90	1,372	1,656	1,450	1,422	1,338	1,555
1990–91	1,441	1,878	1,449	1,791	1,552	1,653
1991–92	1,292	1,510	1,285	1,430	1,282	1,284
1992–93	1,273	2,022	1,629	1,636	1,630	1,638
1993–94	2,272	2,568	2,612	2,629	2,398	2,471
1994–95	2,383	2,821	2,477	2,686	2,315	2,448
1995–96[1]	2,765	2,737	2,708	2,795	2,919	3,301
1996–97	2,248	2,716	2,245	3,275	2,274	2,346

[1] Figures from 1995–96 are inclusive of supervisory and other indirect administrative costs not previously apportioned on a Divisional basis.

Gas Market

Mr. McGrady: To ask the Secretary of State for Northern Ireland what preparations have been made to expand the gas market throughout Northern Ireland. [15666]

Mr. Ingram: Further extension of the gas market depends on private sector investment. To assist possible future development Government are facilitating a feasibility study into extension of the gas industry to the North West of Northern Ireland and have participated in a feasibility study into Northern Ireland-Republic of Ireland gas interconnection.

Driving Disqualifications

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if she will make a statement on the application of driving disqualifications imposed in Great Britain on Northern Ireland driving licence holders. [13018]

Mr. Paul Murphy: Separate legislation governs the issue of driving licences in Great Britain and in Northern Ireland. There is mutual recognition throughout the United Kingdom of driving licences issued under both jurisdictions, however, there is no provision in the legislation for a driving disqualification incurred in one jurisdiction to be recognised in the other. Accordingly, a Northern Ireland driving licence holder disqualified in Great Britain cannot drive there, but can continue to drive in Northern Ireland. The reverse is also the case. This situation has obvious road safety implications for Great Britain and Northern Ireland and its resolution will require primary legislation to apply to both jurisdictions. It is intended to take this forward at the earliest opportunity.

HOME DEPARTMENT

Deportations

Mr. Hunter: To ask the Secretary of State for the Home Department how many non-United Kingdom citizen parents of United Kingdom citizens were deported from the United Kingdom in each of the last five years. [15819]

Mr. Mike O'Brien: Reliable information about the citizenship of the children of persons subject to deportation action can be obtained only through examination of individual case records. I regret that the information requested is, therefore, available only at disproportionate cost.

Animal Boarding Establishments

Mrs. Ballard: To ask the Secretary of State for the Home Department which local authorities have implemented the model licensing conditions for animal boarding establishments, issued in October 1995. [15822]

Mr. George Howarth: Information on which of the 414 local and unitary authorities in England and Wales have adopted the voluntary model licence conditions is not available.

Attacks at Work

Mr. Barry Jones: To ask the Secretary of State for the Home Department what is his estimate for the last three years of the number of employees who have been subject to attacks at work; and if he will make a statement. [16104]

Mr. Michael: The 1996 British Crime Survey (BCS) estimates that there were 770,000 incidents of violence against people who were at work in 1995. The BCS is conducted on a biennial basis, so there are no figures available for 1994 or 1996.

The Health and Safety Executive commissioned a series of questions in the Office for National Statistics August and October 1995 Omnibus surveys. This included questions on violence at work. Six per cent. of male workers and eight per cent. of female workers reported that they had been attacked by a member of the public in their current job. Half of these respondents had been attacked between one and four times in the last 12 months, a further 10 per cent. had been attacked at least five times in the same period. Just over a third of nurses and a quarter of security and protective services staff reported being attacked by a member of the public while in their job. Care workers and "other educational and welfare workers" (not teachers) also reported significantly higher rates than average. The full results of this survey were published on 13 November 1997 in "Self-reported working conditions in 1995".

Laser Pens

Mr. Sheerman: To ask the Secretary of State for the Home Department how many *(a)* cases and *(b)* arrests his Department has recorded in respect of police officers being assaulted with laser pens. [15922]

Mr. Michael: It is not possible to ascertain from the information collected centrally how many recorded offences or arrests involved the use of laser pens. Any injury or attempted injury to a police officer, irrespective of how it is inflicted, is a very serious matter and the police have my full support in acting against the perpetrator. I have invited the Superintendents' Association, which has expressed particular concerns, to provide information about the experience of their members and will keep the problem under review in the light of any evidence from police sources and elsewhere.

Police Complaints

Mr. Mullin: To ask the Secretary of State for the Home Department what is the cost of the Metropolitan Police Complaints and Discipline department in the current year. [16128]

Mr. Michael: The Commissioner tells me that the Metropolitan Police's Complaints Investigation Bureau's (CIB) budget for the year 1997–98 is £6,040,000. However, during the year CIB has taken on additional police officers as part of its move to a more proactive role and it is now forecast to cost £7,128,000.

The Commissioner tells me that the provisional budgetary estimates of the five Area Complaints Units are:

1 Area: £996,000
2 Area: £1,622,000
3 Area: £1,280,000
4 Area: £1,459,000
5 Area: £1,413,000
Total: £6,770,000.

These figures are in addition to the figure for the CIB.

Police Investigations (Perjury)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what is the average cost of a police investigation into an alleged perjury. [15974]

Mr. Michael: The cost of any police investigation, including perjury, varies according to the nature of the investigation and the details involved, for example the length of the investigation, the number and rank of officers involved, how many defendants there are and whether they plead guilty.

Information on the average cost of perjury investigations is not collected centrally.

Press Releases

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16289]

Mr. Straw: My Department faxes all press releases to main Opposition spokesmen as a matter of course. The only changes introduced since 1 May relate to the names of the Opposition spokesmen designated to receive press releases.

Young Offenders' Institutions

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what plans he has to review the young offenders' institutions. [16183]

Ms Quin: We are currently reviewing the juvenile secure estate, including Young Offender Institutions (YOIs), as part of the Government's comprehensive spending review. The Prison Service is also reviewing regime provision for juveniles held in its care.

Young Offenders

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many offenders between the ages of 16 and 21 years are currently in prison. [16180]

Ms Quin: On 30 September 1997, there were 10,487 offenders aged from 16 and under 21 years of age, held in custody in Prison Service establishments.

HMYOI Castington

Mr. Beith: To ask the Secretary of State for the Home Department what plans he has to address (i) the lack of female officers, (ii) the delays in the Lifer Management Unit at Prison Service Headquarters, (iii) the lack of a staff mess and (iv) the inadequacy of health care provision identified by the Chief Inspector of Prisons at HMYOI Castington. [16500]

Ms Quin: The Governor of Castington has submitted a draft action plan addressing all the recommendations made by Her Majesty's Chief Inspector of Prisons. This is being considered by the Prison Service Operational Director responsible for Castington and must be finalised within 30 working days after publication of the report.

One female officer has already transferred to Castington and postings for two more female staff have been arranged to take place shortly.

A reorganisation of the Lifer Management Unit is taking place and they are working with the Crown Prosecution Service to reduce delays.

Staff at Castington can use the officers' mess facility at Acklington which is on the opposite side of the road.

The area healthcare advisor responsible for Castington has reviewed the healthcare service and his report will be completed by the end of November.

Prisons (Drug Workers)

Mr. Beith: To ask the Secretary of State for the Home Department how many full-time mandatory drug testing officers are operating in prisons; and if he will make a statement. [16536]

Ms Quin: Mandatory drug testing (MDT) of prisoners takes place in all prisons. However, it is not possible to identify the exact number of officers involved because, although in some larger establishments full-time MDT teams exist, in small establishments MDT work is often combined with other duties.

Mr. Beith: To ask the Secretary of State for the Home Department how many drug workers operate in prisons; and if he will make a statement. [16542]

Ms Quin: There are 110 community drug workers operating within 63 centrally funded drug treatment projects. These are in addition to a variety of Prison Service staff who are engaged in drug treatment work.

The Prison Service is currently reviewing its strategy to tackle drug misuse in prison. In part, the review will be examining how best drug treatment programmes can be made available in the future, including the development of a national directory of drug treatment services that establishments can utilise.

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department what plans he has to outlaw the testing on animals of ingredients intended for inclusion in cosmetic products. [16452]

Mr. George Howarth: We announced on 6 November that the Government wish to see an end to the testing of ingredients used in the types of cosmetics which could be classified as "vanity" products.

The definition of "cosmetics" in the European Directive goes beyond such "vanity" products and includes, for example, sun creams, anti-caries toothpaste and wart remover. Indeed, some products classed as cosmetics in Europe would be considered to be pharmaceuticals in other parts of the world. We do not intend to compromise consumer safety by banning the testing of such products until suitable alternative tests have been validated.

We are consulting with the Animal Procedures Committee, industry and other interest groups about the definition of "vanity" products and how to differentiate their ingredients from others used more widely. A decision on whether a ban on ingredient testing can be introduced and, if so, in what form, will then be taken.

Telephone Tapping

Mr. Baker: To ask the Secretary of State for the Home Department if British Telecom is required to be shown a valid warrant by MI5 before a telephone tap is introduced at their request. [15719]

Mr. Straw *[holding answer 17 November 1997]:* Warrants are delivered directly to Public Telecommunications Operators by the Home Office, following signature by the Secretary of State. No interception may be commenced until the warrant has been signed.

Mr. Baker: To ask the Secretary of State for the Home Department if he will ensure information gained by means of telephone tapping which is not connected with the specific matter under investigation is immediately destroyed. [15712]

Mr. Straw *[holding answer 17 November 1997]:* Section 6(3) of the Interception of Communications Act 1985 requires that each copy made of intercepted material obtained under a warrant for one of the reasons set out under section 2(2) of the Act should be destroyed as soon as its retention is no longer necessary for the purpose for which the warrant was issued. One of the tasks of the Interception Commissioner, currently Lord Nolan, is to review the adequacy of arrangements made to give effect to the obligations imposed by section 6.

Mr. Baker: To ask the Secretary of State for the Home Department how many positively vetted telephone engineers are currently in the employ of British Telecom; and how many of these are under the direction of the Government and paid for by British Telecom. [15725]

Mr. Straw *[holding answer 17 November 1997]:* The vetting of British Telecom staff is a matter for British Telecom. All British Telecom engineers work under the direction of British Telecom.

MI5

Mr. Baker: To ask the Secretary of State for the Home Department (1) what instructions he has issued to MI5 in respect of the retention or otherwise of files originally collated in pursuit of counter-subversion activities;[15723]

(2) if he will undertake a review to establish what further information concerning, or held by, MI5 could be released for public scrutiny without damaging national security or prejudicing current criminal investigations. [15688]

Mr. Straw *[holding answer 17 November 1997]:* The Security Service keeps under review the records which it holds with a view to identifying information which might be released for public scrutiny, and destroying records which it no longer needs to retain in order to fulfil its statutory responsibilities. For some time, the Service has been taking steps to place more information in the public domain and to select for destruction records which are no longer required. I have emphasised to the Director General the importance I place on both aspects.

On 17 November, records relating to the activities of the Service up to 1918 were released to the Public Records Office, and there are plans for further releases to follow. The Service has also released current information about itself in the form of two editions of a booklet published by Her Majesty's Stationery Office.

Intelligence Services Act (Warrants)

Mr. Baker: To ask the Secretary of State for the Home Department, pursuant to his answer of 3 November 1997, *Official Report*, column *25*, on how many occasions in 1996 a civil servant issued a warrant under section 4(1)(b) and section 6(1)(b) of the Interception of Communications Act 1985 and section 6(1)(b) of the Security Service Act 1989. [15722]

Mr. Straw *[holding answer 17 November 1997]:* In 1996, 74 warrants were issued under section 4(1)(b) of the Interception of Communications Act 1985 by senior officials of my Department acting upon the express authority of the Secretary of State because of the urgency of the application. It would not be in the public interest to provide figures in relation to warrants issued under the Intelligence Services Act 1994.

Prison Staff (Pensions)

Mr. Beith: To ask the Secretary of State for the Home Department what assessment he has made of terms and conditions of the pensions of *(a)* the privatised staff at workshops at HMP Coldingly and *(b)* those remaining within the Prison Service. [16550]

Ms Quin *[holding answer 18 November 1997]:* The Government Actuary has examined the pension terms offered by Wackenhut United Kingdom Limited to the staff now employed by the company in the workshops at Coldingley prison. He has issued a statement to the effect that the Wackenhut pension scheme offered to these staff is broadly comparable with the Principal Civil Service Pension Scheme in respect of service after the date of transfer.

The trade unions have made representations about that decision and these representations are currently being considered by the Government Actuary.

Prison Service Advisory Board

Mr. Beith: To ask the Secretary of State for the Home Department if he will make a statement on the employment of non-executive members of the Prison Service Enterprise Board as consultants for Wakenhut UK. [16551]

Ms Quin *[holding answer 18 November 1997]:* There is no Prison Service Enterprise Board. Regime Services, the section of the Prison Service's Central Services concerned with work, education and offending behaviour programmes in prisons, has an advisory board with two non-executive members. Neither of them has any connection with, or has had any dealings with, Wackenhut United Kingdom.

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he had made of the arguments advanced in respect of the treatment of Iraqis on the "Call Robin Lustig" radio programme on 11 November, a copy of which has been sent to him; and if he will make a statement. [16028]

Mr. Fatchett: We have seen a transcript of the radio programme and noted with interest the wide variety of opinions that were expressed about Iraq.

We continue to pursue a diplomatic solution to the stand-off with Iraq but Saddam Hussein must back down from his attempt to undermine Security Council resolutions. He must unconditionally resume co-operation with Unscom and comply with all relevant SCRs.

Departmental Information

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the internal departmental guidance on the dissemination of information; and if he will make a statement. [16316]

Mr. Fatchett: There is no written departmental guidance on the dissemination of information. As much public information as possible is made available via this Department's website (http://www.fco.gov.uk/), which is updated several times daily with the latest news and information material.

Press Releases

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16315]

Mr. Fatchett: The Foreign and Commonwealth Office Bulletin is faxed daily to Opposition party spokesmen if they request it. There has been no change in policy since 1 May. The text is also available on this Department's website and the Parliamentary On-Line Information Service (POLIS).

Structural and Cohesion Funds

Mr. Watts: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy in future discussions with the Commission and other member states to press for the continuation of structural and cohesion funds for all present eligible United Kingdom areas after 1999. [16538]

Mr. Doug Henderson: We believe that reform of the Structural and Cohesion Funds is necessary to make them more effective, provide better value for money and meet the challenge of enlargement. All existing member states will eventually have to expect reductions in receipts if costs are to be contained. We are working hard to ensure that UK regions do not suffer disproportionate cuts. Any regions which no longer meet the existing criteria should benefit from transitional support for a limited period to help them adapt to their new situation.

Amsterdam Treaty (Non-discrimination Legislation)

Mr. Stinchcombe: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy on the introduction of European Union non-discrimination legislation under Article 6(a) of the Treaty of Amsterdam covering areas not currently covered by United Kingdom legislation. [16492]

Mr. Doug Henderson: We will consider each proposal for legislation under Article 6a of the Treaty of Amsterdam on its merits when it is brought forward.

Mr. Stinchcombe: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will make it his policy to refuse to agree to any European Union non-discrimination legislation under Article 6(a) of the Treaty of Amsterdam which provides a lower standard of protection against discrimination than is already provided by United Kingdom legislation; [16497]

(2) if Her Majesty's Government will, during its European Union Presidency, ask the Commission to commence drafting European Union non-discrimination legislation under Article 6(a) of the Treaty of Amsterdam. [16498]

Mr. Doug Henderson: The Commission will not be able to bring forward any proposals for legislation under Article 6a of the Treaty of Amsterdam until ratification is complete. The UK will consider each measure on its individual merit. All proposals must be agreed by unanimity.

Algeria

Mr. Green: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received about the situation in Algeria; and if he will make a statement. [16559]

Mr. Fatchett: We have received numerous representations from NGOs and from members of the public in the United Kingdom expressing concern about the situation in Algeria.

We share the widespread revulsion at events in Algeria and continue to be seriously concerned about the security situation there. We condemn the violence unreservedly and call on those responsible to end the appalling atrocities. The scope for international action is limited; we believe that more will be achieved through quiet diplomacy. We urge the Algerian Government and all interested parties to find an early solution to this major internal problem and encourage the government to continue along the democratic path.

Gibraltar

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it a condition of Spain's entry into full membership of NATO that both civil and military aircraft using Gibraltar airport are allowed to overfly Spanish airspace. [16666]

Mr. Doug Henderson: Civilian aircraft using Gibraltar airport routinely overfly Spanish airspace in accordance with the Chicago Convention. Military overflights are one element in our discussions with Spain in the NATO context.

Turkey (EU Membership)

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to oppose the application by Turkey to join the European Union and if he will make a statement. [16677]

Mr. Doug Henderson: No. We believe that Turkey's application to join the European Union should be judged by the same criteria as other applicants' applications.

PRIME MINISTER

Public Transport

15. **Mr. Dawson:** To ask the Prime Minister what plans he has to improve public transport in rural areas. [15135]

The Prime Minister: The need to enhance rural public transport services is being addressed in the fundamental review of transport policy. Our proposals for enhancing public transport services, including those in rural areas, will be set out in the forthcoming White Paper on transport policy.

Engagements

Mr. Amess: To ask the Prime Minister if he will list his official engagements for Wednesday 19 November. [15133]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 19 November. [15137]

The Prime Minister: This morning, I had meetings with ministerial colleagues and others. I shall have further meetings later today.

SOCIAL SECURITY

Housing Benefit

Ms Buck: To ask the Secretary of State for Social Security how many households have had housing benefit restrictions imposed on them in each of the last three years *(a)* in total and *(b)* in each London borough. [14815]

Mr. Keith Bradley: The information is in the tables.

Number of households with housing benefit restrictions

Financial year	*Number of households (GB)*
1994–95	269,000
1995–96	321,000
1996–97	439,000

Number of households with housing benefit restrictions in each London borough

Local authority	*1994–95*	*1995–96*	*1996–97*
Barking and Dagenham	1,000	1,000	2,000
Barnet	1,000	2,000	3,000
Bexley	[1]—	1,000	1,000
Brent	5,000	5,000	5,000
Bromley	1,000	1,000	1,000
City	0	[1]—	[1]—
Camden	2,000	2,000	2,000
Croydon	2,000	2,000	3,000
Ealing	3,000	4,000	4,000
Enfield	2,000	2,000	3,000
Greenwich	1,000	1,000	1,000

Number of households with housing benefit restrictions in each London borough

Local authority	*1994–95*	*1995–96*	*1996–97*
Hackney	4,000	4,000	4,000
Hammersmith and Fulham	1,000	2,000	1,000
Haringey	6,000	7,000	8,000
Harrow	1,000	1,000	2,000
Havering	1,000	1,000	1,000
Hillingdon	[1]—	1,000	1,000
Hounslow	1,000	2,000	3,000
Islington	2,000	2,000	2,000
Kensington and Chelsea	1,000	1,000	2,000
Kingston upon Thames	[1]—	[1]—	[1]—
Lambeth	3,000	3,000	[2]—
Lewisham	3,000	4,000	4,000
Merton	1,000	2,000	2,000
Newham	6,000	7,000	9,000
Redbridge	3,000	3,000	5,000
Richmond on Thames	[1]—	[1]—	[1]—
Southwark	[1]—	1,000	2,000
Sutton	[1]—	[1]—	1,000
Tower Hamlets	1,000	1,000	2,000
Waltham Forest	3,000	3,000	5,000
Wandsworth	2,000	3,000	3,000
Westminster	5,000	5,000	4,000
Great Britain	269,000	321,000	439,000

[1] There were less than 500 restrictions in the borough during the given year.
[2] Figures for Lambeth are not yet available for 1996–97.
1. Figures have been estimated using Rent Officer Statistics, the Housing Benefit Management Information System quarterly 100 per cent. caseload enquiry and Rent Allowance expenditure information, collected on annual subsidy claim forms from Local Authorities.
2. Caseloads have been rounded to the nearest 1,000 households.
3. Housing benefit restrictions are taken to mean rent restrictions. Single room rent restrictions have not been included due to insufficient reliable data.

Ms Buck: To ask the Secretary of State for Social Security what was the total estimated saving arising from restrictions on housing benefit *(a)* in total and *(b)* for each London borough in each of the last three financial years. [14814]

Mr. Keith Bradley: The information is in the tables.

Total estimated savings arising from housing benefit restrictions

Financial year	*Total estimated saving (GB) (£ million per annum)*
1994–95	245
1995–96	275
1996–97	360

Total estimated savings from housing benefit restrictions by London borough

£ million

Local authority	*1994–95*	*1995–96*	*1996–97*
Barking and Dagenham	1.5	1.5	1.5
Barnet	2.0	1.0	3.0
Bexley	0.5	0.5	1.0
Brent	6.0	5.0	5.0
Bromley	0.5	1.0	1.0
City	0	[1]—	[1]—
Camden	2.0	2.0	3.0
Croydon	2.5	2.0	3.5
Ealing	3.5	4.0	4.5
Enfield	2.5	3.0	4.0
Greenwich	0.5	1.0	1.5

Total estimated savings from housing benefit restrictions by London borough

£ million

Local authority	*1994–95*	*1995–96*	*1996–97*
Hackney	7.0	7.5	6.5
Hammersmith and Fulham	2.0	2.5	1.5
Haringey	9.0	9.5	11.5
Harrow	1.0	1.5	2.0
Havering	0.5	0.5	1.0
Hillingdon	0.5	1.0	1.5
Hounslow	1.0	2.5	4.0
Islington	2.0	2.5	2.5
Kensington and Chelsea	2.0	2.5	3.5
Kingston upon Thames	[1]—	0.5	0.5
Lambeth	3.0	4.0	[2]—
Lewisham	3.0	5.0	4.5
Merton	1.5	1.5	1.5
Newham	8.0	8.5	11.5
Redbridge	3.0	3.5	5.0
Richmond on Thames	0.5	0.5	0.5
Southwark	0.5	1.5	1.5
Sutton	[1]—	[1]—	0.5
Tower Hamlets	1.5	1.5	2.0
Waltham Forest	5.0	4.0	5.0
Wandsworth	2.5	3.0	3.0
Westminster	14.5	13.0	9.0
Great Britain	243.5	277.0	358.5

[1] There were less than 500 restrictions in the borough during the given year or less than £250,000 worth of savings.
[2] Figures for Lambeth are not yet available for 1996–97.
1. Figures have been estimated using Rent Officer Statistics, the Housing Benefit Management Information System quarterly 100 per cent. caseload enquiry and Rent Allowance expenditure information, collected on annual subsidy claim forms from local authorities.
2. Estimated savings have been rounded to the nearest £5 million for Great Britain and to the nearest £500,000 for London boroughs.
3. Housing benefit restrictions have been taken to mean rent restrictions. Single room rent restrictions (from October 1996) have not been included as sufficient reliable data is not yet available.

Ms Buck: To ask the Secretary of State for Social Security how many households with *(a)* children aged under 18 years and *(b)* other vulnerable members were subject to housing benefit restrictions in each of the last three years. [14816]

Mr. Keith Bradley: The information requested was not collected prior to 1996–97. The estimated number of households with dependent children under age 18, who were subject to housing benefit restrictions in 1996–97, was 60,000. The number of households with other vulnerable members, who were subject to housing benefit restrictions for this period is estimated to be negligible.

Note:

The figure does not take account of Local Authority discretionary payments.

Source:

Rent Officer Statistics, the Housing Benefit Management Information System annual 1 per cent. sample enquiries and Housing Benefit and Council Tax Benefit Summary Statistics 1997.

Ms Buck: To ask the Secretary of State for Social Security how many households in receipt of income support were subject to housing benefit restrictions in each of the last three years; and what was the average value of the restriction. [14818]

Mr. Keith Bradley: The information is in the table.

Financial year	Number of households (GB)	Average housing benefit restriction (£p.w.)
1994–95	207,000	17.00
1995–96	248,000	17.00
1996–97	328,000	16.00

1. Figures have been estimated using Rent Officer Statistics, the housing benefit Management Information System quarterly 100 per cent. caseload enquiry and Rent Allowance expenditure information, collected on annual subsidy claim forms from local authorities.

2. Caseloads have been rounded to the nearest 1,000 households.

3. Housing benefit restrictions have been taken to mean rent restrictions. Single room rent restrictions (from October 1996) have not been included as sufficient reliable data is not yet available.

Student Loans

Mr. David Taylor: To ask the Secretary of State for Social Security what has been the total value of the loans granted for support of students which have been treated as income for the purposes of calculating income support entitlement in each of the financial years since April 1991; and how many students have been affected. [15325]

Mr. Keith Bradley: The information is not available.

Income Support is not normally paid to students. In those limited circumstances where it is payable, information on student loans is not identified separately from other forms of income.

Jobseeker's Allowance

Mr. Gibbs: To ask the Secretary of State for Social Security what plans she has to review the jobseeker's allowance. [15756]

Mr. Keith Bradley: The Government believe that work is the best form of welfare for people of working age. Our Welfare to Work objectives are to provide work incentives, to reduce poverty and welfare dependency and to strike a new balance between rights and responsibilities. A programme of monitoring and evaluation is under way to enable us to ensure that jobseeker's allowance contributes to achieving our objectives.

Income Support (Disabled Claimants)

Ms Corston: To ask the Secretary of State for Social Security how many claims for income support were originally refused because of non-receipt of disability living allowance or attendance allowance but which when re-submitted subsequently after receipt of disability living allowance or attendance allowance were successful within (i) three, (ii) four, (iii) five and (iv) six months; and what was the total number of disabled claimants receiving income support in the years *(a)* 1994–95, *(b)* 1995–96 and *(c)* 1996–97. [15454]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is set out in the table.

Total number of disabled income support claimants

	Number of claims
1994–95	722,000
1995–96	769,000
1996–97	809,000

Notes:

1. The number of income support claims which were originally refused but were successful on review following receipt of disability living allowance or attendance allowance is not available.

2. Numbers are rounded to the nearest thousand.

3. Sample size 5 per cent. Figures may be subject to a degree of sampling error.

4. Disabled are defined as those claimants receiving the disability premium.

5. Jobseeker's allowance replaced income support for the unemployed in October 1996.

Source:

Income Support Statistics Quarterly Enquiries February 1995 to February 1997.

LORD CHANCELLOR'S DEPARTMENT

Justices of the Peace

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department how many justices of the peace there were in 1980; how many there are now; and if he will make a statement. [15749]

Mr. Hoon: At 1 January 1980, there were 24,684 active justices of the peace in England and Wales; as at 1 January 1997, the figure was 30,374.

Conditional Fees

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department how many representations he has received in favour of the extension of conditional fees; and if he will make a statement. [15748]

Mr. Hoon: My Department has had in the region of 30 inquiries from individual members of the public. The overwhelming message is that the proposed extension of conditional fees will be a real answer to the real problem they face of being denied access to justice through unaffordable lawyers fees.

Traditional Dress

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans the Lord Chancellor has to dispense with his traditional dress on what timescale; and if he will make a statement. [15758]

Mr. Hoon: The Lord Chancellor is keen to modernise his traditional dress on ordinary workings days. This is, however, a matter for committees of the House of Lords to decide.

DEFENCE

Gulf War Syndrome

Mr. Llew Smith: To ask the Secretary of State for Defence if he will correct in the *Official Report* all ministerial answers to hon. Members in respect of Gulf war syndrome which his Department has now discovered to be inaccurate. [14707]

Dr. Reid: I am not aware of any answers given by Defence Ministers in this Administration to questions concerning Gulf veterans' illnesses which have been discovered to be incorrect.

Fair Trade (Coffee and Tea)

Mr. MacShane: To ask the Secretary of State for Defence, pursuant to the oral Statement by the Secretary of State for International Development, *Official Report*, 5 November, column 332, if he will instruct officials in his Department to serve coffee and tea furnished by suppliers who adhere to fair trade standards. [15488]

Mr. Spellar: I refer my hon. Friend to the answer the Prime Minister gave on 13 November 1997, *Official Report*, column *617*. All procurement decisions in the Department are based on the Government's policy of value for money.

Service Personnel (Exposure to Radiation)

Mr. Livingstone: To ask the Secretary of State for Defence, pursuant to his answer of 22 July 1997, *Official Report*, columns *529–30*, on exposure to radiation, when each of the six individuals received the doses of radiation; what work each of them was engaged in at the time; in what circumstances each of them received the doses; and if his Department has monitored the health of these individuals after they received these doses. [15553]

Mr. Spellar: I shall write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Exhibitions (China)

Dr. Lynne Jones: To ask the Secretary of State for Defence what support the United Kingdom Government is giving to United Kingdom companies planning to attend the International Defence Electronics Exhibition and the China Military Logistics Exhibition to be held in Beijing in May 1998. [16043]

Mr. Spellar: The Defence Export Service Organisation is aware of both exhibitions and is encouraging British companies to participate where exhibiting their products is consistent with the UK interpretation of the EU embargo on defence sales to China and our usual criteria governing all defence exports.

Communications Cables

Mr. Alan Johnson: To ask the Secretary of State for the Defence if he will make a statement on the laying of communications cables by the Government or government agencies in the early 1970s in the Barents Sea in the vicinity of the North Cape Bank. [16691]

Dr. Reid: The Ministry of Defence did not lay cables in the Barents Sea either in the 1970s, or at any other time. Nor am I aware of any cables laid by any other UK Government organisation.

Animal Experiments

Mr. Baker: To ask the Secretary of State for Defence what percentage of experiments carried out on animals at *(a)* Porton Down and *(b)* other DERA establishments in 1995 would now be prohibited by the Government's announced ban on weapons testing. [16454]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated 19 November 1997:

I have been asked to respond to your question about experiments carried out by DERA for the purpose of weapons testing.

DERA does not use animals to develop or evaluate weapons. All experiments undertaken by DERA for the Ministry of Defence involving the use of animals are concerned with the safety and protection of the UK Armed Forces.

I hope this is helpful.

Mr. Baker: To ask the Secretary of State for Defence if he will list by category the experiments carried out on animals at *(a)* Porton Down and *(b)* other DERA establishments in 1995. [16455]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated 19 November 1997:

I have been asked to respond to your question about the category of experiments involving animals within DERA.

Within DERA, two areas hold Home Office Project Licences to carry out tests on animals, the Chemical and Biological Defence Sector (CBD) at Porton Down and the Environmental Sciences Department at Alverstoke. In 1995 CBD held thirty five Home Office Project Licences for animal experimentation, of which six were classified as substantial, twenty as moderate, five as mild and four as unclassified. The Environmental Sciences Department held one project licence classified as moderate.

I hope this information is helpful.

Mr. Baker: To ask the Secretary of State for Defence if he will list the *(a)* viruses, *(b)* bacteria and *(c)* other pathogens tested on animals in (i) Porton Down and (ii) other DERA establishments in 1995. [16456]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated 19 November 1997:

I have been asked to respond to your question about viruses, bacteria and other pathogens tested on animals in DERA establishments.

DERA does not test viruses, bacteria or other pathogens on animals for any offensive purposes. All experiments undertaken by DERA for the Ministry of Defence involving the use of animals are concerned with the safety and protection of the UK Armed Forces.

The research programme carried out by the Chemical and Biological Defence Sector (CBD) at Porton Down does include work on new or improved vaccines and medical countermeasures. It would not be in the interest of national security to release details of the specific microganisms involved in this research programme.

I am sorry I cannot be more helpful on this occasion.

E-mail

Mr. Jenkin: To ask the Secretary for Defence pursuant to the Chancellor of the Duchy of Lancaster's answer on 10 November 1997, *Official Report*, column *441*, if he will list the e-mail addresses of *(a)* Ministers, *(b)* senior officials and *(c)* chief executives of agencies for which he is responsible. [15872]

Mr. Spellar *[holding answer 13 November 1997]:* The official MOD website at www.mod.uk provides the postal address for the Ministers' Correspondence Unit (Room 6140, MOD Main Building, Whitehall, London SWIA 2HB), which is a central distribution point for all correspondence addressed to the Department, its Minsters, senior officials and the chief executives of its agencies. We are considering improvements to the Department's internet presence, including the provision of a central e-mail address.

AGRICULTURE, FISHERIES AND FOOD

Beef Industry

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food what steps he will take to promote awareness of the beef assurance scheme throughout the industry. [16654]

Dr. John Cunningham: I have no plans for any specific new measures to promote awareness of the Beef Assurance Scheme. When the scheme was set up the Agriculture Departments sent details of the scheme to every beef farmer in the country as well as to a wide range of organisations representing the farming and food industry. The scheme has, however, had a low uptake. There are currently only 73 members herds, spread across country.

Agri-environment Schemes

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what progress has been made in increasing the percentage of agricultural land that is farmed under an agri-environment scheme. [16328]

Mr. Morley: We encourage applications under all our agri-environment schemes. In particular, we expect to approve this year some 1,300 applications under the Countryside Stewardship Scheme and almost 1,100 under the ESA scheme, with smaller numbers under the other existing schemes. Details of the area of land concerned are not yet available. In addition, a pilot Arable Stewardship scheme is being introduced in England at the beginning of 1998 to encourage arable farmers to manage their land in ways which will encourage wildlife.

All schemes are subject to regular review and consideration is given to any practical suggestions for improving their uptake. The Government consult on their implementation with a wide range of interests.

For the future, the Government see a continuing, and ultimately increased, role for environmental incentive schemes as part of a reformed CAP.

Departmental Information

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library a copy of the internal departmental guidance on the dissemination of information; and if he will make a statement. [16296]

Mr. Morley: I have made arrangements for copies of this guidance to be placed in the Library of the House. In keeping with the Department's commitment to the principles of open Government, this guidance has, for some time, been made available on request.

Farming

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what plans he has to encourage new entrants into farming; and if he will make a statement. [16329]

Mr. Morley: The Government appreciate the need to encourage new entrants to farming. The Department funds a number of measures to ensure that young people are aware of career opportunities in agriculture. These are provided through the MAFF contract with ATB-Landbase, the Industry Training Organisation for agriculture and commercial horticulture, through Sector Challenge and through a grant to the National Federation of Young Farmers' Clubs. We will also participate fully in the discussion due on the European Commission's report "Young Farmers and the Problem of Succession in European Agriculture".

TREASURY

Charities

Mr. Waterson: To ask the Chancellor of the Exchequer what progress he has made in his review of the taxation of charities, with particular reference to charity shops and if he will make a statement. [15935]

Dawn Primarolo: Charities (including charity shops), businesses and other interested parties are contributing their suggestions on improvements to the existing taxation system for charities by the Review's deadline of 1 December 1997. The suggestions received will inform a public consultation document which is due to be published in Spring 1998.

Tobacco Smuggling

Mr. Letwin: To ask the Chancellor of the Exchequer what measures he will take to combat tobacco smuggling. [15943]

Dawn Primarolo: My right hon. Friend announced in his last Budget a review to look at the effect on the Exchequer and the industry of alcohol and tobacco fraud, smuggling and cross-border shopping. The review, which is being conducted in partnership with all the trade sectors

concerned and with key Government Departments, will report to me by the end of the year with options for dealing with these issues.

European Space Vehicles

Mr. O'Neill: To ask the Chancellor of the Exchequer what was the approximate total value of the 293 consignments of goods imported for the development and construction of European space vehicles during 1996–97, on which relief from customs duties was given, and the approximate value of duties forgone; in which countries these consignments originated; and for what reasons relief was given. [16077]

Dawn Primarolo: The European Space Agency was established as an International Organisation in 1978 and under the International Organisations Act 1968 receives exemption from customs duties, excise duties and VAT on the importation of goods imported by or on behalf of the Agency for its official activities.

I regret that figures pertaining to the number, value, origin of consignments and extent of duties relieved for the development and construction of European space vehicles are not available in the form requested.

Asbestosis

Mr. Clapham: To ask the Chancellor of the Exchequer how many people were diagnosed to be suffering from asbestosis in *(a)* 1995 and *(b)* 1996 broken down by (i) parliamentary constituency and (ii) local authority unit. [16480]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Michael Clapham, dated 19 November 1997:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics (ONS) to your recent question on the number of people diagnosed as suffering from asbestosis in 1995 and 1996, by parliamentary constituency and local authority unit.

There are no registers kept on cases of asbestosis diagnosed whilst people are still alive. Data from Hospital Episode Statistics (Department of Health) are not suitable because they relate to the number of treatments rather than the number of individuals. The only information centrally available covers deaths from asbestosis in 1995 and 1996. This is in the tables below:

Deaths from Asbestosis in England and Wales by local authority of residence, 1995

County/Local authority	*Number*
Greater London	9
Barking and Dagenham LB	1
Harrow LB	1
Havering LB	1
Newham LB	3
Redbridge LB	1
Tower Hamlets LB	1
Westminster City of LB	1

Deaths from Asbestosis in England and Wales by local authority of residence, 1995

County/Local authority	*Number*
Merseyside	5
Liverpool MD	1
Wirral MD	4
South Yorkshire	2
Rotherham MD	1
Sheffield MD	1
Tyne and Wear	5
Gateshead MD	1
Newcastle upon Tyne MD	1
South Tyneside MD	1
Sunderland MD	2
West Midlands	1
Sandwell	1
West Yorkshire	5
Kirklees MD	3
Leeds MD	2
Cheshire	2
Crewe and Nantwich CD	1
Macclesfield CD	1
Cleveland	5
Hartlepool CD	1
Langbaurgh on Tees CD	1
Stockton on Tees CD	3
Cornwall and Isles of Scilly	1
Caradon CD	1
Cumbria	1
Allerdale CD	1
Derbyshire	3
Bolsover CD	1
Chesterfield CD	1
Derbyshire Dales CD	1
Devon	1
Plymouth CD	1
Hampshire	2
Portsmouth CD	1
Southampton CD	1
Staffordshire	1
Stafford CD	1
Warwickshire	1
Warwickshire CD	1
Total	44

Deaths from Asbestosis in England and Wales by local authority of residence, 1996

County/Local authority	*Number*
Greater London	15
Barking and Dagenham LB	5
Havering LB	1
Hillingdon LB	1
Lambeth LB	1
Newham LB	4
Redbridge LB	1
Southwark LB	1
Tower Hamlets LB	1

Deaths from Asbestosis in England and Wales by local authority of residence, 1996

County/Local authority	*Number*
Greater Manchester	2
Rochdale MD	1
Salford MD	1
Merseyside	7
Knowsley MD	1
Wirral MD	6
Tyne and Wear	8
Newcastle upon Tyne MD	1
North Tyneside MD	3
Sunderland MD	4
West Midlands	1
Walsall MD	1
West Yorkshire	1
Wakefield MD	1
Bedfordshire	1
South Bedfordshire CD	1
Cheshire	2
Crewe and Nantwich CD	1
Macclesfield CD	1
Cumbria	1
Barrow in Furness CD	1
Derbyshire	1
Erewash CD	1
Devon	4
Plymount CD	3
Torbay CD	1
East Sussex	1
Hove CD	1
Hampshire	5
Gosport CD	1
Havant CD	1
New Forest CD	1
Southampton CD	2
Kent	2
Canterbury CD	1
Gillingham CD	1
Lancashire	1
Blackburn CD	1
Staffordshire	2
Stafford CD	2
Surrey	1
Woking CD	1
Wiltshire	1
Kennet CD	1
Unitary Authorities	
Bath and North East Somerset UA	1
Bristol UA	1
Cardiff UA	1
Denbighshire UA	1
Hartlepool UA	1
Isle of Wight UA	3
Kingston upon Hull UA	1
Newport UA	1
Stockton on Tees UA	2
Total	68

The tables show only those local authorities in which a death occurred. Similar data could only be presented at parliamentary constituency level at disproportionate cost.

Deaths from asbestosis were identified as those certified with an underlying cause coded to ICD9 [International Classification of Diseases Ninth Revision] code of 501.

VAT Agreement

Mr. Mitchell: To ask the Chancellor of the Exchequer when the current VAT agreement expires; and what representations he has received from the European Commission concerning its renewal. [16695]

Dawn Primarolo: The Sixth VAT Directive (77/388) is the principal European Community (EC) level agreement on VAT, and remains in force automatically in the absence of unanimous agreement to change it. The European Commission has published a suggested programme for progress towards a "common system" of VAT to apply throughout the European Community, but has yet to produce any legislative proposals on the substantive VAT issues of its programme.

VAT (Cereal Bars)

Sir Nicholas Lyell: To ask the Chancellor of the Exchequer why Fruesli bars manufactured by W. Jordans (Cereal) Ltd. and Multigrain bars manufactured by Kelloggs Ltd. are treated differently as regards their liability for value added tax; and if he will make a statement. [16493]

Dawn Primarolo: Cereal bars and similar products, other than cakes, are liable to VAT at the standard rate. Wherever a line is drawn between such items as cakes and confectionery, there are bound to be problems as to which side of the borderline a particular item falls.

Harmful Tax Competition

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer what is the Government's policy towards the document on harmful tax competition recently produced by the European Commission. [14088]

Dawn Primarolo *[holding answer 3 November 1997]:* The Government deposited an Explanatory Memorandum on 17 November 1997 on the Commission Communication of 5 November 1997, "A Package to Tackle Harmful Tax Competition in The European Union." (COM (97) 564).

Mr. Gibb: To ask the Chancellor of the Exchequer if he will make a statement on the Government's policy in relation to the European Commission tax harmonisation proposals contained in the document, "Towards Tax Co-ordination in the European Union: A Package to Tackle Harmful Tax Competition." (COM (97) 495 Final). [14463]

Dawn Primarolo *[holding answer 5 November 1997]:* The Commission Communication "Towards Tax Co-ordination in the European Union: A Package to Tackle Harmful Tax Competition" (COM (97) 945 Final) was superseded by the 5 November 1997 Commission Communication "A Package to Tackle Harmful Tax Competition in The European Union" (COM (97) 564). The Government deposited an Explanatory Memorandum on 17 November 1997 on the latter text.

Insurance Premium Tax

Mrs. Gillan: To ask the Chancellor of the Exchequer when the review of insurance premium tax, with particular reference to the travel industry, will be completed. [16201]

Dawn Primarolo *[holding answer 17 November 1997]:* There is no general review of insurance premium tax. However, as is usual with significant new tax measures, I have asked officials in Customs and Excise to monitor the effect of the introduction of the higher rate of insurance premium tax. It is too early yet to draw any firm conclusions from this monitoring process and I expect that is will continue into the New Year.

Unemployment

Mr. Willetts: To ask the Chancellor of the Exchequer, pursuant to the oral answer of 13 November 1997, *Official Report*, columns 1034–35, how many young people currently have been unemployed for six months or longer. [16650]

Mrs. Liddell *[holding answer 18 November 1997]:* The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. David Willetts, dated 19 November 1997:

The Chancellor of the Exchequer has asked me to reply, as the Director of the Office for National Statistics (ONS), to your recent question asking how many young people have been unemployed for six months or more.

The ONS measure of unemployment, derived from the quarterly Labour Force Survey, is defined on a consistent and internationally recognised basis set out by the International Labour Organisation (ILO) and counts as unemployed people who are: (a) without a paid job; (b) available to start work within the next two weeks and (c) have either looked for work in the last four weeks or are waiting to start a job already obtained. According to the spring 1997 Labour Force Survey there were an estimated 206,000 people aged 18–24 in the United Kingdom who had been ILO unemployed for six months or more.

ONS also publishes the monthly claimant count, which is based on the administrative system which records all people claiming unemployment-related benefits (i.e. Jobseeker's Allowance (JSA) or National Insurance (NI) credits) at Employment Service offices on the day of the monthly count, who on that day had signed on as unemployed and available to do any suitable work. Essentially, all people who attend an Employment Service office to sign on the designated day are counted. According to the October 1997 claimant count figures there were 122,000 people aged 18–24 in the United Kingdom who had been claiming Jobseeker's Allowance or National Insurance credits for more than six months. This is the figure Mr. Blunkett quoted in his original reply because your question was about young people and unemployment-related benefits.

Dorneywood

Mr. Flynn: To ask the Chancellor of the Exchequer if he will list the members of the management board of the Dorneywood Trust; and if he will make a statement. [16156]

Mr. Gordon Brown *[holding answer 18 November 1997]:* The Dorneywood Trust is a private charity and is not accountable to my Department.

CABINET OFFICE

Millennium Experience

Mr. Gordon Prentice: To ask the Minister without Portfolio how many hours per week he devotes to work on the Millennium Experience. [16923]

Mr. Mandelson: This varies from week to week but I devote whatever time I judge necessary to fulfilment of my responsibilities in this area.

DUCHY OF LANCASTER

Civil Service (Disability)

11. **Mr. Heppell:** To ask the Chancellor of the Duchy of Lancaster what plans his Department has to improve the opportunities of people with disabilities for promotion and staff development within the civil service. [15102]

Mr. Kilfoyle: My Department has established a number of initiatives to improve opportunities for disabled staff in the Civil Service.

The Programme for Action for Disabled People in the Civil Service provides a framework to help departments and agencies recruit, develop and promote people on merit, regardless of whether they have a disability. Progress is monitored by my Department and reported to Parliament in the biennial Progress Report on Equal Opportunities in the Civil Service.

Overall numbers of disabled staff in the Service have risen. However, these tend to be concentrated in the lower levels. Action to address this situation is being taken primarily through the implementation of the recommendations made by an independent Advisory Panel on Equal Opportunities in the Senior Civil Service.

Civil Service

Mr. Canavan: To ask the Chancellor of the Duchy of Lancaster what steps he is taking to encourage better employer-employee relations in the Civil Service. [15103]

Mr. Kilfoyle: My right hon. Friend the Chancellor of the Duchy of Lancaster recently had a very constructive meeting with the General Secretaries of the Civil Service trade unions at which he discussed a range of issues connected with improving employer-employee relations within the Civil Service.

24. **Mrs. Ann Winterton:** To ask the Chancellor of the Duchy of Lancaster what steps he is taking to protect and promote the independence of the civil service. [15115]

Dr. David Clark: The role of the Civil Service, as set down in the Civil Service Code, is to assist the duly constituted Government of the day with integrity, honesty, impartiality and objectivity. Ministers are under a duty—set out in the *Ministerial Code*—to uphold the political impartiality of the Civil Service and not to ask civil servants to act in any way which would conflict with the *Civil Service Code*. This Government are the first to commit Members to bringing forward legislation to give legal force to the Civil Service Code to ensure that the essential characteristics of a politically impartial Civil Service are enshrined in statute.

Charter Mark Standards

14. **Mr. Chidgey:** To ask the Chancellor of the Duchy of Lancaster what measures are in place to monitor the maintenance of charter mark standards in NHS hospital trusts. [15105]

Mr. Kilfoyle: All Charter Mark applicants have to undergo a rigorous assessment process.

Those that meet the standard have to reapply for their awards every three years. During this period, departments, inspectorates and other regulatory bodies keep us informed of any problems and we always act on any reports of poor performance. This ensures that Charter Mark winners maintain a high standard of service.

Special Advisers

15. **Mr. Ruffley:** To ask the Chancellor of the Duchy of Lancaster what steps he has taken to ensure that possible breaches of contract of employment by special advisers are properly investigated. [15106]

Mr. Kilfoyle: All special advisers' terms and conditions, including procedures for dealing with breaches or grievances, are set out in their contract, a model copy of which is in the Libraries of the House.

26. **Mr. Gray:** To ask the Chancellor of the Duchy of Lancaster how many special advisers are currently employed in Government Departments; and what the total is planned to be on 19 November 1998. [15117]

Mr. David Clark: I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister on 13 November 1997, *Official Report*, columns *615–17*. It is not known how many Special Advisers will be in post on 19 November 1998.

Government Information Officers

16. **Mr. Robathan:** To ask the Chancellor of the Duchy of Lancaster how many Government information officers have *(a)* resigned and *(b)* have dismissed since 1 May. [15107]

Mr. Kilfoyle: I assume that the hon. Member is referring to Heads of Information.

Since 1 May, seven vacancies have arisen as a result of Heads of Information leaving their posts.

As the hon. Member will appreciate the reasons for individual moves are personal and contractual matters between the individual and department.

Better Government Programme

17. **Mr. Stringer:** To ask the Chancellor of the Duchy of Lancaster what proposals he has to involve local government in his better government programme. [15108]

Dr. David Clark: Local government are key partners in the Better Government Programme.

As part of the Deputy Prime Minister's initiative to develop the partnership between Central and Local Government, I am setting up a group to develop a framework for innovative pilots on how services can be improved at the local level through different organisations working together. The local authority sector was also well represented in my recent Better Government discussion seminars.

Citizens Charter

18. **Mrs. Virginia Bottomley:** To ask the Chancellor of the Duchy of Lancaster what steps he is taking to ensure that Departments meet citizens charter targets. [15109]

Mr. Kilfoyle: All Departments and agencies are responsible for meeting targets set down in relevant charters. In addition, central Government Departments must meet six service standards laid down for central Government. We will be considering as part of the relaunch of the Charter programme how better to ensure that targets are actually delivered.

22. **Mr. Jim Cunningham:** To ask the Chancellor of the Duchy of Lancaster what plans he has for the improvement of the citizens charter. [15113]

Mr. Kilfoyle: We will relaunch the citizen's charter and focus it on the needs and wishes of the people who both use and deliver public services every day. Details of the new Charter programme will be published as part of the Better Government initiative.

Public Bodies

19. **Mr. Pickthall:** To ask the Chancellor of the Duchy of Lancaster what plans he has to reduce the number of non-departmental public bodies. [15110]

Dr. David Clark: The Government are determined to control the number of quangos. I have asked Ministers in charge of departments to take a personal look at the continuing need for all the non-departmental public bodies they sponsor, with a view to abolishing, merging or winding up a future date any bodies which are no longer essential. As part of the Comprehensive Spending Review, Ministers have also been asked to include a zero-based analysis of the functions of the NDPBs they sponsor.

Helen Jackson: To ask the Chancellor of the Duchy of Lancaster what progress he is making in improving public access to information in respect of non-departmental public bodies. [15118]

Dr. David Clark: In our consultation paper, "Opening up Quangos", published on 11 November, the Government have made a number of relevant proposals including: information on appointments to non-departmental public

bodies (NDPBs) and other bodies, such as public corporations and nationalised industries, should be available from a single Internet source; new appointments should be made public through a press release; there should be greater openness about meetings of bodies; and all bodies should produce Annual Reports and make them publicly available.

Food Standards Agency

20. **Mr. Llwyd:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his proposals for a food standards agency. [15111]

Dr. David Clark: We will shortly publish a White Paper setting out the Government's proposals for establishing a Food Standards Agency. This will be the subject of a full round of public consultation.

Freedom of Information

21. **Mr. Lansley:** To ask the Chancellor of the Duchy of Lancaster when he plans to publish a White Paper on freedom of information. [15112]

25. **Mr. Cousins:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his freedom of information proposals. [15116]

Dr. David Clark: I refer the hon. Member and my hon. Friend to the answer I gave earlier to my hon. Friend the Member for Cardiff, North (Ms Morgan).

Access Business Initiative

23. **Mrs. Dunwoody:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the Access business initiative. [15114]

Mr. Kilfoyle: As I announced on 23 July 1997, *Official Report*, column *583*, Access Business has been set up to modernise and simplify the delivery of regulatory advice, forms and guidance to business. The first fruit of our work is Direct Access Government, a service which I launched on 6 November, and which enables business to access a wide range of forms and advice on the Internet.

Technology

28. **Maria Eagle:** To ask the Chancellor of the Duchy of Lancaster what projects are being undertaken to develop the technology used in delivering Government services. [15119]

Dr. David Clark: My right hon. Friend the Prime Minister recently set a target that by 2002, one quarter of dealings with Government will be able to be done by a member of the public electronically—through a computer, or an interactive television set, or over the telephone.

My department is using pilot projects to give the general public the opportunity to try electronic service delivery for themselves. For example, on 8 December, I will be launching an Intelligent Form, which will convert what were once six paper forms on notification of self-employment into one electronic form. This will distribute information to Customs and Excise, Inland Revenue and the Contributions Agency. An electronic signature will secure the contents of the form. The Intelligent Form will provide a seamless service for the end user.

Previously announced projects include:

Broadclyst rural Post Office kiosk which makes benefits information accessible alongside local information;

a kiosk project involving HM Customs and Excise, Inland Revenue and the Contributions Agency as part of their Closer Working. It uses touch screen technology to provide information on tax, National Insurance and VAT;

Direct Access Government provides a One Stop Regulation Shop on the Internet. It brings together regulatory guidance and forms from all main government departments to give easy access to business and individuals;

SCOTLIS (Scottish Land Information System) provides information on land and property in Scotland to individuals and businesses. At present it is only available for a small area around Bridge of Alan, near Stirling;

a pilot project which provides information on Citizen's Charter data on a network of 200 "BT Touchpoint" kiosks within the M25.

Public Services

Mr. Amess: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his plans to involve ordinary people more in decisions about the delivery of public services. [15104]

Dr. David Clark: As part of the relaunch of the Citizen's Charter, we are undertaking a wide-ranging consultation exercise to find out what people want in the new programme.

I also plan to set up a People's Panel early in the new year, which will provide us with more information on the experiences of users of public services.

Civil Service Budget

Mr. Ruane: To ask the Chancellor of the Duchy of Lancaster if he will provide a breakdown of the civil service budget by amount spent in each of the regions of the United Kingdom *(a)* in cash terms and *(b)* as a percentage of the total, ranked according to percentage per region. [15936]

Dr. David Clark: The information is not held centrally.

Analyses of total public expenditure by function, region and country are contained in Chapter 7 of the Public Expenditure Statistical Analyses (1997–98: Cm 3061) a copy of which has been placed in the Libraries of the House.

Civil Service and Quango Jobs

Mr. McAllion: To ask the Chancellor of the Duchy of Lancaster how many civil service and quango jobs are in towns and cities in Scotland with populations above 40,000. [15933]

Dr. David Clark: The full-time equivalent numbers of permanent and casual civil servants in each town or city at 1 July 1997, and of employees of executive non-departmental public bodies at 1 April 1997, are shown in the following table:

Town/city	*Population (1991 Census)*	*Civil servants (July 1997)*	*Staff of executive NDPBs (April 1997)*
Glasgow	663,000	9,970	2,020
Edinburgh	402,000	9,680	3,650
Aberdeen	190,000	1,400	540
Dundee	160,000	810	340
Paisley[1]	76,000	560	0
East Kilbride	70,000	2,430	0
Dunfermline	55,000	1,440	0
Greenock[1]	50,000	650	0
Hamilton	50,000	150	0
Cumbernauld	49,000	1,420	0
Ayr[1]	48,000	630	140
Kirkcaldy	47,000	190	0
Kilmarnock	44,000	80	0
Coatbridge[1]	44,000	150	0
Livingston[1]	42,000	660	0
Perth	41,000	940	0
Inverness	41,000	720	440

[1] The number of civil servants shown are those in the respective local authority areas: Renfrew (Paisley), Inverclyde (Greenock), Kyle and Carrick (Ayr), Monklands (Coatbridge), and West Lothian (Livingston).

COI Web Site

Mr. Gordon Prentice: To ask the Chancellor of the Duchy of Lancaster how many people have visited the Central Office of Information web site, "Today's Press Releases," since it was set up. [16676]

Dr. David Clark: There have been 168,382 visits to the "Today's Press Releases" page on the Central Office of Information's web site since it was set up.

Civil Service Employees (Scotland)

Mr. Ernie Ross: To ask the Chancellor of the Duchy of Lancaster what the total level of employment is in Scotland in the Civil Service and its agencies; and what the respective employment levels are in *(a)* Glasgow, *(b)* Edinburgh, *(c)* Aberdeen, *(d)* Dundee, *(e)* Stirling and *(f)* Inverness. [16519]

Dr. David Clark: On 1 July 1997, there were 44,760 full-time equivalent permanent and casual Civil Servants employed in Scotland, of whom 9,970 were in Glasgow, 9,680 in Edinburgh, 1,400 in Aberdeen, 810 in Dundee, 860 in Stirling and 720 in Inverness.

Public Service Delivery (Consultation)

Mr. Burns: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his proposals to consult and involve ordinary people more in discussions about the delivery of public services. [15098]

Dr. David Clark: As part of the relaunch of the Citizen's Charter, we are undertaking a wide-ranging consultation exercise to find out what people want in the new programme. We are also planning to set up a People's Panel early in the new year, in order that the public's views inform our plans to improve the delivery of public services.

Overseas Travel

Mr. Malcolm Bruce: To ask the Chancellor of the Duchy of Lancaster if he will list each of the overseas trips made by himself and other members of his ministerial team since 2 May, specifying in each case *(a)* the participating Minister or Ministers, *(b)* the destination of the trip, *(c)* the purpose of the trip and *(d)* the cost of the trip; and if he will make a statement. [15244]

Dr. David Clark *[pursuant to his reply, Official Report, 17 November 1997, c. 78]:* My hon. Friend the Parliamentary Secretary and I have undertaken the following overseas visits:

Minister/Destination	*Purpose of the trip*	*Cost (£)*
Chancellor of the Duchy		
Washington	To meet with key figures in the US as part of the preparation for the Better Government White Paper	24,227
Austria	Trilateral discussions with Austrian and German Ministers on co-ordinating a better EU regulation strategy across the three countries' consecutive EU Presidencies	£3,905
Canada and Boston	To investigate how the Canadian Freedom of Information system works and to follow up discussions with leading academics at Harvard on Better Government	16,994
New Zealand and Australia	Fact finding visit on Freedom of Information and Better Government	29,235
Parliamentary Secretary		
Malaysia and Singapore	Investigate the use of IT in the delivery of public services in these countries and the public service reforms which both have introduced	10,528

Written Answers to Questions

Thursday 20 November 1997

DEFENCE

Burma Railway Memorial

Mr. Bob Russell: To ask the Secretary of State for Defence if he will provide funds to support a memorial to commemorate allied service men who, while prisoners of war, died during the construction of the Burma railway; and if he will make a statement. [14490]

Mr. Spellar: The Government are very aware of the hardships and suffering endured by prisoners of war who were forced by their captors to build the Burma-Siam Railway during the Second World War.

While we have the greatest sympathy for those men and their families and acknowledge the need for remembrance and commemoration, it has been a long-standing policy of successive Governments that the cost of memorials is not usually met from public funds, but from private donations or public subscription.

The Ministry of Defence is, therefore, unable to assist with the funding of the memorial.

The organisers intend to site the memorial in Thailand and the Ministry of Defence would be happy to provide representation at any dedication ceremony, should the necessary funding be raised.

Correspondence

Mr. Key: To ask the Secretary of State for Defence when the hon. Member for Salisbury can expect a reply to his letter to the Minister of State for the Armed Forces, dated 24 July, about the closure of the Army Base Repair Organisation depot at Ludgershall. [16947]

Dr. Reid: I replied yesterday to the hon. Member's letter. I regret not having done so sooner.

Eurofighter

Mr. Jack: To ask the Secretary of State for Defence if he will further review the *(a)* number of and *(b)* timetable for its delivery of Eurofighter 2000. [17006]

Mr. Spellar: I refer the right hon. Member to the answers I gave my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) on 4 November 1997, *Official Report*, column *111*.

Gene Science

Mr. Tyler: To ask the Secretary of State for Defence how many research projects concerned with aspects of gene science have been commissioned by his Department in each year since 1987; and if he will list these in date order. [16789]

Mr. Spellar: My Department commissions research into a wide variety of what might be called genetic science applications, mainly in support of chemical and biological defence. Examples range from the use of gene probes to develop improved detection of biological warfare agents, to the use of genetic engineering for research into new vaccines. Most of this research is conducted at Porton Down, where an initial survey indicates that the number of genetic engineering projects undertaken since 1987 is as follows:

Year	*Number of projects*
1987	8
1988	11
1989	19
1990	8
1991	12
1992	19
1993	15
1994	13
1995	8
1996	20

I am withholding details of these and similarly aimed research projects under the terms of exemption category 1 of the Code of Practice on Government Information.

Army (Engineer Resources)

Mr. Borrow: To ask the Secretary of State for Defence if he will make a statement on the Army's engineer resources. [17550]

Dr. Reid: My predecessor announced in August 1995 that the Army Engineer Resources Organisation, based at Long Marston in Warwickshire, would collocate with another Royal Engineers organisation—the Military Work Force—on a single site at Chilwell near Nottingham. A number of subsequent developments have led to a review of this decision.

In order to ensure that the Engineer Resources organisation was configured in the most efficient way for the transfer to Chilwell and subsequent Market Testing, a comprehensive business review of this organisation was carried out. This concluded that many of the Engineer tasks—notably storage, provisioning and repair—could be carried out more efficiently by other parts of the Army support organisation, for which they are core business.

In parallel, further work was undertaken on the Army's overall storage requirement. The Storage Rationalisation Study, about which we made a separate announcement on 13 November 1997, *Official Report*, column *611*, concluded that the Army Base Storage and Distribution Agency had sufficient space to absorb the Engineer Resources storage task. In the light of this work, an investment appraisal has been carried out which has demonstrated that disaggregation of the Engineer Resources task is substantially more cost-effective by some 15 per cent. (approximately £21 million over 25 years in net present value terms) than any option for collocation at Chilwell.

Obtaining greater efficiency from Defence spending is a central part of the Strategic Defence Review. All support activities are being rigorously scrutinised against the benchmark of value for money and the need to ensure that

we retain only those assets which are essential for Defence needs. I have therefore accepted, as the basis for consultation, a recommendation to proceed with the disaggregation of the Engineer Resources tasks to other service providers. Long Marston will close by December 1999. Final decisions will be taken in the light of representations made during the consultation period. A copy of the consultative document is being placed in the Library.

HOME DEPARTMENT

Penalty Points

Ms Walley: To ask the Secretary of State for the Home Department if he will reduce the number of penalty points that result in disqualification; and if he will make a statement. [16344]

Mr. Michael: There are no present plans to reduce the number of points which would result in disqualification. However, with my right hon. Friend the Secretary of State for the Environment, Transport and the Regions, I keep under review the number of points which may be imposed for individual offences.

Poaching

Miss McIntosh: To ask the Secretary of State for the Home Department what plans the Government have to increase the penalties for poaching. [16627]

Mr. George Howarth: The Government have no plans to increase the penalties for poaching. Penalties were last amended by the Criminal Justice and Public Order Act 1994.

Rural Crime

Miss McIntosh: To ask the Secretary of State for the Home Department what measures the Government will take to encourage and support Rural Watch and Farm Watch schemes. [16630]

Mr. Michael: The Government recognise that, in rural areas, the police response to crime cannot always be as quick as they or the public would like and it is imperative that people take reasonable precautions against becoming victims of crime.

The most effective response to rural crime is a partnership approach between the police and local communities. We encourage schemes such as Farm Watch and Rural Watch which enable members of the public—with the support of the local police—to do something positive in the fight against crime.

In the Crime and Disorder Bill, we will introduce a new statutory duty for the police and local authorities jointly to analyse and identify local problems of crime and disorder and, together with the local community, draw up and implement strategies for tackling such problems. Schemes such as Farm Watch and Rural Watch will play a positive role in this partnership. The support of local communities will make a significant impact on crime in the countryside.

Miss McIntosh: To ask the Secretary of State for the Home Department what proposals the Government have to tackle rural crime. [16629]

Mr. Michael: Rural communities suffer from most of the same types of crime as, but have different needs from, urban communities. The most effective answer to rural crime is a partnership between the police and local communities.

The Crime and Disorder Bill will provide for new statutory duties for local authorities and the police jointly to analyse and identify local problems of crime and disorder. With input from local communities, a strategy will be drawn up and implemented to tackle those problems. This will apply in both rural and urban areas.

The partnership ideal is already evident in many rural communities, and the creation of many and diverse "Watch" schemes are testimony to the efficacy of this approach.

Miss McIntosh: To ask the Secretary of State for the Home Department if he will provide additional financial assistance to North Yorkshire Police for radio communications in remote areas. [16631]

Mr. Michael: North Yorkshire Police Authority's spending capacity increased by £2.8 million (4%) to £72.4 million in 1997–98, which was an increase above the national average. The provisional police revenue settlement for 1998–99 is likely to be announced in December, along with capital funding allocations. Once the allocations have been made, it is entirely for individual chief constables and their police authorities to determine their spending priorities. This Government have undertaken to keep within the public expenditure limits we inherited from the previous Government and no allowance has been made for additional capital funding to be provided to North Yorkshire Police for radio communications in remote areas.

Crime Prevention

Mr. Beith: To ask the Secretary of State for the Home Department what *(a)* amount and *(b)* percentage of his Department's expenditure, in (i) the current and (ii) the next financial year, will be spent on crime prevention. [16540]

Mr. Michael: Home Office expenditure specifically allocated to crime prevention in 1997–98 is £19.3 million. That figure is additional to £7.2 billion public expenditure on the police service. The prevention of crime is one of the key functions of the police service and the Government are committed to encouraging a partnership approach to crime prevention.

It is not possible to identify the level of public expenditure on the police service or other programmes within the Home Office budget which is devoted to crime prevention. Therefore, it is not possible to provide a percentage of the overall budget devoted to crime prevention.

Detailed expenditure plans for 1998–99 have yet to be finalised.

Alcohol Abuse

Miss McIntosh: To ask the Secretary of State for the Home Department what measures the Government will take to tackle alcohol abuse by young people. [16635]

Mr. George Howarth: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Selby (Mr. Grogan) on 16 July, *Official Report*, column *173*, and to the letter which I sent to all hon. Members on 17 July.

Prison Enterprise Services

Mr. Beith: To ask the Secretary of State for the Home Department what plans he has to contract out the Prison Enterprise Services to the private sector; and if he will make a statement. [16552]

Ms Quin *[holding answer 18 November 1997]:* There are no plans to contract out Prison Enterprise Services (which provides advice and support to prisons in managing their industrial and commercial activity) or to contract out industrial activity in other prisons.

My right hon. Friend and I have agreed to a partnership between Wackenhut United Kingdom and the Prison Service under which the company will manage the industrial work at Coldingley prison although the governor will be involved in decisions on major new lines of production and there will be a profit-sharing arrangement with the prison.

Beer Glasses

Miss McIntosh: To ask the Secretary of State for the Home Department what plans he has to introduce regulations for strengthened beer glasses for use in public houses. [16912]

Mr. George Howarth: I have no present plans to do so. I understand that approximately one third of straight-sided beer glasses in pubs are already made of toughened glass. The recommendation on 22 October by the Brewers and Licensed Retailers Association that its members should use toughened glasses will very significantly increase their use. The Government will be monitoring developments closely.

Amsterdam Treaty

Mr. Brazier: To ask the Secretary of State for the Home Department if he will make a statement on the effect of the Amsterdam Treaty on the status under national law of *(a)* churches, *(b)* religious associations and *(c)* organisations which his Department classifies as cults in the United Kingdom. [16985]

Ms Quin: Declaration 11 to the Treaty of Amsterdam refers to the status of churches, religious associations and non-confessional organisations. It is non-binding and has no effect on national law.

Mr. Brazier: To ask the Secretary of State for the Home Department what assessment he has made of the effect of the terms of the Treaty of Amsterdam on the death penalty in *(a)* the United Kingdom and *(b)* her dependencies. [17016]

Mr. Michael: The Treaty of Amsterdam has no effect on the position in the United Kingdom or her dependencies so far as the death penalty is concerned. The policy of the Government remains that it is for Parliament to decide on the reintroduction or abolition of the death penalty in the United Kingdom.

Drugs Prevention Initiative

Mr. Borrow: To ask the Secretary of State for the Home Department when he will publish a report on the progress of his Department's Drugs Prevention Initiative. [17438]

Mr. George Howarth: I am publishing tomorrow the Drugs Prevention Initiative's seventh annual progress report. The report summarises encouraging progress. An extensive and innovative programme is now providing some useful findings about effective community-based drugs prevention work. The programme aims to show more fully by March 1999 what action communities themselves can take to tackle local drugs problems. I am placing a copy of the report in the Library tomorrow at 10.30 am.

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department under what circumstances a licence can be awarded under the Animals (Scientific Procedures) Act 1986 in respect of a product or ingredient of a product already freely available on the United Kingdom market. [16458]

Mr. George Howarth: Other than finished cosmetic products, for which no new authorities to test will be issued, such authorities under the Animals (Scientific Procedures) Act 1986 are issued for testing only when there is a specific regulatory requirement: for example, to meet the requirements of the Dangerous Substances Directive, the Biocidal Products Directive or the Medical Devices Directive.

Mr. Baker: To ask the Secretary of State for the Home Department what plans he has to increase the availability of public information under section 24 of the Animals (Scientific Procedures) Act 1986. [16459]

Mr. George Howarth: There are no plans to change section 24 of the Animals (Scientific Procedures) Act 1986. It will therefore remain an offence to disclose information given in confidence. Such information includes the details of establishments and individuals licensed under the Act, and details of licence applications.

We do, however, plan to make more information available on how the Act is operated. The policy and procedures for handling infringements were described in the 1996 annual report of the Animal Procedures Committee. The Committee is also planning to produce an extended statement on the cost-benefit assessment required under section 5(4) of the Act and I understand that this will describe the process by which programmes of work are assessed. A revised and updated version of the "Guidance on the Operation of the Animals (Scientific Procedures) Act 1986" is also being produced.

Mr. Baker: To ask the Secretary of State for the Home Department how many project licence applications put before the Animal Procedures Committee in 1996 were *(a)* approved and *(b)* refused. [16460]

Mr. George Howarth: During 1996, the Committee considered two new project licence applications.

The Committee does not grant or refuse applications. It can only advise the Secretary of State on whether licences should be granted. In these cases, the Home Secretary decided that the two licences should be granted.

The Committee also saw two applications to amend existing licence authorities. One requested an extension of the licence to the maximum allowed term of five years. This was granted by the Home Secretary. The other, requesting changes to the existing authorities, was considered on several occasions by the Committee during 1996. Some of the requested amendments were granted.

Further details of these considerations were published in the Committee's annual report for 1996.

Mr. Baker: To ask the Secretary of State for the Home Department if he will make a statement on the circumstances under which Alice, the Macaque monkey at the Institute of Neurology, died; which procedures were authorised to be undertaken on the animal; and what assessment he has made of the extent to which the evidence given in application for a project licence to use Alice met the requirements of section 5(5) of the Animals (Scientific Procedures) Act 1986. [16461]

Mr. George Howarth: Alice was used in a non-recovery procedure under anaesthesia in February 1996.

After craniotomy and laminectomy under general anaesthesia, her brain was stimulated electrically and recordings were made from spinal nerves. (The purpose was to investigate the way in which cells in the motor cortex address motoneurones controlling hand and forearm activity.) Alice was then given an overdose of anaesthetic.

Section 5(5) of the Animals (Scientific Procedures) Act 1986 requires that applicants give adequate consideration to the feasibility of achieving the purposes of the programme of work by means not involving protected animals. This work could only be undertaken in living animals because the complexity of the neurological processes cannot be reproduced by other means.

ATTORNEY-GENERAL

Departmental Information

Mr. Matthew Taylor: To ask the Attorney-General if he will place in the Library a copy of the internal departmental guidance on the dissemination of information; and if he will make a statement. [16286]

The Attorney-General: The Code of Practice on Access to Government Information applies in relation to my own office and to the Treasury Solicitor's Department, for which I have responsibility. In the light of the exemptions from disclosure under the Code and the nature of the work we do, requests falling within the Code are unlikely. Internal guidance prepared by the Treasury Solicitor's Department none-the-less exists and is being updated. A copy of the new guidance will be placed in the Library.

Press Releases

Mr. Matthew Taylor: To ask the Attorney-General what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16285]

The Attorney-General: It has not been my practice to fax press releases to Opposition party spokesmen on the day of release and this has not changed since 1 May. However, I would willingly do so in future if requested.

"The Last Governor"

Mr. Cranston: To ask the Attorney-General what consideration has been given to proceedings under the Official Secrets Act 1989 in relation to disclosures contained in the book "The Last Governor." [17551]

The Attorney-General: The Director of Public Prosecutions was asked to consider whether the circumstances disclosed a possible offence under the Official Secrets Act 1989 such as to require a criminal investigation. She therefore sought my views on the public interest aspect of the case because any prosecution would by statute have required my consent.

I considered the matter with the DPP and I then invited relevant colleagues to draw to my attention matters which the public interest required be taken into account in accordance with the long-standing procedures described to the House by my predecessor on 29 January 1951, *Official Report*, columns *683-684*. Following such consultation I concluded that intelligence and foreign relations considerations outweighed other public interest considerations which might otherwise have required a prosecution in respect of any offence established by a criminal investigation. It followed that no useful purpose would have been served for there to have been a police investigation in this matter.

Although that view took account of the considerations advanced by Ministerial colleagues, the assessment of those considerations was my responsibility alone as a Law Officer acting independently of Government but after further consultation with the DPP, the DPP concurred with my view.

CABINET OFFICE

Amsterdam Treaty

Sir Teddy Taylor: To ask the Minister without Portfolio in respect of which sections of the Treaty of Amsterdam his Office contributed to drafting. [17014]

Mr. Mandelson: The United Kingdom position on the draft Treaty of Amsterdam was reached after consultation between relevant Government Departments.

DUCHY OF LANCASTER

Press Releases

Mr. Matthew Taylor: To ask the Chancellor of the Duchy of Lancaster what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16293]

Dr. David Clark: Press notices are not routinely faxed to Opposition spokesmen. They are available on request and are automatically posted to individuals who have asked to be put onto the Cabinet Office press notice mailing list. There has been no change since 1 May.

Government Car Service

Mr. Baker: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the expenditure on the Government Car Service for the last year for which figures are available, and separately identifying the cost of ministerial cars. [16995]

Mr. Kilfoyle: Responsibility for this matter has been delegated under the terms of the Framework Document to the Government Car and Despatch Agency. I have asked its Chief Executive, Mr. Nick Matheson, to write to the hon. Member.

Letter from Nick Matheson to Mr. Norman Baker, dated 20 November 1997:

The Parliamentary Secretary, Office of Public Service, has asked me in my capacity as the Chief Executive responsible for the Government Car Service to reply to your Parliamentary Question dated 17 November 1997.

The total cost of providing all Government Car Service services in 1996–97 was £7.6 million. The estimated cost of vehicles and drivers allocated to Ministers and their private offices was £4.1 million, although they are also used for several other purposes such as the movement of documents and for use by officials as directed by the ministerial private office.

The Government Car and Despatch Agency charges customer departments for the services provided on a basis that recovers all costs.

LORD CHANCELLOR'S DEPARTMENT

Farmed Land (Foreign Ownership)

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will estimate the percentage of the farmed area in the United Kingdom which is in foreign ownership. [15968]

Mr. Hoon: The Question concerns a specific operational matter on which the Chief Executive of the Land Registry is best placed to provide an answer and I have accordingly asked the Chief Executive to reply direct.

Letter from Stuart Hill to Mr. Gordon Prentice, dated 20 November 1997:

I have been asked by the Parliamentary Secretary, Lord Chancellor's Department, to reply to your recent question on the percentage of the farmed area in the United Kingdom in foreign ownership.

I regret that statistics relating to the nationality of registered proprietors are not maintained by the Registry and I am therefore unable to supply the information required.

Family Law

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department if those attending pilot group divorce information meetings under the Family Law Act 1996 received the full range of divorce information referred to in Section 8(9) of the Act at such meetings. [16079]

Mr. Hoon: With the exception of marriage counselling and support services, attendees at group information presentations receive the full range of information. Information on marriage support is additionally given in individual meetings.

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the total cost of the research into the pilot projects for the provision of divorce information under the Family Law Act 1996. [16072]

Mr. Hoon: Negotiations are continuing in relation to further pilots and disclosure of costings would be likely to affect our negotiating position with potential pilot providers. Therefore, this information must remain confidential at present.

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department when it is proposed to produce Welsh language leaflets to be distributed to attendees at divorce information meetings under the Family Law Act 1996. [16081]

Mr. Hoon: All leaflets specially commissioned for the information meetings pilots are available in Welsh for those attending meetings organised by the pilot project in South Wales and have been from its commencement in June 1997.

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the budget for producing and distributing the leaflets given to attendees at the pilot divorce information meetings under the Family Law Act 1996; and if he will make a statement. [16080]

Mr. Hoon: Negotiations are continuing in relation to further pilots and disclosure of costings would be likely to affect our negotiating position with potential pilot providers. Therefore, this information must remain confidential at present.

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department what the overall budget is for piloting arrangements for the provision of divorce information under section 8 of the Family Law Act 1996; and if he will make a statement. [16085]

Mr. Hoon: Negotiations are continuing in relation to further pilots and disclosure of costings would be likely to affect our negotiating position with potential pilot providers. Therefore, this information must remain confidential at present.

Mr. Llwyd: To ask the Parliamentary Sectary, Lord Chancellor's Department if alternatives to meetings for the provision of divorce information under the Family Law Act 1996 have been piloted; and in what form. [16071]

Mr. Hoon: Both models being currently tested in the pilots involve personal attendance at meetings.

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department what the relationship is between the pilot group divorce information meetings for married and unmarried individuals and the statutory framework under the Family Law Act 1996 of one to one meetings for married individuals; and if he will make a statement. [16083]

Mr. Hoon: Information presentations to a number of attendees constitute one of the models of information meetings currently being piloted. For married persons,

these presentations are preceded by an individual information meeting. The individual meetings are within the statutory framework of the Family Law Act. Non-married persons do not first attend an individual meeting.

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost was of producing the video being shown at the pilot group divorce information meetings under the Family Law Act 1996; and if he will make a statement. [16082]

Mr. Hoon: Negotiations are continuing in relation to further pilots and disclosure of costings would be likely to affect our negotiating position with potential pilot providers. Therefore, this information must remain confidential at present.

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department what arrangements exist for consultation on the contents of phases II and III of the divorce information pilot projects under the Family Law Act 1996; when and with whom this consultation will take place; and if he will make a statement. [16078]

Mr. Hoon: All aspects of the pilot projects are being objectively tested through research. The views of the public who attend meetings, those involved in organisation and delivery of the pilots and all professionals and organisations within the pilot areas are being sought. Consultation on the content of the leaflets took place with relevant organisations. As required by section 8 (10) of the Family Law Act, before making any regulations under subsection (6) of section 8, the Lord Chancellor must consult such persons concerned with the provision of relevant information as he considers appropriate. The Lord Chancellor will do so.

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the total cost of the tendering process for research into the pilot projects for the provision of divorce information under the Family Law Act 1996; and if he will make a statement. [16073]

Mr. Hoon: There was no competition for the evaluation element of the pilots as opposed to the pilot provision itself which was subject to competition. In the course of this competition the Department received a manifestly suitable set of proposals for the evaluation and an application for a grant in aid. No separate competition for the evaluation element was therefore necessary.

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department what the budget is for providing pilot group divorce information meetings for married and unmarried individuals under the Family Law Act 1996. [16084]

Mr. Hoon: Negotiations are continuing in relation to further pilots and disclosure of costings would be likely to affect our negotiating position with potential pilot providers. Therefore, this information must remain confidential at present.

Courts

Mr. Letwin: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the ratio between the cost of maintaining courts in *(a)* rural and *(b)* urban areas. [15945]

Mr. Hoon: The Lord Chancellor's Department does not hold information on the comparative cost of maintaining individual magistrates courts. Expenditure information is only collected at magistrates committee level and this will, in many cases, cover more than one court.

The Court Service does hold information on the maintenance cost of individual crown and county court centres but does not classify them as either rural or urban.

Mr. Letwin: To ask the Parliamentary Secretary, Lord Chancellor's Department what account was taken of representations received from courts committees in formulating the strategic plan for 1997 to 2007; and what savings will be made as a result of the closure of court houses under the strategic plan. [15977]

Mr. Hoon: The Lord Chancellor's Department has not formulated a strategic plan for the years 1997 to 2007. The Dorset Magistrates Courts Committee has drawn up a plan covering those years. The Lord Chancellor's Department was not consulted about the content of the plan and there is no statutory requirement for the Committee to have done so. It is for the Committee itself to determine what account should be taken of any representations received during the formulation of its plan.

The strategic plan makes no specific reference to the level of savings that could be achieved through the closure of court houses.

Mr. Letwin: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will review the practice whereby individuals representing themselves at court in civil cases, who win their cases, are not entitled to claim for costs other than travel expenses. [15947]

Mr. Hoon: Under the Litigants in Person (Costs and Expenses) Act 1975, litigants in person are entitled to recover costs other than travel expenses, including disbursements incurred and time for preparing their case. However, as part of the civil justice reform programme, my Department issued a consultation paper in August 1997, on the general provisions relevant to taxation of costs, including the costs of litigants in person.

Legal Aid

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the insurers and insurance companies with whom the Lord Chancellor or his officials have held discussions about the Government's legal aid reform proposals, indicating in each case where and when the discussion took place and who was present. [16321]

Mr. Hoon: Officials of the Lord Chancellor's Department have had contact with various insurers and their representatives for some years. However since my noble and learned Friend the Lord Chancellor, announced his intentions to reform legal aid on 18 October 1997, his officials have met a delegation from the Association of British Insurers on 29 October 1997. The meeting took place at the Lord Chancellor's Department Headquarters (Selborne House). The Lord Chancellor also met James Innes of Abbey Legal Protection Ltd. on 14 November 1997 in the Lord Chancellor's office in the House of Lords. Those meetings have been in addition to less formal contact over the telephone and in correspondence.

EDUCATION AND EMPLOYMENT

Amsterdam Treaty

Mr. Brazier: To ask the Secretary of State for Education and Employment what part his Department played in the formulation of the Treaty of Amsterdam material concerning *(a)* qualified majority voting in employment matters and *(b)* the treatment of employment as a matter of common concern; and if he will make a statement. [17017]

Mr. Andrew Smith: The Department for Education and Employment played a full part in the formulation of the UK position on the new Employment Chapter in the Amsterdam Treaty, in conjunction with other interested Departments.

The Government's objectives at the Amsterdam European Council in relation to employment were: to agree a new Employment Chapter; to ensure that tackling unemployment is a priority for the EU; and to secure recognition of the importance of employability and flexible labour markets in any employment strategy.

All these objectives were met.

TREASURY

Taxation Changes

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the total net revenue cost to the Exchequer in 1998–99 of *(a)* introducing a new rate of income tax of 50 per cent. on taxable income of over £100,000 per annum, *(b)* abolishing mortgage interest tax relief, *(c)* abolishing the married couple's tax allowance, *(d)* restricting the value of the personal tax allowance to the basic rate of income tax, *(e)* applying tax on savings at the marginal rate of income tax, *(f)* abolishing the lower rate of income tax, *(g)* abolishing the capital gains tax annual exempt amount and *(h)* raising the value of the personal income tax allowance to £10,000 per annum. [13249]

Dawn Primarolo *[holding answer 5 November 1997]:* The latest available information is for 1997–98. Separate costs or yields for each of the individual measures are given in the table. The combined cost of all of the measures may differ significantly from the sum of the figures for the individual measures. The estimates do not allow for any behavioural changes.

	Full year cost (–)/yield (+) at 1997–98 income levels
(a) 50 per cent. of taxable income above £100,000	+£1.4 billion
(b) abolish mortgage interest tax relief	+£2.6 billion
(c) abolish the married couple's allowance and related allowances[1]	+£3.3 billion
(d) restrict the value of personal allowance to the basic rate	+£1.9 billion
(e) apply tax on savings (excluding dividends) at the marginal rate of income tax	+£0.2 billion
(f) abolish the lower rate of tax, but leave savings and dividends rate at 20 per cent.	+£2.7 billion
(g) cost of capital gains tax annual exempt amount[2]	–£2.5 billion
(h) raise non aged and aged personal allowances to £10,000	–£2.9 billion

[1] This figure includes the cost of abolishing the additional personal allowance of £220 million and the cost of abolishing the widow's bereavement allowance of £25 million.

[2] This figure allows for windfall gains arising from the disposal of shares issued in connection with building society and insurance company de-mutualisations. It is particularly uncertain due to the exceptional level of de-mutualisation activity during this year. This estimate represents the reduction in tax liabilities from the existence of the relief and cannot generally be interpreted as the yield from withdrawing it. In practice, withdrawing a relief would often result in significant changes to taxpayers' behaviour and might require changes to other reliefs.

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer whether he will estimate the percentage change in after-tax income per income decile as a consequence of announced changes to direct and indirect taxation over the period 1998–99 to 2000–01; and if he will make a statement. [13280]

Dawn Primarolo *[holding answer 6 November 1997]:* I refer the hon. Member to the answer I gave to the right hon. member for Wells (Mr. Heathcoat-Amory) on 11 July, *Official Report*, column *167–68*.

Estimates of the impact on after-tax per income decile in 1998–99 will depend on measures announced in the spring Budget.

Business Insolvency

Miss Widdecombe: To ask the Chancellor of the Exchequer what guidance he has issued to *(a)* the Inland Revenue and *(b)* HM Customs and Excise in respect of bankruptcy orders in business insolvency cases. [16196]

Dawn Primarolo: The Inland Revenue and Customs and Excise have a statutory duty to collect tax that is legally due. It is their responsibility, to the Exchequer and to taxpayers generally, to do so speedily and effectively, taking the action they consider appropriate to obtain payment. However both Departments recognise the need to balance their duty to collect tax with the proper concern for the taxpayer to continue in business. Insolvency proceedings are only taken as a last resort, after all other attempts to secure payment within a reasonable time-scale have failed.

Elderly People (North Norfolk)

Mr. Prior: To ask the Chancellor of the Exchequer if he will make a statement on the number of people in North Norfolk over the ages of *(a)* 65 and *(b)* 75 years in (i) 1977, (ii) 1987, (iii) 1997, (iv) 2007 and (v) 2017. [16533]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. David Prior, dated 20 November 1997:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics, to your recent question on the number of people in North Norfolk aged over 65 and 75.

Population estimates are available for North Norfolk for 1977 and 1987. This information is set out below:

District of North Norfolk

	65 and over	*75 and over*
Population estimates		
1978	17,300	6,500
1987	21,200	9,600

Population projections are only available for counties, metropolitan districts and London Boroughs, and are not available for smaller geographical areas such as that of North Norfolk. Therefore, the figures for 1997, 2007 and 2017 are provided for the county of Norfolk only. Comparable population estimates are also given.

County of Norfolk

	65 and over	*75 and over*
Population estimates		
1977	114,700	42,200
1987	136,300	59,500
Population projections		
1997	153,400	73,400
2007	164,000	85,200
2017	198,900	92,200

Sources:
1977 and 1987—based Population estimates for England and Wales.
1993—based Subnational Population Projection for England (PP3 no. 9, 1995).

Airport Taxes

Mr. Brake: To ask the Chancellor of the Exchequer if he will take steps to reduce the burden of United Kingdom airport taxes on foreign children making flights on medical grounds to the United Kingdom. [16916]

Dawn Primarolo: Cases of this type are usually administered by UK registered charities which already benefit from a range of tax reliefs such as gift aid and the payroll scheme. These encourage donations to charity by focusing on what people give rather than what charities spend. Additionally, in his last Budget, the Chancellor announced a review of the taxation of charities and invited contributions from interested parties. Although the main focus of the review will be the current VAT arrangements, all aspects of the tax system will be taken into consideration.

The Government receive many appeals of this nature for relief of taxes and duties. While we are sympathetic to the causes it would be difficult to justify discrimination by granting relief in some cases but not in others.

Brewing Industry

Mr. Heppell: To ask the Chancellor of the Exchequer what plans he has to introduce a progressive duty in respect of the brewing industry. [15414]

Dawn Primarolo: None.

CULTURE, MEDIA AND SPORT

Television (Sporting Event)

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport what representations he has received about the England v. Australia Rugby Union international on Saturday 15 November not being available live to terrestrial viewers. [16569]

Mr. Fisher: Mr right hon. Friend the Secretary of State has received one representation on the subject of the coverage of this particular match. He has received eight representations on the subject of the coverage of England Rugby Union matches in general. This match was shown live by BSkyB under the terms of its contract with the English Rugby Football Union. Coverage of the whole match was transmitted by ITV later on the same afternoon, and I understand that this will be the arrangement for television coverage of all home England internationals until 2001.

Tourism

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the value of the tourism industry to *(a)* the East Midlands, *(b)* Leicestershire and *(c)* Loughborough. [16571]

Mr. Tom Clarke: In 1996, the tourism industry generated an estimated £1,700 million in the East Midlands and an estimated £370 million in Leicestershire.

Official data sources do not provide reliable estimates of tourism expenditure in Loughborough or other sub-county local authority areas.

Museums (Tyne and Wear)

Mr. Etherington: To ask the Secretary of State for Culture, Media and Sport if grant in aid per visitor is a factor he is taking into account in his current review of Tyne and Wear museums funding; and if he will make a statement. [16516]

Mr. Fisher: The main focus of the Department's current review of the funding arrangements of the Tyne and Wear Museums Service is on whether the annual grant from the Museums and Galleries Commission should continue in the light of the Department's wider spending review. The review will take into account relevant factors including value-for-money considerations such as cost per visitor from all funding sources, and TWMS's record of achievement in the delivery of public services.

Mr. Cousins: To ask the Secretary of State for Culture, Media and Sport what factors have been taken into account in his review of Government direct funding of the Tyne and Wear Museums Service; and if he will make a statement. [16625]

Mr. Fisher: The Department is reviewing the current funding arrangements for the Tyne and Wear Museums Service as part of the Government's Comprehensive Spending Review. That Review, embracing all aspects of the Government's public expenditure programmes, includes a consideration of the Department's funding of the museums sector overall. The grant to TWMS cannot be exempt from that consideration.

Listed Buildings (Ecclesiastical Exemption)

Ann Clwyd: To ask the Secretary of State for Culture, Media and Sport if he has received Mr. John Newman's report on the ecclesiastical exemption from listed building and conservation area controls. [17573]

Mr. Banks: Mr. Newman has completed his review of the ecclesiastical exemption and copies of his report have been placed in the Library. His overall conclusion is that the six denominations should continue to enjoy the exemption for the time being. He none the less proposes a number of changes to procedure within each of the denominations and recommends that a further formal review be conducted after a year in the case of the Baptist Union and after three years in the case of the other denominations.

Copies of the report are today being sent to all the exempt denominations and other interested bodies with an invitation to comment on its conclusions. The Government look to each of the denominations to give serious consideration to those recommendations which relate to it. My Department and that of my right hon. Friend the Secretary of State for Wales propose to have discussions with each denomination on the action needed in the light of Mr. Newman's report. The Government propose to accept Mr. Newman's recommendation concerning the need for further reviews.

Written comments submitted to Mr. Newman in the course of his review are open to inspection in the Libraries of my Department and of the Welsh Office.

"The BBC and the Future of Broadcasting"

Ann Clwyd: To ask the Secretary of State for Culture, Media and Sport when he will publish his response to the Culture, Media and Sport Committee's report "The BBC and the Future of Broadcasting". [17574]

Mr. Chris Smith: The Government welcome the Culture, Media and Sport Committee's report "The BBC and the Future of Broadcasting" and are grateful to the Committee for its inquiry into this area. I have today published Command Paper 3799, which constitutes the Government's response to the report. Copies were laid before Parliament earlier today.

FOREIGN AND COMMONWEALTH AFFAIRS

British Dependent Territories

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to encourage all remaining British dependent territories to seek their independence; and if he will make a statement. [16675]

Mr. Tony Lloyd: We shall not seek in any way to influence opinion on independence, but will respond positively wherever this is the clearly and constitutionally expressed wish of the citizens of a Dependent Territory, and where it is an option.

Quota Hopping

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the legal authority of the letter from the President of the European Commission, agreed at Amsterdam, on quota hopping. [16945]

Mr. Doug Henderson: The letter records the interpretation of the Commission of how a Member State may, within the rules of the Single Market, establish an economic link between fishing activity and fishing communities. Under Article 155 of the EC Treaty the Commission is the guardian of the Treaty, and the letter carries that authority.

EU Border Controls

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs when his Department's officials were first notified that the presidency of the European Union had accepted the non-participation of the United Kingdom within the relaxation of border controls set out in the Amsterdam Treaty. [16942]

Mr. Doug Henderson: The decision to include an explicit recognition in the Amsterdam Treaty of the UK's right to maintain internal frontier controls was one which had to be taken by all Member States. No such decision was taken until the Amsterdam Summit. It was not a decision which the EU presidency alone could have taken.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to discuss with the Spanish Foreign Minister the voting arrangements for the United Kingdom opt-in to border controls. [16941]

Mr. Doug Henderson: I have no such plans.

EU Enlargement

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the reforms required to European Union institutions to enable enlargement to take place. [16943]

Mr. Doug Henderson: Under the provisions of the protocol on the Institutions in the Amsterdam Treaty, the EU Member States are committed to seeking a resolution to the issues of Commission size and the reweighting of votes in Council prior to enlargement.

Mr. Streeter: To ask the Secretary of State for the Foreign and Commonwealth Affairs what is his policy on those reforms to the voting arrangements of the European Union required to enable enlargement to proceed. [16944]

Mr. Doug Henderson: We welcome the commitment contained in the Protocol on the Institutions in the Amsterdam Treaty to tackle the issues of the size of the Commission and the Weighting of the votes in Council.

Media Relations

Mrs. Gorman: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to change *(a)* procedures and *(b)* staff involved in media relations; and if he will make a statement. [17001]

Mr. Tony Lloyd: None, but I would expect to implement any new procedures which might result from the current review of the Government Information Service.

Amsterdam Treaty

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the legal status of a declaration to the Treaty of Amsterdam. [16946]

Mr. Doug Henderson: The Conference declarations annexed to the Final Act of the Treaty of Amsterdam are not part of the Treaty. They comprise political commitments or exhortations, interpretative statements and statements of fact of which the Conference takes note. They form part of the context of the Treaty for the purpose of its interpretation, including in the European Court of Justice and the Court of First Instance.

Brazil

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Brazil concerning the threat to indigenous peoples of the rain forest arising from logging and other developments. [16678]

Mr. Foulkes: I have been asked to reply.

We regularly raise the interests of indigenous peoples with the Government of Brazil, at Ministerial and other levels, We also work closely with the Government of Brazil on projects to conserve the environment and improve people's livelihood, with a particular focus on the Amazon rain forest. Our technical co-operation programme tackles issues such as sustainable forest management and conservation of plant and animal wildlife. The expressed needs of local people, including indigenous people, form an integral part of such projects. These aim to involve indigenous people in the decision-making process and thereby help to preserve their traditional way of life while enhancing their social, political and economic circumstances.

SCOTLAND

Accident Reports

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will encourage the police forces in Scotland to include in accident reports information as to whether the pass-plus course has been taken. [16037]

Mr. McLeish: No. This information is not routinely available to the police. It would need to be specifically requested by the officers attending the scene of the accident, and then verified, all at additional cost. I understand that it would not be possible to draw statistically valid conclusions from such information.

Local Government Funding

Mrs. Ray Michie: To ask the Secretary of State for Scotland what proportion of the additional £8.9 million allocated to local authorities in the current financial year and the extra £26.7 million allocated for each of the following four years for capital expenditure on the repair and replacement of school buildings, will be allocated to Argyll and Bute. [16409]

Mr. Wilson: £202,000 in the current financial year and £607,000 in each of the following four years.

Mrs. Ray Michie: To ask the Secretary of State for Scotland what proportion of the additional £59 million to be allocated to local authorities for general education current spending in the next financial year will be allocated to Argyll and Bute. [16410]

Mr. Chisholm: These funds will form part of the local government current expenditure settlement, and will be included in the Grant-Aided Expenditure Assessment arrangements. Each council's share of this will be announced in the settlement in the normal way.

Mrs. Ray Michie: To ask the Secretary of State for Scotland what proportion of the additional £15 million to be distributed to local authorities for general spend-to-save measures through capital expenditure will be allocated to Argyll and Bute. [16412]

Mr. Wilson: £341,000. The Council was also successful in its application for £440,000 of a further £15 million which has been set aside to support school rationalisation on a spend-to-save basis. These figures will be included in the local government finance settlement.

Montserrat Evacuees

Mr. Ernie Ross: To ask the Secretary of State for Scotland what plans he has to ensure that adequate housing is available for evacuees from Montserrat. [17519]

Mr. Chisholm: Local authorities need to be able to respond as flexibly as possible to the needs of Montserratians arriving under the Government's Montserrat Assisted Passage Scheme (MAP Scheme), which provides for voluntary evacuation.

We recognise that authorities will incur additional costs when bringing accommodation into use for Montserratian evacuees. We must do our best to ensure that evacuees coming to Scotland under the MAP Scheme are given as smooth and welcoming a reception as possible.

We are proposing to offer a special grant to encourage local authorities to make vacant property available more quickly to house evacuees who have chosen to come to Scotland under the MAP Scheme and who have nowhere to stay. The grant will also be payable to housing associations which offer accommodation. The special grant to local authorities would be provided for under section 108A of the Local Government Act 1992. Payments to housing associations would be made direct by Scottish Homes.

The Scottish Office Development Department has written today to local authorities, Scottish Homes, and the Scottish Federation of Housing Associations setting out details of the scheme and arrangements for making claims. Copies of the letter have been placed in the Library. Subject to approval of the House, grants will be made available for each unit of accommodation provided for qualifying households placed with local authorities or housing associations under the MAP Scheme between 27 August 1997 and 31 January 1998, at a rate of £500 or £1,500 depending on the costs involved. The grant scheme has been drawn up after consultation with the Convention of Scottish Local Authorities.

Amsterdam Treaty

Sir Teddy Taylor: To ask the Secretary of State for Scotland in respect of which sections of the Treaty of Amsterdam his Department contributed to the drafting. [17013]

Mr. Chisholm: The United Kingdom position on the Draft Treaty of Amsterdam was reached after consultation between relevant Government Departments.

Gaelic

Mrs. Ray Michie: To ask the Secretary of State for Scotland what plans he has to ensure that Gaelic is carried on digital terrestrial television; and if he will make a statement. [16579]

Mr. Fisher: I have been asked to reply.

Scottish Television and Grampian Television are required to broadcast on Digital Terrestrial Television (DTT) their existing terrestrial analogue services, which must include at least one hour a week on average of programmes in Gaelic. S4C Digital Networks (SDN) have been awarded the licence to operate the DTT multiplex which will carry Channel 5 and S4C. SDN are also required to broadcast on that multiplex in Scotland a minimum of half an hour each day of programmes in Gaelic during peak time—between 6 pm and 10.30 pm, and the BBC, Scottish Television and Grampian are each required to make at least 30 hours of Gaelic programming a year available to SDN, free of charge, for re-broadcasting as part of their programme service. These provisions, taken together with the increase in capacity which digital terrestrial television will bring, should provide the opportunity for an increase in the amount of Gaelic programming available on television services.

WALES

Clydach Hospital

Mr. Llwyd: To ask the Secretary of State for Wales what plans he has for the head injury rehabilitation section at Clydach Hospital; and if he will make a statement. [16074]

Mr. Win Griffiths: This is a matter for the Health Authority and Morriston Hospital NHS Trust. However, I understand that Clydach Hospital is temporarily closed due to the sick absence of the Consultant in Rehabilitation who is responsible for Neuro-rehabilitation. Patients are currently receiving treatment at Morriston Hospital, where a new ward facility has been opened as a contingency measure.

NHS Bureaucracy and Waste

Mr. Barry Jones: To ask the Secretary of State for Wales (1) what measures he has taken since 2 May to reduce unnecessary bureaucracy; and if he will make a statement; [16106]

(2) what is his estimate of the amount of money saved by his actions against waste in the NHS; and if he will make a statement. [16100]

Mr. Ron Davies: I have set in train a number of measures that will reduce unnecessary bureaucracy and lead to better services for patients, business and the general public. These include:

NHS: Management cost savings of £6 million this year; a White Paper to come on abolishing the internal market; a review of Trust configuration.

Quangos: The creation of a single Economic Powerhouse for Wales and the absorption of Tai Cymru and 2 Special Health Authorities into the Assembly.

Education: Abolition of the nursery voucher scheme.

Local Government: Consultation on proposals to give local authorities more flexibility when conducting tendering exercises.

TECs: Planned reduction in the number of Training and Enterprise Councils from 6 to 4.

Smoking

Mr. Barry Jones: To ask the Secretary of State for Wales what is his policy regarding his aim to bring about a reduction in smoking in Wales with particular reference to children of school age. [16102]

Mr. Win Griffiths: My right hon. Friend has set NHS Wales a number of targets to improve health and health services. These include a reduction in the number of people in Wales who smoke, including teenagers. Responsibility for achieving the targets to reduce smoking rests with Health Authorities working closely with the activities of other agencies such as the Health Promotion Authority for Wales.

Departmental Information

Mr. Matthew Taylor: To ask the Secretary for Wales if he will place in the Library a copy of the internal departmental guidance on the dissemination of information; and if he will make a statement. [16300]

Mr. Ron Davies: Departmental guidance on the dissemination of information is contained within the Welsh Office Handbook. Copies of this guidance have been placed in the Library.

Student Funding

Mr. Ruane: To ask the Secretary of State for Wales what was the average funding per student in further education in each of the last five years. [16508]

Mr. Hain: The average funding per Further Education Funding Council for Wales-funded full-time equivalent student in further education over the last four years (the 1992–93 figure is not on a comparable basis), including capital, was as follows:

1993–94: £3,038

1994–95: £3,366

1995–96: £3,220

1996–97: £3,000.

Amsterdam Treaty

Sir Teddy Taylor: To ask the Secretary of State for Wales in respect of which sections of the Treaty of Amsterdam his Department contributed to the drafting. [17011]

Mr. Ron Davies: The United Kingdom position on the draft Treaty of Amsterdam was reached after consultation between relevant Government Departments.

Fires

Mr. Ruane: To ask the Secretary of State for Wales (1) how many *(a)* injuries and *(b)* fatalities were caused through fires in (i) houses in multiple occupation, (ii) the rest of the private rented sector, (iii) council houses and (iv) other social housing in Wales in each of the past 10 years; [16513]

(2) how many *(a)* injuries and *(b)* fatalities were caused by carbon monoxide poisoning from house fires in *(a)* houses of multiple occupation; *(b)* the rest of the private rented sector, *(c)* council housing and *(d)* other social housing in Wales in each of the past 10 years. [16512]

Mr. George Howarth: I have been asked to reply.

The readily available information on fires in dwellings in Wales is given in the tables.

Casualties from carbon monoxide poisoning cannot be identified centrally. The data for 1994 and 1995 do not reliably distinquish houses in multiple occupation from other types of dwelling, such as flats and maisonettes.

Information for 1987 and earlier years is not available. Information for 1996 will be available early in 1998.

Table 1: Fatal casualties from fires in dwellings by type of dwelling and cause of death, Wales, 1988 to 1995

Cause of death	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*[1]1994*	*[1]1995*
Single occupancy/dwelling								
Overcome by gas or smoke	20	12	12	21	18	15	7	12
Burns and overcome by gas or smoke	2	2	0	5	0	2	3	13
All causes	28	18	17	32	28	23	16	30
Multiple occupancy dwelling								
Overcome by gas or smoke	5	6	2	8	4	2	2	2
Burns and overcome by gas or smoke	0	1	0	0	0	0	0	2
All causes	6	8	3	9	6	5	2	5
Other or unspecified dwellings								
Overcome by gas or smoke	1	0	0	2	1	0	1	3
Burns and overcome by gas or smoke	0	0	0	0	0	0	0	0
All causes	2	0	1	2	1	0	1	4
All types of dwelling								
Overcome by gas or smoke	26	18	14	31	23	17	10	17
Burns and overcome by gas or smoke	2	3	0	5	0	2	3	15
All causes	36	26	21	43	35	28	19	39

[1] Including additional late call and heat and smoke damage incidents (not recorded prior to 1994).

Table 2: Non fatal casualties from fires in dwellings by type of dwelling and nature of injury, Wales, 1988 to 1995

Nature of injury	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*[1]1994*	*[1]1995*
Single occupancy dwelling								
Overcome by gas or smoke	102	93	91	125	119	141	123	149
Burns and overcome by gas or smoke	12	7	8	3	12	5	9	7
All types of casualty	343	299	322	328	361	328	413	401
Of which:								
precautionary check up	64	77	71	93	97	54	141	104
Multiple occupancy dwelling								
Overcome by gas or smoke	35	57	64	79	71	71	58	118
Burns and overcome by gas or smoke	1	3	0	5	1	3	8	2
All types of casualty	127	142	131	165	152	172	189	203
Of which:								
precautionary check up	35	31	32	33	40	59	78	51
Other or unspecified dwellings								
Overcome by gas or smoke	2	0	5	2	2	4	2	1
Burns and overcome by gas or smoke	0	0	0	2	0	0	0	0
All types of casualty	5	5	13	8	9	10	6	3
Of which:								
precautionary check up	2	0	0	0	3	2	1	0

Table 2: Non fatal casualties from fires in dwellings by type of dwelling and nature of injury, Wales, 1988 to 1995

Nature of injury	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*[1]1994*	*[1]1995*
All types of dwelling								
Overcome by gas or smoke	139	150	160	206	192	216	183	268
Burns and overcome by gas or smoke	13	10	8	10	13	8	17	9
All types of casualty	475	446	466	501	522	510	608	607
Of which:								
precautionary check up	101	108	103	126	140	115	220	155

[1] Including additional late call and heat and smoke damage incidents (not recorded prior to 1994).

PRIME MINISTER

Overseas Travel

Mr. Malcolm Bruce: To ask the Prime Minister if he will list each of the overseas trips made by himself and other members of his ministerial team since 2 May, specifying in each case *(a)* the participating Minister or Ministers, *(b)* the destination of the trip, *(c)* the purpose of the trip and *(d)* the cost of the trip; and if he will make a statement. [15276]

The Prime Minister *[holding answer 11 November 1997]:* The overseas visits I have made since 2 May are listed below. The costs given represent the costs brought to account to date and may not be the final cost to my office of the visit.

Destination	*Purpose*	*Cost to Date £*
Noordwijk[1]	Special European Council	—
Paris	NATO/Russia Summit	10,557
Bonn/Malmo	German bilateral/European Socialist Meeting	22,115
Paris	Bilateral with M. Chirac	3,482
Amsterdam	European Council	28,482
Denver	G7/8 Economic Summit	61,687
New York	UN Special Session on the Environment	86,581
Hong Kong	Handover	16,743
Madrid	NATO Summit	23,010
Moscow[1]	Bilateral with President Yeltsin	—
Luxembourg/Strasbourg[1]	Special European Council	—

[1] Bills not in yet.

E-mail

Mr. Jenkin: To ask the Prime Minister, pursuant to the answer of 10 November from the Chancellor of the Duchy of Lancaster, *Official Report*, column *441*, if he will make it the Government's policy to ensure that e-mail addresses for all Ministers are available to all hon. and right hon. Members. [15845]

The Prime Minister *[holding answer 13 November 1997]:* E-mail can be an effective additional way of communicating between Ministers, officials and the public.

It is up to individual Ministers to decide whether to establish and publish e-mail addresses.

My right hon. Friend the Chancellor of the Duchy of Lancaster is willing to provide a central list of e-mail addresses along the lines indicated in his reply of 10 November, Official Report, column *441*.

Tobacco Sponsorship

Mr. Garnier: To ask the Prime Minister if he will place in the Library a copy of the minutes of his meeting with Mr. Bernie Ecclestone held on 16 October. [16319]

Mr. Maples: To ask the Prime Minister if he will publish the minutes of the meeting he held with Mr. Ecclestone and Mr. Mosley on 16 October; which ministers were present; and where it took place. [16740]

The Prime Minister: Because of the level of public interest in this matter, and as an exception to the normal practice, I have released the notes of the meeting which I held with Mr. Ecclestone and Mr. Mosley on 16 October at 10 Downing Street. A copy has been placed in the Library of the House.

Mr. Maples: To ask the Prime Minister (1) when he informed the Secretary of State for Health of his decision to exempt Formula 1 from the proposed ban on tobacco sponsorship; and by what means he notified him of the decision; [16744]

(2) when the decision was made to exempt Formula 1 from the proposed ban on tobacco sponsorship; and what factors led him to conclude that there was an appearance of conflict of interest between the donation the Labour Party received from Mr. Ecclestone and the decision to exempt Formula 1 from the ban on tobacco sponsorship; [16737]

(3) what criteria he used in making his decision to refer the donation from Mr. Eccelstone to Sir Patrick Neill. [16743]

The Prime Minister: I refer the hon. Member to the oral answer I gave in the House on 12 November, *Official Report*, columns 898–99.

Mr. Maples: To ask the Prime Minister what criteria he used when deciding to meet representatives from sporting organisations affected by the proposed ban on tobacco sponsorship. [16742]

The Prime Minister: I refer the hon. Member to the oral answer I gave in the House on 12 November, *Official Report*, column 900.

Mr. Maples: To ask the Prime Minister if he will list those sports where representatives met Ministers to discuss the impact of a ban on tobacco sponsorship on their sports, indicating the date of appointment, and the names of those he saw and the organisations they represent. [16753]

The Prime Minister: On 24 June, the Minister for Sport met Maurice Lindsay of the Rugby Football League, Richard Little of the England and Wales Cricket Board, Jonathan Ashman of the RAC Motorsports Association and Martyn Blake of the World Professional Billiards and Snooker Association.

In addition, the Minister for Sport was present when the Minister for Public Health met Max Mosley of the Federation Internationale de L'Automobile on 23 September.

Mr. Maples: To ask the Prime Minister what factors he took into account when deciding to publish the letter that was sent at his request to Sir Patrick Neill on 4 November and his subsequent reply. [16738]

The Prime Minister: The decision to publish the letter was taken by the author, the General Secretary of the Labour Party, with my agreement. The main factor I took into account in giving my agreement was transparency.

Mr. Tyrie: To ask the Prime Minister how many meetings his Chief of Staff has attended with Mr. Bernard Ecclestone since his appointment; and if he will give their dates. [16851]

The Prime Minister: One. On 16 October he attended my meeting with Mr. Ecclestone together with a Private Secretary.

Cabinet Business

Mr. Gordon Prentice: To ask the Prime Minister what criteria he uses to determine which Government policies are referred to full Cabinet for discussion and decision. [16681]

The Prime Minister: Paragraph 3 of the Ministerial Code, copies of which are available in the Library, states:

"Cabinet and Ministerial Committee business consists, in the main, of:

(a) questions which significantly engage the collective responsibility of the Government, because they raise major issues of policy or because they are of critical importance to the public;

(b) questions on which there is an unresolved argument between Departments."

Only where matters cannot be satisfactorily resolved elsewhere need they be referred to the full Cabinet.

Political Donations

Mr. Gummer: To ask the Prime Minister if he will make it one of his recommendations to the Neill Committee that political parties which have received substantial donations from animal rights organisations return such donations, together with an appropriate amount in interest. [16636]

The Prime Minister: No.

Mr. Maples: To ask the Prime Minister what criteria he uses to determine whether potential conflicts of interest exist between Government policy decisions and political donations from companies subsequently affected. [16739]

The Prime Minister: General advice on the avoidance of potential conflicts of interest between a Minister's private interests and his or her official duties is set out in the Ministerial Code, a copy of which was placed in the Library in July. I have also asked the Committee on Standards in Public Life to review and make recommendations on the complex issues relating to Party funding.

Anglo-French Summit

Mr. Hancock: To ask the Prime Minister what factors were taken into account in the decision to use Canary Wharf rather than buildings in public ownership to host the recent Anglo-French summit. [16752]

The Prime Minister: The Canary Wharf Tower was chosen to reflect the modern and forward-looking partnership between Britain and France. The setting provided opportunities for the Government to work with the private sector in promoting an area of London of growing importance, and contemporary British design.

Miss McIntosh: To ask the Prime Minister what account was taken of the public contract for tendering provisions of the European Union in awarding the contracts for furnishing and decorating the Canary Wharf venue for the Anglo-French summit. [16581]

The Prime Minister *[holding answer 19 November 1997]:* We were not required to take account of European Union tendering provisions since Government expenditure was below the threshold.

Chequers

Mr. Flynn: To ask the Prime Minister how many days he has spent in residence at Chequers since 1 May. [16116]

The Prime Minister *[holding answer 18 November 1997]:* I refer my hon. Friend to the answer of 30 October, *Official Report*, column *858*.

Mr. Flynn: To ask the Prime Minister if he will list the *(a)* names, *(b)* dates of appointment and *(c)* appointing body of the independent trustees of Chequers. [16115]

The Prime Minister *[holding answer 18 November 1997]:* In accordance with the Chequers Estate Act 1958 the trustees are:

The Lord Privy Seal, the right hon. the Lord Richard QC (Chairman, ex-officio);

The right hon. the Lord Camoys DL, appointee of the Secretary of State for the Environment, Transport and the Regions (appointed 1 November 1991);

Sir Henry Aubrey-Fletcher, appointee of the Prime Minister (appointed 13 June 1997);

Ms J. C. Lomas, public Trustee ex-officio;

Mr. Charles Nunneley, Chairman of the National Trust ex-officio.

Xenotransplantation

Mr. Baker: To ask the Prime Minister if he will list the departmental responsibilities in respect of xenotransplantation. [16457]

The Prime Minister *[holding answer 19 November 1997]:* The United Kingdom Health Departments are responsible for regulating the development of xenotransplantation as a medical procedure. The United Kingdom Xenotransplantation Interim Regulatory Authority (UKXIRA) was established in January 1997 to advise my right hon. Friends the Secretaries of State responsible for the UK Health Departments, on the safety and efficacy and any other pre-conditions for xenotransplantation for human use and the acceptability of any specific applications to proceed with xenotransplantation in humans. The UKXIRA also provides a focal point on xenotransplantation issues across Government. All the Departments concerned have regular contact on specific issues and meet occasionally in an Inter-departmental Group on Xenotransplantation.

Other Departments with specific interests in aspects of the development of xenotransplantation include:-

the Home Office, with regard to its responsibilities for the use of animals under the Animals (Scientific Procedures) Act 1986;

the Department of the Environment, Transport and the Regions and the Health and Safety Executive in relation to legislation controlling Genetically Modified Organisms in respect of Human Health and safety and environmental protection;

the Ministry of Agriculture, Fisheries and Food in relation to any potential use of animals, bred in the development of xenotransplantation, within the food chain, the welfare of farm animals and the importation of animals or animal tissue;

the Department of Trade and Industry in relation to the sponsorship of the industrial exploitation of biotechnology and, through the Science Budget, underpinning basic and strategic research in the fields of biomedical sciences.

Prime Minister's Diary

Mr. Tyrie: To ask the Prime Minister if his Chief of Staff has overall responsibility for keeping the Prime Minister's diary. [16852]

The Prime Minister: The Diary Secretary has responsibility for keeping the Prime Minister's diary.

NORTHERN IRELAND

Myalgic Encephalomyelitis

Mr, John D. Taylor: To ask the Secretary of State for Northern Ireland what is the estimated number of ME sufferers in Northern Ireland; if he will assess the advantage of providing a clinic to diagnose and manage ME: if she will examine best practice elsewhere in the United Kingdom; and if she will make a statement. [15914]

Mr. Worthington: Information is not collected centrally on the numbers of patients presenting with ME. Data are collected on finished consultant episodes in Northern Ireland hospitals. In 1996–97, the latest year for which information is provisionally available, there were 29 finished consultant episodes with a diagnosis of "postviral fatigue syndrome". In 11 of these cases, "postviral fatigue syndrome" was the primary diagnosis.

The report of the Royal Colleges of Physicians, Psychiatrists and General Practitioners produced in 1996 concluded that most patients with ME should be managed in primary care and that the needs of those patients who do require specialist care could be addressed through a reconfiguration of general hospital services. I have asked Health and Social Services Boards for their views as to how services for people with ME and other similar conditions could be improved.

Union Flag

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland at whose request the Union flag was flown at the headquarters of the Southern Area Health Board at Tower Hill, Armagh City on 9 November; and if she will make a statement. [15913]

Mr. Worthington: A letter was sent to all Health and Social Services Boards on 1 May 1997 advising them of the days in 1997 on which the Union flag should be flown on Central Government Buildings. There is, however no requirement for the Boards to fly the Union flag on these dates. It is at the discretion of each organisation whether the flag should be flown on those buildings occupied by their staff.

The Union flag was not flown at the Southern Health and Social Services Board, Tower Hill, Armagh on 9 November 1997.

Street Lighting (Millisle)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what plans she has to erect street lights along the Novella Road and the Moss Road in Millisle, Co. Down. [16038]

Mr. Paul Murphy: Responsibility for the subject in question has been delegated to the Roads Service under its chief executive, Mr. W. McCoubrey. I have asked him to arrange for a reply to be given.

Letter from G. P. Fraser to Mr. John D. Taylor, dated 18 November 1997:

The Secretary of State has asked the Chief Executive to respond to your recently tabled Parliamentary Question about what plans there are to erect street lighting along Novella Road and Moss Road, Millisle, County Down. In Mr. McCoubrey's absence I am replying.

First, I assume that your reference to Novella Road should be Movilla Road, Newtonards. The latter is linked to Moss Road, Millisle, by the Ballyblack Road East. Street lighting is already provided on those parts of Movilla Road and Moss Road which are within the urban boundaries of Newtonwards and Millisle. The remaining unlighted sections of both roads are mainly rural in character.

Roads Service's criteria for the provision of street lighting on rural roads are based on housing density, general traffic conditions and road safety. The sections of road in question do not meet this criteria given that they have only sporadic roadside development and a good accident record. In the circumstances we have no plans to extend the street lighting along these roads.

I am sorry I cannot be more helpful on this occasion.

Prisoner Transfers

Mr. Ancram: To ask the Secretary of State for Northern Ireland what communications there were between the Minister of State, Northern Ireland Office and *(a)* the Minister of State, Scottish Office, *(b)* his officials and *(c)* the Scottish Prison Service about the application for transfer of Jason Campbell from HM Prison Shotts to the Maze Prison in Northern Ireland; and what were the dates of such communications. [16218]

Mr. Ingram *[holding answer 17 November 1997]:* On 25 September I received confirmation from my officials that Jason Campbell had applied for transfer to Northern Ireland.

There were no communications between myself and the Minister of State at the Scottish Office nor between myself and the Scottish Prison Service.

AGRICULTURE, FISHERIES AND FOOD

Forestry Commission Land

Mr. Bennett: To ask the Minister of Agriculture, Fisheries and Food, what discussions the Minister of Agriculture, Fisheries and Food had with the Forestry Commission about its decision to start selling Forestry Commission land in England and Wales again; what steps are being taken to ensure public access to such land; and how much land he expects to be sold in the current financial year. [14693]

Mr. Morley *[holding answer 6 November 1997]:* There are no Commission forests being offered for sale in England. A moratorium on the sale of Forestry Commission forests was imposed immediately after the election. It is still in place. The Commission is, however, completing those sales which were agreed before the election. Wherever possible, the Commission offers to enter into access agreements with local authorities for every area of forest land that it sells. These agreements ensure that public access is protected in perpetuity.

E-mail

Mr. Jenkin: To ask the Minister of Agriculture, Fisheries and Food pursuant to the Answer of 10 November from the Chancellor of the Duchy of Lancaster, *Official Report*, column *441*, if he will list the e-mail addresses of *(a)* Ministers, *(b)* senior officials and *(c)* chief executives of agencies for which he is responsible. [15873]

Mr. Morley *[holding answer 13 November 1997]:* The information requested is being placed in the Library.

Beef Imports

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food what amount of beef is currently imported into the United Kingdom; from which countries; and what proposals he has to review those countries permitted to export beef to the United Kingdom. [15948]

Mr. Rooker: The information requested for the period September 1996 to August 1997 is set out in the table. All fresh meat imported into the UK, whether from other Member States or third countries, must have been produced in accordance with harmonised Community rules laid down in Council Directive 64/433/EEC and must comply with Community legislation governing imports into the European Union. In addition, national legislation prohibits the sale for human consumption of all bovine meat derived from bovines which, at the time of slaughter were more than 30 months old, other than those born, reared and slaughtered in the following third countries:

Argentina
Australia
Botswana
Brazil
Mauritius
Namibia
New Zealand
Paraguay
Poland
South Africa
Swaziland
Uruguay
USA
Zimbabwe.

National and Community legislation governing beef imports is kept under constant review.

UK imports of beef September 1996 to August 1997

Country	*Tonnes*
Imports of bovine carcase meat	
Irish Republic	51,979
Netherlands	15,567
Uruguay	11,598
Argentina	9,130
Australia	8,034
Germany	7,457
Botswana	5,698
Zimbabwe	5,060
Namibia	4,792
New Zealand	4,517
France	4,471
Brazil	3,577
Belgium-Luxembourg	1,630
U.S.A.	1,520
Spain	1,080
Denmark	688
Other	1,069
Total	137,866
Imports of bovine offal	
Irish Republic	4,460
Netherlands	1,822
France	1,563
Germany	894
New Zealand	522
Australia	481
Other	1,224
Total	10,966
Imports of meat and offal of bovine animals, prepared and preserved	
Brazil	34,044
Argentina	14,697
Irish Republic	14,225
Uruguay	4,715
Mauritius	3,262

UK imports of beef September 1996 to August 1997

Country	*Tonnes*
Zimbabwe	2,316
Botswana	554
Netherlands	452
Other	1,362
Total	75,628
Total beef imported	224,459

Source:
Business and Trade Statistics Ltd.
Data prepared by Stats (C and F) C, ESG.
All data are provisional and subject to amendment.
The above data include an estimate of below threshold trade, but excludes an estimate for non-response.

Dairy Farmers

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food in which EU member states dairy farmers in the less-favoured areas receive help under the terms of EC Directive 75/268/EEC. [16345]

Dr. John Cunningham: A working document produced by the European Commission last year indicated that in 1995 compensatory allowances were payable in all other Member States to farmers in less-favoured areas on limited numbers of dairy cows. No more recent information is available.

Bovine Tuberculosis

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what research his Department has *(a)* evaluated and *(b)* commissioned on the relationship between stocking density and the incidence of tuberculosis in cattle; and if he will make a statement. [16338]

Mr. Rooker: No research has been commissioned specifically to study the relationship between stocking density and the incidence of tuberculosis in cattle. However, several studies have examined the behaviour of cattle in herds. For example, as cattle numbers increase, cattle do not avoid grass contaminated by badger faeces as much as usual. Professor Krebs's Committee has examined current research on bovine tuberculosis and is expected to report shortly.

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what research his Department has *(a)* evaluated and *(b)* commissioned on the levels and types of soil bacteria found in (i) organic agriculture and (ii) conventional agriculture; and what assessment he has made of the implications of that research for the eradication of tuberculosis in cattle. [16341]

Mr. Rooker: No MAFF-funded research has been commissioned to study levels and types of soil bacteria found in either organic or conventional agriculture in the context of tuberculosis in cattle. However, some research has been carried out on the survival times of bovine TB in soil under experimental conditions. Further work has been carried out in the south west of England on the effect of farming practices on environmental mycobacteria. It has been suggested that these mycobacteria can prime the immune response in animals and humans, and may alter their response to subsequent infection and pathogens. Professor Krebs's Committee has examined current research on bovine tuberculosis and is expected to report shortly.

BSE

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what data he has collated concerning the existence of BSE in the United States cattle herd; and if he will make a statement. [16683]

Mr. Rooker: No cases of BSE in cattle have been reported by the USA authorities to the Office International des Epizooties (OIE). The USA has carried out detailed risk assessments which have been made available to us. It has traced, investigated and destroyed cattle imported from the UK and initiated surveillance for BSE in cattle presented for slaughter, concentrating particularly on adult animals with neurological symptoms.

The demography of the USA cattle and sheep populations, the regional nature of its distribution of rendered protein and its low incidence of scrapie suggest that the risk from BSE in the USA is low. Nevertheless, the presence of three transmissible spongiform encephalopathies, namely scrapie in sheep, CWD (Chronic Wasting Disease) in elk and mule-deer and more rarely TME (Transmissible Mink Encephalopathy), indicate that the risk cannot be zero.

Fishing Vessels

Mr. Waterson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the current operation of the EC-sponsored scheme to reduce the number of United Kingdom fishing vessels. [16505]

Mr. Morley: The Fishing Vessels (Decommissioning) Scheme 1997 has now been approved by Parliament. We are currently assessing the 203 bids made under this Scheme and I expect to announce the results very shortly.

Agriculture Council

Dr. George Turner: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Brussels on 17 to 18 November; and if he will make a statement. [17437]

Dr. John Cunningham: I represented the United Kingdom at a meeting of the European Union Agriculture Council on 17 and 18 November.

The principal task of the Council was to reach conclusions on the proposals to reform the Common Agricultural Policy in the context of the Commission's Agenda 2000 initiative. Discussions on these proposals have gone on in the Council since September. After long negotiations, it was possible to reach agreement on conclusions that met the key requirements which I had identified for the UK. These are, first, that there should be a rapid start to negotiating the necessary legislative changes to agricultural market regimes in order to give effect to CAP reform; second, that there should be recognition of the need for EU agriculture to be sustainable and competitive on domestic and international markets; third, that CAP reform should facilitate EU enlargement and allow the EU to take a positive negotiating stance in the next WTO round; and fourth, that there should be confirmation that the agricultural guideline imposes an absolute ceiling on spending in this sector. The Council confirmed the approach to reform along the lines I have advocated, namely reduced

price-support, compensated through direct aid and complemented by reinforced agri-environmental and rural development measures.

The conclusions finally adopted fully achieved these objectives. They were endorsed by 14 of the 15 member states, Spain being unable to associate itself with the language reconfirming the unchanged nature of the agricultural guideline. The Council's conclusions will be passed to the General Affairs Council and ultimately to Heads of Government for consideration at their meeting in Luxembourg in December.

In my view, this Council marked an important step in the process of reforming the Common Agricultural Policy, which is a key Government objective in the EU. I look forward to beginning the process of detailed negotiation as soon as the Commission's formal proposals are available.

Aside from Agenda 2000, the Council had a detailed report from the Agriculture Commissioner on BSE, in the light of the European Parliament's recent report; and on the need to amend the July decision on specified risk materials in order to provide derogations for the imports of necessary pharmaceutical products. A proposal to this effect is to be made very shortly. I joined my Dutch and German colleagues in putting pressure on the Commission to bring forward proposals as rapidly as possible on battery cages for laying hens.

Cattle Passport Scheme

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food (1) what estimate he received from the National Cattle Database Working Party on the annual running costs of the cattle passport scheme; [17005]

(2) what recommendations he received from the National Cattle Database Working Party on the charge for a cattle passport; and if he will make a statement. [17008]

Dr. John Cunningham: The National Cattle Database Working Party, which is a livestock industry body, submitted a report to MAFF in August 1996 on establishing a cattle tracing database. However, this report did not contain any estimates of costs of the database or the cattle passports scheme, or of the charge for a cattle passport.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what estimates he has made of the annual cost of the cattle passport scheme. [17003]

Dr. John Cunningham: The latest estimate for Great Britain for 1997–98 is in the region of £7.2 million. This is an estimate of the cost of the current cattle passport scheme, and not of the new computerised cattle tracing system including cattle passports, which will be introduced in 1998.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what calculations were involved in determining the charge level for cattle passports; and if the charge includes a contribution to the scheme's annual running costs. [17007]

Dr. John Cunningham: There will be a charge for cattle passports once a computerised cattle tracing system has been introduced in Great Britain. The charge level has not yet been determined, but is expected to be in the range £5 to £10 per animal.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what is the cost to public funds of producing each cattle identification document; and how many were issued in the last year for which figures are available. [17004]

Dr. John Cunningham: Cattle Identification Documents (CIDs) are issued only in respect of male cattle; cattle passports have been a requirement for all cattle born after 1 July 1996. As they form an integral part of the Beef Special Premium Scheme, it is not an easy matter to identify separately the costs relating to CIDs. However, taking account of relevant development, capital, maintenance and staff expenditure, our best estimate is that each one issued to date by the Department has cost in the region of £1.88. A total of 1,034,552 were issued in England in 1996.

Arable Area Payments Scheme

Mr. Tipping: To ask the Minister of Agriculture, Fisheries and Food how many agricultural holdings and what area of agricultural land in hectares came within the arable area payments scheme in each county in England in 1996. [16717]

Mr. Morley: The table gives the county breakdown of claims under the arable area payments scheme in 1996. A single claim may cover more than one holding where the holdings form part of one business.

	1996	
	Number of claims	*Area paid hectares*
Avon	400	16,924
Bedfordshire	586	65,541
Berkshire	265	38,622
Buckinghamshire	643	57,781
Cambridgeshire	2,125	201,178
Cheshire	929	27,190
Cleveland	213	15,821
Cornwall	1,728	42,256
Cumbria	931	16,904
Derbyshire	786	33,717
Devonshire	2,662	69,725
Dorset	704	61,439
Durham	657	43,695
Essex	1,500	189,560
Gloucestershire	979	86,881
Greater London	65	4,498
Greater Manchester	141	5,375
Hampshire	785	115,480
Hereford and Worcester	1,984	99,882
Hertfordshire	479	71,112
Humberside	2,065	203,542
Isle of Wight	131	9,679
Kent	1,051	116,613
Lancashire	458	18,565
Leicestershire	1,091	99,453
Lincolnshire	3,352	347,816
Merseyside	173	9,570
Norfolk	2,866	232,675
Northamptonshire	896	115,632
Northumberland	816	91,279
Nottinghamshire	1,000	93,470
Oxfordshire	922	124,250
Shropshire	1,579	86,578
Somerset	1,230	50,876
Staffordshire	827	49,507
Suffolk	2,082	194,348
Surrey	205	14,968
East Sussex	447	31,691
West Sussex	493	48,396

	1996	
	Number of claims	Area paid hectares
Tyne and Wear	110	9,192
Warwickshire	879	82,000
West Midlands	94	5,812
Wiltshire	1,012	122,665
North Yorkshire	3,132	214,249
South Yorkshire	526	43,344
West Yorkshire	384	23,990

Amsterdam Treaty

Mr. Streeter: To ask the Minister of Agriculture, Fisheries and Food if he will list the impact on United Kingdom fishermen of the proposals contained in the Amsterdam Summit. [16948]

Mr. Morley: I refer the hon. Member to the statement made to the House by my right hon. Friend the Minister of Agriculture, Fisheries and Food on 18 June 1997, *Official Report,* columns 331–44.

Mr. Streeter: To ask the Minister of Agriculture, Fisheries and Food what will be the impact of the implementation of the Amsterdam Treaty on the live export of cattle from the United Kingdom to the European continent. [16949]

Mr. Morley: In general the European Union does not recognise animal movements from one Member State to another as in any way distinct from the generality of animal movements on EU territory, although, because of BSE, there is currently a ban on exports of live cattle to the continent. The Treaty protocol agreed at Amsterdam will not change this. However, it will mean that the EU will have to pay full regard to animal welfare in further developing the controls which it applies to the transportation of animals.

INTERNATIONAL DEVELOPMENT

Greenhouse Gas Emissions

Mr. Stunell: To ask the Secretary of State for International Development if she will list *(a)* her Department's policies and initiatives designed to reduce carbon dioxide emissions and *(b)* the departmental policies and initiatives designed to reduce other greenhouse gases; if she will estimate for each the annual reduction in tonnage of greenhouse gas emissions achieved in the most recent year for which figures are available compared to those for 1990; and what estimate she has made of further reductions, or increases, predicted for 2000 and 2010, assuming continuation of current policies. [15538]

Mr. Foulkes: I refer the hon. Member to the United Kingdom's Second Report under the UN Framework Convention on Climate Change which was published in February 1997. It reports the UK's progress in implementing its programme for reducing greenhouse gas emissions and gives a projection of what the programme is expected to deliver by 2000. The report projects forward to 2020 what the current programme is expected to achieve.

As regards developing country issues, our policy is to limit the growth of greenhouse gas emissions from developing countries through the conventions energy efficiency programme which encourages these countries to play an effective role in controlling emissions while continuing their economic development. Through this we have committed over £311 million since 1992 on projects which improve the efficient use of energy resources, encourage the use of renewable sources of energy and conduct research into climate-friendly technologies. We have also committed over £130 million to the Global Environment Facility which is the financial mechanism of the UN Framework Convention on Climate Change. We are prepared to make a substantial further contribution to the GEF at its current replenishment negotiations. Some 40 per cent. of these resources are allocated to climate change projects in developing countries and economies in transition. Data that quantify the effect of the above in terms of tonnes of greenhouse gases are unavailable.

Commonwealth Development Corporation

Dr. Starkey: To ask the Secretary of State for International Development what proposals she has to change the 1997–98 External Financing Limit for the Commonwealth Development Corporation. [17521]

Clare Short: The External Financing Limit for CDC for 1997–98 will be increased by £2,300,000 from minus £40,000,000 to minus £37,700,000. The change allows for the take-up of an entitlement under end year flexibility arrangements. The increase will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

TRADE AND INDUSTRY

Competitiveness

16. **Barbara Follett:** To ask the President of the Board of Trade what plans she has for enhancing the competitiveness of British business. [15406]

Mr. Nigel Griffiths: My right hon. Friend the President of the Board of Trade is pushing forward her Competitiveness UK initiative. On 11 November, she published "A Benchmark for Business", an examination of our competitiveness at both national and sectoral level.

The President also announced the creation of six industry-based Working Parties to advise her on how business and Government can improve UK performance. The work of these groups and of the President's Advisory Group on Competitiveness will lead to a Competitiveness White Paper next year.

35. **Mr. Brady:** To ask the President of the Board of Trade when she last met representatives of small and medium British businesses to discuss competitiveness. [15427]

Mrs. Roche: DTI policies for all companies are being developed in close dialogue and consultation with business. Within this, there is a particular focus on the competitiveness of small and medium enterprises. SMEs are therefore represented on the president's Advisory

Group on Competitiveness and will be an important component in the Competitiveness Working Parties now being established. More specifically, Ministers and officials in this department regularly meet a variety of small firms' representatives to discuss a wide range of issues of concern to this important sector.

Low Pay Commission

17. **Mr. Pond:** To ask the President of the Board of Trade what representations she has received on the work of the Low Pay Commission; and if she will make a statement. [15407]

Mr. Ian McCartney: I refer my hon. Friend to the reply I gave earlier to the right hon. Member for South-West Surrey (Mrs. Bottomley).

Agricultural Development Councils

19. **Mr. Gray:** To ask the President of the Board of Trade what role she is playing in the examination of agricultural development councils. [15409]

Mr. Battle: My Department is reviewing its administration of section 508 of the Income and Corporation Taxes Act 1988, under which the Secretary of State may approve "research Associations" (a term which has been taken in the past to include certain Agricultural Development Councils) for tax exemption purposes.

Scientific Research

20. **Dr. Cable:** To ask the President of the Board of Trade what steps the Government are taking to increase research and development investment in independent scientific research organisations. [15410]

Mr. Battle: My Department is prepared to consider projects from any source provided it is driven by an industry demand. We are well aware of the important role that research organisations can and do play in developing and transferring technology to improve the competitiveness of UK industry, particularly SMEs. Our support for the exciting new TWI/BT concept, JOIN-IT, to deliver technical advice to SMEs via the Internet is an example of how we are prepared to support these organisations to develop novel technology which will benefit UK industry.

Inward Investment

21. **Mr. Baldry:** To ask the President of the Board of Trade if she will make a statement on the provisions of the concordat between Departments on inward investment. [15411]

Mr. Ian McCartney: Both the Scotland and Wales White Papers on Devolution indicated that there would be a concordat on financial assistance. We are currently preparing a concordat between England, Scotland, Wales and Northern Ireland to ensure that financial assistance to industry remains within common UK guidelines and consultation arrangements. It will address the concern that public money should not be used to finance competition between different parts of the country.

25. **Mr. Evans:** To ask the President of the Board of Trade what action she is taking to win fresh inward investment into the United Kingdom. [15417]

Mr. Ian McCartney: My Department's Invest in Britain Bureau will continue to promote the attractions of the UK for mobile international investment to consolidate our position as the number one location in Europe for inward investment. We have an enviable record and the Government are determined to maintain this in the face of increased competition from our European partners. We will pay particular attention to developing our skills base as well as consolidating the other attractions of the UK as an investment location.

Business Support Services

22. **Ms Kingham:** To ask the President of the Board of Trade what actions she is taking to improve her Department's business support services. [15413]

28. **Mr. Pickthall:** To ask the President of the Board of Trade what action her Department is taking to improve business support services. [15420]

Mr. Nigel Griffiths: Since the election, we have taken a number of initiatives to improve the Department's business support services—including, for example, the Export Forum and the announcement of a new Vision for the development of Business Links. We have also just launched the Enterprise Zone on the Internet, to help SMEs find their way to sound sources of business information.

Business support is a key function of this Department, and so forms a major focus of DTI's Comprehensive Spending Review.

Minors (Illegal Sales)

23. **Helen Jones:** To ask the President of the Board of Trade what plans she has to increase the powers of Trading Standards Officers to prevent illegal sales to minors. [15415]

Mr. Nigel Griffiths: The only specific requirements governing sales to minors for which my Department is responsible relate to fireworks and to consumer credit agreements. In addition, Trading Standards Officers have powers under the General Product Safety Regulations 1994 to deal with consumer products which fail to take proper account of the safety needs of their intended users, in particular products intended for use by children.

I am confident that TSOs have the powers necessary to enforce these provisions.

Duty Free Purchases

24. **Mrs. Ewing:** To ask the President of the Board of Trade what discussions she has held with the Scotch Whisky Association about the impact on the industry of the abolition of EU duty free purchases in 1999. [15416]

Mrs. Roche: The abolition of EU duty free purchases is primarily a matter for the Chancellor. However, DTI officials meet regularly with the Association to discuss a wide range of matters.

Scotland (Departmental Responsibilities)

26. **Mr. Canavan:** To ask the President of the Board of Trade if she will make a statement on the responsibilities of her Department within Scotland. [15418]

Mr. Ian McCartney: My Department is responsible for promoting competitiveness in the UK as a whole. This is complemented by The Scottish Office which directly and through sponsored bodies has responsibility for promotion and support of a strong Scottish economy within the UK framework.

Research and Development

27. **Mr. Clifton-Brown:** To ask the President of the Board of Trade what initiatives she plans to introduce to promote British research and development. [15419]

Mr. Battle: We attach the greatest importance to the health and vigour of the national research and development effort, in both the public and private sectors, as an essential component of an innovative modern economy. We are reviewing the totality of our policies and expenditure plans as part of the Comprehensive Spending Review but we have already introduced the following measures to strengthen UK research and development—a Ministerial Foresight Group to co-ordinate Foresight activities across Whitehall; Foresight LINK Awards to support collaborative projects in Foresight priority areas; the Foresight Vehicle LINK programme to develop the technologies and components for the car of the future; and the President's Partnership Prize, to be awarded each year to the academic department which has made the most contribution to help sustain a healthy economy.

Aerospace Industry

29. **Mr. Gordon Prentice:** To ask the President of the Board of Trade what recent initiatives she has taken to promote the aerospace industry. [15421]

Mr. Battle: My ministerial colleagues and I, and my officials, maintain a close dialogue with the UK aerospace industry. This involves domestic and overseas activity in both civil aerospace, such as work on the future of the Airbus Consortium, and the military field, where we are involved in the Ministry of Defence's Strategic Defence Review and in considering the industrial implications of major defence procurements. We promote export sales of Airbus aircraft, UK aircraft and engines throughout the world. On 13 November, I announced a long-term investment of Rolls-Royce's new range of Trent engines.

33. **Mr. Borrow:** To ask the President of the Board of Trade if she will make a statement about the role of her Department in respect of the British presidency of the European Union in 1998 in relation to the aerospace industry. [15425]

Mr. Battle: As with other industries, my Department will continue to work with aerospace companies and colleagues elsewhere in Government to encourage the improvement of European competitiveness. Working towards this end, in partnership with business, offers the best prospect of developing industry and raising employment levels in the EU.

My right hon. Friend the Prime Minister made it clear after his summit meeting with President Chirac and Prime Minister Jospin two weeks ago that he regards restructuring of the aerospace and defence industry as a matter of importance. My ministerial colleagues and I will be taking forward work on this as a high priority over the coming months.

Scottish Powercards

30. **Mr. Home Robertson:** To ask the President of the Board of Trade what representations she has received about the withdrawal of Scottish Powercards from post offices. [15422]

Mr. Ian McCartney: Ministers in the Department of Trade and Industry have received nine representations, of which six were from Members of Parliament, about the decision of Scottish Power not to renew its contract with Post Office Counters Ltd. for the sale of powercards through post offices.

Amsterdam Treaty (Social Provisions)

31. **Mr. Robathan:** To ask the President of the Board of Trade what representations she has received about the effects on trade and industry of the social provisions contained in the Amsterdam treaty. [15423]

Mr. Ian McCartney: My colleagues and I have received a number of representations expressing a range of views about the social provisions of the Treaty of Amsterdam. We have made it clear that the Government will use their influence to ensure that the social provisions of the Treaty are used to promote employability, flexibility and competitiveness.

Competition

32. **Miss Melanie Johnson:** To ask the President of the Board of Trade what measures her Department is taking to promote competition. [15424]

Mr. Battle: This Government's commitment to competition is demonstrated by the introduction of the Competition Bill, a long overdue reform of competition law. The new Competition Bill will introduce two prohibitions which will prove a highly effective deterrent against cartels and abuses of dominance.

Economic and Monetary Unity

34. **Mr. Bradsahw:** To ask the President of the Board of Trade if she will make a statement on the progress of the committee set up to prepare for British entry into EMU. [15426]

Mrs. Roche: In his statement on 27 October, *Official Report,* columns 583-88, my right hon. Friend the Chancellor of the Exchequer announced the establishment of a Standing Committee to oversee and co-ordinate preparations for EMU. Preparation is vital given the implications for the UK of the participation of other Member States in the single currency and for the option of joining in the next Parliament. The Committee's tasks over the next few months will include organising a series of conferences to inform businesses of the need to prepare, assessing the steps needed to help firms trade in euro in 1999, and starting longer-term planning for the option of joining.

Information Technology

36. **Mr. Desmond Turner:** To ask the President of the Board of Trade what plans she has to encourage small businesses to increase their use of information technology facilities. [15428]

Mrs. Roche: Many recent studies have emphasised the crucial importance of new technologies to the competitiveness of smaller firms. Within Government, we have a comprehensive package of programmes to encourage greater awareness and use of information technology, electronics and communication (ITEC) products and services among both business and individuals in the UK. We are pressing ahead with our support for the Information Society Initiative Programme for Business, which places particular emphasis on offering access and awareness opportunities for SMEs at locations throughout the UK, and this month we have launched the Internet Enterprise Zone to give SMEs one-stop access to authoritative business information using the latest technology.

Electrical Retailers

Mr. Llwyd: To ask the President of the Board of Trade if she will make a statement about the meetings she has had and the representations she has received on the Monopolies and Mergers Commission report on electrical retailers. [15393]

Mr. Nigel Griffiths: My right hon. Friend the President of the Board of Trade and I have received a number of representations regarding the Monopolies and Mergers Commission report on domestic electrical goods.

While Ministers have not met those making representations, DTI officials have met industry bodies and representatives of smaller electrical retailers. Therefore, my right hon. Friend and I have a clear picture of the concerns of suppliers and retailers.

Assisted Areas

Mr. Blizzard: To ask the President of the Board of Trade what progress has been made on policy regarding the future designation of assisted area status. [15408]

Mrs. Roche: The Government are still considering whether a Review of the Assisted Areas Map is necessary. I will not be in a position to announce the outcome of this assessment for several months.

Prostitution

Ms Walley: To ask the President of the Board of Trade what assessment she has made of schemes proposing a bar on outgoing calls from telephone boxes to numbers displayed on advertisements for prostitute services; and if she will make a statement. [14040]

Mr. Battle: The Government are very concerned about the problem of prostitutes' advertising cards and support BT in its action unilaterally to bar incoming calls to the BT customers who repeatedly advertise in BT Call boxes. Since February 1997, BT has issued a total of 733 warning letters and has barred incoming calls to 104 lines. In addition, 94 customers ceased renting a BT line during the process.

BT has requested a licence amendment which would allow BT to extend its barring rights to calls from BT's kiosks to any advertised number, regardless of whether it belongs to a BT or a non-BT customer. Oftel will consult on this licence amendment very shortly as part of a more general consultation on Public Call Boxes. Such an amendment should strengthen the impact of BT's present scheme.

Small and Specialist Businesses

Mr. Waterson: To ask the President of the Board of Trade if the Government have sought to establish regular meetings with organisations representing small and specialist businesses; and if she will make a statement. [16495]

Mrs. Roche: Ministers and officials have frequent meetings with a variety of organisations representing small and specialist businesses to discuss a wide range of issues.

Biotechnological Inventions

Mr. Alan Simpson: To ask the President of the Board of Trade what assessment she has made of the extent to which the proposed EU Directive on the Legal Protection or Biotechnological Inventions will enhance competitiveness within the Single European Market. [16527]

Mr. Battle: The purpose of the proposed Directive is to establish a clear legal framework for the protection of biotechnological inventions through national patent law. Although the texts of Members States' patent laws are currently closely aligned with that of the European Patent Convention (an inter-governmental agreement dating from 1978), there have been differences in interpretation between Member states. Although no assessment has been made as to the direct effect this proposed Directive may have on enhancing competitiveness, the clarification arising from it will reduce current uncertainty in this area of law and harmonise EU law.

Mr. Alan Simpson: To ask the President of the Board of Trade what criteria the Government used in selecting participants for its public consultation on the proposed EU Directive on the Legal Protection of Biotechnological Inventions. [16528]

Mr. Battle: Information concerning the Commission's proposal was circulated widely, including by use of the Internet. Those organisations which made their views known to me or my Department have been included in the consultation exercise and, for example, were invited to a meeting, on 17 October, of the Standing Advisory Committee on Industrial Property, a body created to advise Ministers on all aspects of industrial property, and whose membership comprises organisations representing the professions, industry, small businesses, and consumer interests. In addition, other Government departments were invited to contribute further names of those with an interest in this proposal.

Mr. McDonnell: To ask the President of the Board of Trade what steps she has taken to ensure that all Government Departments are aware of the implications of the EU Directive on the Legal Protection of Biotechnological Inventions. [16754]

Mr. Battle: Contact and discussions between Department of Trade and Industry officials and those of other Government departments has been maintained ever since the Commission's proposal for a Directive emerged. I have recently written to Ministerial colleagues to explain the contents and consequences of the Commission's proposal and to seek views.

Dr. Lynne Jones: To ask the President of the Board of Trade what assessment her Department has made of the adequacy of its consultation on the proposed EU Directive on the Legal Protection of Biotechnological Inventions. [16734]

Mr. Battle: The European Commission's proposal for a Directive on the legal protection of biotechnological inventions is substantially consistent with current United Kingdom legislation (the Patents Act 1977). In particular, the proposal does not afford patent rights to anything which is not patentable under current law. It is therefore within the regime envisaged in the proposal that biotechnology has developed during the last 20 years in the United Kingdom. The European Commission has sought to harmonise patent laws in this area since 1988 when an initial proposal for a Directive emerged. Since enactment of current legislation in the UK and publication of the Commission's initial proposal, interest has grown and to date some 150 organisations are taking part in a consultation exercise. Such organisations include those concerned with the environment, health and patient care, industry, the professions, consumer interests, animal welfare and religious groups.

Mr. Livingstone: To ask the President of the Board of Trade what criteria determined which participants were invited to a consultation on the proposed EU Directive on the Legal Protection of Biotechnological Inventions. [16735]

Mr. Battle: Information concerning the Commission's proposal was circulated widely, including by use of the Internet. Those organisations which made their views known to me or my Department have been included in the consultation exercise and, for example, were invited to a meeting, on 17 October of the Standing Advisory Committee on Industrial Property, a body created to advise Ministers on all aspects of industrial property, and whose membership comprises organisations representing the professions, industry, small businesses, and consumer interests. In addition, other Government Departments were invited to contribute further names of those with an interest in this proposal.

European Space Agency

Mrs. Gillan: To ask the President of the Board of Trade if she will list the progress on discussions with the United Kingdom space industries and users in preparation for the ESA Ministerial Meeting in July 1998. [16214]

Mr. Battle *[holding answer 17 November 1997]:* The European Space Agency has just initiated preparations for its next Ministerial meeting, at present planned for 23–24 June 1998. BNSC is already discussing the issues with partner departments, industry and other users. We plan to develop the UK position on a basis of wide consultation.

Mrs. Gillan: To ask the President of the Board of Trade if she will publish an update of the United Kingdom space plan before the ESA Ministerial Council in July 1998. [16215]

Mr. Battle *[holding answer 17 November 1997]:* The British National Space Centre is preparing the draft of a new UK Space Plan. I expect to bring this forward for discussion in the New Year. We shall reflect the results of discussion in both the finalised Plan and in our preparations for the ESA Ministerial Council.

Surveillance and Listening Equipment

Mr. Baker: To ask the President of the Board of Trade if she will estimate the annual turnover of British companies derived from the manufacture and supply of covert surveillance and listening equipment. [15680]

Mr. Battle *[holding answer 17 November 1997]:* The information is not available. It is not possible to extract information from official statistics on UK manufacturers' sales of covert surveillance and listening equipment, as the PRODCOM system of collecting sales data does not include separate headings for these products. A number of Trade Associations represent firms which manufacture, install and service security products. However, although the Department has commissioned the collection of data on manufacturers of security products, which included closed circuit television equipment, a similar study has never been undertaken in respect of manufacturers of covert surveillance and listening equipment. To approach all the firms involved would incur considerable cost.

Ferry Services (Merger)

Mr. Baker: To ask the President of the Board of Trade when she expects to make an announcement on the proposed merger of Stena and P&O. [16451]

Mrs. Beckett *[holding answer 17 November 1997]:* I published the report yesterday, and copies have been laid before Parliament. As is usual in such cases, I have also issued a press notice announcing my decision, copies of which are available in the Libraries of both Houses.

Manufacturing Industry

Mr. MacShane: To ask the President of the Board of Trade what steps she is taking to strengthen manufacturing industry in the English regions. [15395]

Mr. Battle: Last week the Government published a benchmark of British business performance against overseas competitors. This showed that we have some excellent manufacturing firms, among the very best in the world. But our overall performance on several counts, especially innovation, skills and productivity, remains behind that of other developed countries. We shall now be looking at these areas and identifying ways of raising the performance of manufacturing industry. The Government have, however, done much already to strengthen manufacturing industry in the English regions and address these weaknesses. For example:

We have refocused and relaunched Business Links, to ensure that new and expanding firms receive the support they need.

We have just launched the Enterprise Zone, an internet information service for SMEs.

We have given fresh impetus and direction to the Foresight programme, helping companies to innovate and work in partnership with the science base.

We support a wide range of sectoral programmes to strengthen manufacturing industries.

We are also supporting best practice programmes, delivered through Business Links.

We have strengthened the Teaching Company Scheme, which encourages technology transfer.

We are encouraging new manufacturing industry by promoting the UK as a site for inward investors.

Political Donations

Mr. Gummer: To ask the President of the Board of Trade if she will introduce legislation to ensure that political parties which find it necessary to return donations pay an appropriate rate of interest for the period the donation has been outstanding. [16577]

Mr. George Howarth: I have been asked to reply.

The whole question of party funding will be considered by Sir Patrick Neill's Committee on Standards in Public Life in its review of the funding of political parties.

SOCIAL SECURITY

Child Support Agency

Mr. Flight: To ask the Secretary of State for Social Security if she will review the operation of the Child Support Agency with particular reference to *(a)* the recording of telephone conversations by agency staff, *(b)* the requirement for face-to-face interviews and *(c)* the ways in which the income the parent without care is determined; and if she will make a statement. [14755]

Mr. Keith Bradley: We expect the Child Support Agency to provide an efficient and effective service to all its clients throughout the child support assessment process. We are looking for substantial and sustained operational improvements from the Agency, in particular on getting more maintenance paid, reducing the backlog and improving customer service.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Howard Flight, dated 19 November 1997:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about telephone conversations, interviews and the income of parents without care (normally known as absent parents) dealt with by the Child Support Agency.

It may be helpful to outline the current situation with regard to telephone conversations and face to face interviews. When contact is made via the telephone, Agency staff are instructed to make a note of the relevant parts of the discussion. This can be done in one of two ways, either by recording details on the Child Support Computer System or by making a clerical note. Feedback from customers has made it clear that the majority of our customers prefer to be contacted by telephone. The Agency is currently piloting a scheme called Positive Customer Contact which maximises the use of the telephone to obtain information and to establish closer links with customers. Staff are instructed to maintain a brief but accurate record of the important elements of the conversation, namely the information which enables a case to be progressed. Details of telephone conversations are not recorded by the Agency in any other way.

The second point you raised concerns face-to-face interviews. Although most contact between the Agency and its customers is by means of written correspondence or via the telephone there is sometimes a need to carry out face-to-face interviews. A customer can also repeat an interview, and where this is the best way to progress a case an interview will be arranged. Such interviews normally take place in DSS local offices.

The third point you raised concerned the calculation of income of the parent who does not have primary care. The income of the absent parent consists of the total income from all sources available to that parent as defined in the Child Support Maintenance Assessments and Special Cases Regulations 1992. This includes earnings from employment or self-employment (less tax, national insurance contributions and 50% of contributions made to an occupation of personal pension scheme); some social security benefits; income from capital; income from boarders or tenants; income from occupational or personal pension schemes; training allowances and student grants (providing the student has some other form of income in addition to the grant). Certain types of income are subject to a partial disregard, for example £10 per week of a War Disablement or War Widows Pension is disregarded.

For an employed parent the average income derived from earnings can be calculated or estimated. The Agency will look at earnings received in a period beginning up to eight weeks before the Agency receives a maintenance application form or issues a maintenance enquiry form and ending with the date the assessment is made. If evidence is incomplete or considered to be unrepresentative of the normal earnings, the Agency will estimate the amount of earnings. Any payments of bonus, commission, or profit related pay are averaged over the year. Payments for expenses are ignored, provided they are necessarily incurred in carrying out the employment.

The calculation of earnings for the self-employed is intended to reflect the flow of cash through the business and the money available to the parent for the payment of child maintenance. The calculation reflects the difference between earnings from the gross receipts and expenses incurred in the running of the business. The assessment period is either a year, the period of self employment if less than a year, or a period that provides a more reliable calculation. However, the parent may provide the latest profit and loss account for a period between 6 and 15 months. Provided that period ends within 24 months of the date the maintenance enquiry form is sent, then earnings will be averaged over the period of the accounts.

A partner's income is calculated in the same way as a parent's. An absent parent's partner has no liability to maintain children from the absent parent's previous relationship, but her income is included in the calculation of disposable income (this is the total income of the household) which is required for consideration of the protected income provisions (this is an amount to ensure that the absent parent's household is left with sufficient disposable income, after paying maintenance, to meet their day to day needs and that of any new family.

We are currently examining all aspects of the work of the Child Support Agency with a view to ensuring that the Agency provides a consistent, fair and efficient service to all its customers.

I hope this is helpful.

Montserratian Evacuees

Ms Abbott: To ask the Secretary of State for Social Security what steps she has taken to ensure that all staff at Arcola Street and Sylvester Road Department of Social Security are aware of *(a)* the current situation in Montserrat and *(b)* her Department's regulations in relation to evacuees from Montserrat, and that evacuees from Montserrat are not experiencing undue delay in the processing of their claims; and if she will make a statement. [15759]

Mr. Keith Bradley: The operational responsibility of dealing with benefit claims from evacuees is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Ms Diane Abbott, dated 19 November 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question concerning staff awareness, at Arcola Street and Sylvester Road, of the regulations in relation to evacuees from Montserrat.

All Benefits Agency (BA) staff, including those at the BA Hackney & Islington District (which includes the offices at Arcola Street and Sylvester Road) have been and continue to be fully informed of the situation in Montserrat. A series of the procedural benefit bulletins have been issued since May 1996 and copies placed in the Library. The bulletins clarify the situation in Montserrat and explain the procedures and legislation to be followed should claims to benefit be received from Montserratians. The Hackney & Islington District staff training sessions are held on a fortnightly basis and all procedural bulletins are discussed and copied to relevant staff.

The District have confirmed that whilst there are no specific statistics relating to clearance times for claims from Montserratians, there is nothing to suggest that there is any undue delay in dealing with these claims. If any of your constituents have experienced problems or delays with their claims, they should contact their local benefits manager who will address their concerns.

I hope you find this reply is helpful.

Ministerial Visits

Mr. Brazier: To ask the Secretary of State for Social Security if she will make a statement on the visit by the Under-Secretary of State to Bonn on 8 October. [17018]

Mr. Keith Bradley: The purpose of the visit to Bonn was to exchange views on a range of Social Security matters, including those likely to be considered by the Council of Ministers during the United Kingdom (UK) Presidency. The visit demonstrated the UK's commitment to work constructively with European Union partners.

The visit included meetings with the Parliamentary State Secretary at the Federal Labour and Social Affairs Ministry, the Official State Secretary at the Federal Health Ministry, and members of the Bundestag Committee for Labour and Social Affairs.

Disability Benefits

Mr. Jenkins: To ask the Secretary of State for Social Security what plans she has to review the provision of interest-free loans for the disabled. [16655]

Mr. Denham: Interest-free loans are available within the Social Security programme through the Social Fund. Budgeting loans help people, including disabled people, on Income Support or income-based Jobseeker's Allowance, to meet intermittent expenses for which it may be difficult to budget. Crisis Loans help people, including disabled people, meet expenses in an emergency or as the consequence of a disaster where such help is the only means of avoiding serious damage or serious risk to the health or safety of the applicant or a member of his family. The percentage of budgeting loan expenditure going to disabled people has doubled since 1988–89.

The Government are determined to modernise the Social Security system. The Social Security Bill currently before Parliament will help to achieve that,. It includes measures to modernise the application and decision processes for Social Fund budgeting loans by making the budgeting loan system simpler and easier for customers to understand and more cost-effective for staff to administer. Those changes will benefit all customers, including the disabled.

Correspondence

Mr. Webb: To ask the Secretary of State for Social Security what proportion of draft replies to hon. Members, prepared by her Department's Correspondence Unit, are initially rejected by her as being inadequate to be sent out to hon. Members. [17019]

Mr. Denham: The information is not available in the format requested. Over 8,000 letters have been received from hon. Members since May. A proportion of the draft replies prepared by officials are amended by Ministers to ensure that they provide the best possible response to points raised by hon. Members.

Minister for Women

Mrs. Gillan: To ask the Secretary of State for Social Security (1) what submissions the Minister for Women has had made to her concerning women since her appointment; [16888]

(2) on how many days the Minister for Women has been present in the Department since her appointment; [16890]

(3) how many officials with responsibility for *(a)* women's issues and *(b)* sex equality have transferred from the Department for Education and Employment to her Department since 1 May; [16892]

(4) what engagements were fulfilled by the Minister for Women on 17 November; [16885]

(5) what are the departmental responsibilities of the Minister for Women; [16886]

(6) what are the estimated annual costs of *(a)* the private office and *(b)* the ministerial car for the Minister for Women; [16887]

(7) what severance pay the Minister for Women will receive on leaving; [16889]

(8) what official engagements the Minister for Women has carried out since her appointment; [16891]

(9) what responsibilities for women she retains. [16893]

Ms Ruddock: My right hon. Friend the Secretary of State is Minister for Women and I support her in that role. We are committed to building stronger links between women and Government, and delivering policy commitments for women.

We are creating a new bond of trust between women and Government by opening up a new dialogue with women.

The new dialogue comprises two main initiatives—improving and extending the way in which Government communicates with women's organisations; and looking at ways to conduct a dialogue with women who are not in organisations.

The traditional mechanism by which Government consult with women's organisations is the Women's National Commission, which was established in 1969. We are currently conducting a review of the Commission. We are also looking at ways to establish a wider dialogue with women throughout the country.

We are taking steps to ensure that women's interests are placed at the very heart of Government. This means integrating women's concerns and interests into the policy-making process—often called "mainstreaming".

We believe that it is essential that women are properly represented in public life. My Women's Unit is working closely with the Public Appointments Unit at the Cabinet Office on developing a joint strategy to increase the number of women on public bodies.

My right hon. Friend the Secretary of State and I work closely together on the priority areas we have identified as Ministers for Women. The three priorities we have set are child care; promoting family-friendly employment policies and practices; and tackling violence against women.

Since my appointment, I have focused my work on taking forward each of our priority areas. On Monday 17 November I was engaged on such official business.

In addition, I have been fulfilling the UK Government's international obligations on women; and travelling within Britain talking to women and listening to their views and concerns. I have met representatives of all the major women's NGOs as well as meeting and talking to a large number of women from a variety of personal, professional and ethnic backgrounds.

We are working closely with colleagues across Government to deliver on these and all our commitments to women.

Shortly after taking issue, the Government established a powerful Cabinet sub-committee on women's issues to ensure an effective cross-Departmental approach to issues of concern to women.

The current staff profile of our Women's Unit, the civil servants who support us, is in full-time equivalents as follows:

1 Grade 5 (Head of the Women's Unit)

3 Grade 7s

2.7 SEOs

1 HEO(D)

5.3 HEOs

6 EOs

2 AOs

2AAs

1 Personal Secretary

Four of these 24 staff with responsibility for women's issues transferred from the Department for Education and Employment.

I am supported by a Private Office consisting of one HEO, one EO and one AO. The estimated annual staffing costs of my Private Office are £73,000. Other overheads are not identified separately. The estimated annual costs of my Ministerial car and driver are £46,000.

Under the terms of my employment I am not entitled to severance pay.

National Insurance (Actors)

Mr. Webb: To ask the Secretary of State for Social Security what plans she has to review the National Insurance Contributions system as it affects actors. [16992]

Mr. Denham: We are considering the status of actors for National Insurance purposes and an announcement will be made in due course.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Offshore Safety

Mr. Mullin: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made in replacing the Certificate of Fitness regime for offshore safety with verification schemes; and what requirement there is in such schemes for physical testing of materials used. [15957]

Angela Eagle: The legal requirement for offshore installations to have a Certificate of Fitness was replaced by legislation which came into effect on 30 June 1996. There are transitional provisions which allow the continued use of the Certificate of Fitness arrangements under certain circumstances until 30 June 1998; by that date every offshore installation operating on the UK Continental Shelf must be covered by a verification scheme. This involves scrutiny by an independent and competent person of the suitability of all safety-critical elements on the installation. Physical testing of materials is not specified in the legislation, but where the materials contribute to the suitability of a safety-critical element they would be expected to be subject to verification by appropriate means.

Climate Change Convention

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the outcome of the discussions in Tokyo under his chairmanship on 8 November on climate change. [15915]

Angela Eagle: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for the Environment, Transport and the Regions to my hon. Friend the Member for Blaenau Gwent (Mr. Smith) on 18 November 1997, *Official Report*, column *122*.

Drivers (Eyesight)

Mr. Letwin: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the advantages of requiring an official certificate of eyesight standard for driving licence renewals past retirement age. [15978]

Ms Glenda Jackson: All drivers, when renewing their licences (normally at the age of 70 and every three years thereafter), are required to declare whether they can meet the prescribed eyesight standard. They also have a statutory obligation, whatever their age, to meet the standard whenever they drive and, if they cannot do so, to cease driving and notify the DVLA. In particular, drivers should notify conditions affecting both eyes, such as glaucoma, cataracts or progressive retinal disease. A requirement for compulsory eye tests for all drivers over a certain age would place extra costs on elderly drivers and involve major additional administration. The Government are not persuaded that it would bring significant road safety benefits.

Carbon Dioxide Emissions

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions what contribution towards the Government's target of a 20 per cent. reduction in carbon dioxide emissions by 2010 he estimates will be made by *(a)* increases in petrol prices, *(b)* improvements in the fuel efficiency of vehicles and *(c)* reduction in the volume of road traffic. [16406]

Ms Glenda Jackson: The UK is leading the world in its efforts to combat the threat of climate change. Tackling emissions from transport will be a key element of the balanced climate change programme which we will be developing after the Kyoto conference. We are currently undertaking a fundamental review of transport policy as part of our commitment to develop an integrated transport policy. A number of transport measures are being considered carefully.

In the last Budget, the Chancellor made a commitment to increase road fuel duty by an average of 6 per cent. a year in real terms. If continued for the lifetime of this Parliament, it would produce additional savings in emissions of 2.5 million tonnes of carbon per year in 2010.

The Cleaner Vehicle Task Force, announced by the Prime Minister on Friday 14 November, will set up a new partnership between Government and industry to promote the production and sales of cleaner vehicles. Encouraging the uptake of more fuel-efficient and greener cars, will be an important contribution to reducing CO_2 emissions from transport.

Lost Shipping (The Gaul)

Mr. Alan Johnson: To ask the Secretary of State for the Environment, Transport and the Regions what reports have been received by his Department from *(a)* crew of the fishing protection frigate Mohawk, *(b)* trawler skippers and *(c)* others concerning the location of The Gaul since The Gaul disappeared. [16684]

Ms Glenda Jackson: Existing Departmental records contain one report from HMS Mohawk dealing with her involvement with the search and rescue operation conducted following the disappearance of The Gaul. Seven reports on possible locations of the wreck were received from fishing vessel skippers and six from other sources. The positions given varied widely.

Mr. Alan Johnson: To ask the Secretary of State for the Environment, Transport and the Regions what estimates were made of the cost of searching for The Gaul, following its disappearance; and for what reasons no search was made. [16685]

Ms Glenda Jackson: Following the loss of The Gaul, the Department of Trade, which was then responsible for marine safety, considered a number of proposals for searching for the wreck. Proposals from the Royal Navy and commercial sources were discussed, but were not pursued as it was decided then that the considerable cost of each proposal could not be justified.

Departmental records show that the lack of a positively identified search area was an important factor in these decisions. It is important to consider that mid-1970s technology was less able than the technology available today to make positive identifications of underwater objects from the surface.

Mr. Alan Johnson: To ask the Secretary of State for the Environment, Transport and the Regions (1) what arrangements are being made to survey The Gaul following discovery of the wreck; [16686]

(2) if he plans to reopen the formal investigation into the circumstances of the loss of The Gaul. [16687]

Ms Glenda Jackson: The Marine Accident Investigation Branch (MAIB) has obtained from Channel 4 copies of the material obtained during its photographic survey of the ship. This material has to be considered by the MAIB before any recommendation to the Secretary of State can be made on whether further action is appropriate.

Under the provisions of the Merchant Shipping Act 1995, the Secretary of State shall reopen the formal investigation into the causes of this tragic loss if the material contains new and important evidence. We await the MAIB's recommendations on the new material before any decision can be made on whether or not the formal investigation into the case should be reopened.

Airspace (London)

Dr. Michael Clark: To ask the Secretary of State for the Environment, Transport and the Regions (1) what are the air traffic arrangements for aircraft having to hold as a result of missed approaches at London airports; and to what extent these arrangements impinge on the airspace capacity of provincial airports around London; [16514]

(2) what estimates he has made of the airspace capacity over the approaches to London; how full they are currently; what arrangements are in place to prevent overcrowding; and if he will make a statement. [16515]

Ms Glenda Jackson: The Civil Aviation Authority, which is responsible for the management of UK airspace, seeks to maximise airspace capacity over the approaches to London airports to the greatest extent possible, commensurate with safety. The management of the flow of air traffic and the scheduling of incoming and outgoing flights should ensure that there is no overcrowding. The separation distance between aircraft conforms to internationally agreed standards. Under current procedures, aircraft do not have to hold as a result of missed approaches at London airports as they are integrated into the approach patterns, without impacting

materially on aircraft on final approach for landing. Any adjustment to arrival procedures, caused by aircraft carrying out missed approaches at London airports, does not impinge on the airspace capacity of provincial airports around London.

Newcastle upon Tyne (Population)

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions what were the mid-year estimates of population in the City of Newcastle upon Tyne in *(a)* 1988 and *(b)* 1996; what assessment he has made of the factors which have contributed to the change; and what population figure in Newcastle upon Tyne he proposes to use for the 1998–99 rate support grant settlement. [16642]

Mr. Raynsford: The Registrar-General's mid-year estimates of population in the City of Newcastle upon Tyne for 1988 was 276,653. The corresponding figure for 1996 was 282,338. The need for an assessment of the factors which have contributed to the change has not arisen. Our proposals for Revenue Support Grant for 1998–99 will be announced in due course.

EU Institutions (Regional Representation)

Mr. Brazier: To ask the Secretary of State for the Environment, Transport and the Regions what is his Department's policy on direct regional representation to European Union institutions. [16982]

Mr. Caborn: The only European Union institution with a regional character with which my Department is involved is the Committee of the Regions. Members of the Committee are appointed by the Council of Ministers following nominations by member states. The question of direct regional representation does not therefore arise.

Housing (Staffordshire)

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate how many new homes are to be built in each of the next 10 years in *(a)* Staffordshire, *(b)* Lichfield District and *(c)* Tamworth Borough. [16701]

Mr. Raynsford: Regional Planning Guidance for the West Midlands (RPG 11) currently state that Staffordshire should provide for an annual average of 3,300 houses during the years 1991 to 2011. (This figure includes housing provided by conversions and that needed to replace existing housing that is demolished). It is up to the structure plan authority to put forward proposals for distributing this requirement across the districts, including Lichfield and Tamworth.

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions if he has set targets for the proportion of *(a)* social housing and *(b)* affordable housing to be built on brown-field sites in (i) Staffordshire and (ii) the West Midlands. [16702]

Mr. Raynsford: No. The scope for meeting housing requirements on brown-field sites is one of the live issues being considered in response to the consultation on accommodating household growth.

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions how many people are currently on waiting lists for social housing in *(a)* Staffordshire, *(b)* the West Midlands and *(c)* England. [16872]

Mr. Raynsford: Local authorities in England report the numbers of households on their housing waiting lists at 1 April each year on their annual Housing Investment Programme (HIP1) returns. The latest available figures relate to the position on 1 April 1996 and are given in the 1996 "HIP 1 All Items Print", a copy of which is in the Library. Local authorities have different practices in compiling and managing their waiting lists with the effect that simple comparisons between authorities can be misleading.

Corresponding data are not collected centrally for housing associations, some of which do not operate waiting lists.

Air Quality

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to improve public information on air quality. [16850]

Mr. Meacher: The new national Air Pollution Public Information System was launched on Wednesday 19 November.

The existing system has been revised and extended, by:

- adopting a system based on health effects with four pollutant bands;
- describing pollutant levels in the four bands as "low", "moderate", "high", or "very high";
- using the National Air Quality Strategy standards as the first breakpoint between the low and moderate band;
- assignment of the breakpoints between the moderate, high and very high bands according to advice from the Department of Health's Committee on Medical Effects of Air Pollutants;
- providing hourly information and daily forecasts on sulphur dioxide, nitrogen dioxide and ozone, and extending the system to include hourly information and forecasts for carbon monoxide and airborne particles (as PM_{10}); and
- providing hourly information on the carcinogens benzene and 1,3 butadiene, describing the levels as above or below the national standard (but not including them in the banding system).

When air pollution levels are presented to the public, an overall summary is provided followed by pollutant-specific information. When the overall summary is presented for each region, levels of air pollution will be described as those occurring in the highest band for any individual pollutant. For example, if levels of all pollutants in a region were low, with the exception of one pollutant which was high, then in the overall summary the air pollution for that region would be described as high.

The bands were chosen on the basis of effects on health. The "low" band for each pollutant covers levels up to the air quality standard set in the National Air Quality Strategy. These standards are based on the best available consensual view of medical and scientific experts on the UK Expert Panel on Air Quality Standards.

The breakpoints between the "moderate", "high" and "very high" bands were recommended by the Department of Health's Committee on the Medical Effects of Air Pollutants (COMEAP). This Committee was established by the Chief Medical Officer in 1992 to assess and advise Government on the effects upon health of air pollutants.

The details of the new system are presented in the following table, including the pollutant concentrations for the four bands.

Description "air pollution"	*"Standard"*		*"Information"*	*"Alert"*
	"Low"	*"Moderate"*	*"High"*	*"Very high"*
Sulphur Dioxide (parts per billion, 15 minute averages)	Less than 100	100–199	200–399	400 or more
Ozone (parts per billion)	Less than 50 ppb (8 hour running average)	50–89 (hourly average)	90–179 (hourly average) 180 or more (hourly average)	
Carbon Monoxide (parts per million, 8 hour running average)	Less than 10	10–14	15–19	20 or more
Nitrogen Dioxide (parts per billion, hourly average)	Less than 150	150–299	300–399	400 or more
Fine Particles (micrograms per cubic metre, 24 hour running average)	Less than 50	50–74	75–99	100 or more

Further details on the health effects have been placed in the Library.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what was the expenditure by his Department on the monitoring of air quality in the last year for which figures are available. [16994]

Angela Eagle: In the financial year 1996–97, my Department spent £4.6 million on ambient air quality monitoring.

Single Regeneration Budget (West Midlands)

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions what bids into the Single Regeneration Budget from local authorities and other organisations within the West Midlands Region have been *(a)* submitted and *(b)* approved in each year since the SRB was established; and if he will indicate in each approved case the number of jobs created. [16896]

Angela Eagle: Over Rounds 1 to 3 of the SRB Challenge Fund the West Midlands has received 98 final bids of which 43 were approved and 41 have a funding agreement with the Secretary of State in the financial year 1997–98. Thirty-five of these bids were local authority led and 27 of the approved bids had local authority accountable bodies. A round-by-round breakdown is at annexe 1.

Thirty-eight of the approved and contracted bids forecast job creation outputs totalling 48,527. To 31 March 1997 the Rounds 1 and 2 schemes had already created 8,334 jobs. Round 3 schemes will make their first return in November 1998. Scheme-by-scheme details of jobs created are at annexe 2.

Annex 1: Government office for the West Midlands
SRB Challenge Fund: final and approved bids, rounds 1–3

	Final bids			*Approved bids*		
	Local authority led bids	*Non-Local Authority led bids*	*Total*	*Local Authority accountable body*	*Non-Local Authority accountable body*	*Total*
Round 1	8	29	37	7	6	13
Round 2	10	12	32	12	9	[1]21
Round 3	17	12	29	8	1	9

[1] Twenty one bids were approved in Round 2 of which 19 have contracts in 1997–98.
There is no direct correlation between local authority led final bids and approved bids with local authority accountable bodies. Many bids are submitted by a Regeneration Partnership which agrees an accountable body from within its membership on receiving approval.

Annex 2: Job creation outputs forecast over scheme lifetime and achieved at latest return date, in approved and contracted SRB Challenge Fund schemes

Title	*Accountable body*	*Lifetime forecast*	*Achievement to 31 March 1997 Outputs over 2 years*
Round 1			
Regeneration Wolverhampton	Wolverhampton MBC	2,365	703
Foundation for the Future	Dudley MBC	901	146
Sandwell Regeneration Partnership Programme	Sandwell MBC	952	332
Creating a sustainable Black Country Urban Forest	National Urban Forestry Unit	6	4

Annex 2: Job creation outputs forecast over scheme lifetime and achieved at latest return date, in approved and contracted SRB Challenge Fund schemes

Title	Accountable body	Lifetime forecast	Achievement to 31 March 1997 Outputs over 2 years
Connected Community for the 21st century	KC3	41	19
Cannock Gateway Project	Cannock Chase DC	2,134	353
Supporting start-ups and existing small businesses in Shropshire	Shropshire TEC	700	545
Support for new and young businesses in Staffordshire	Staffordshire TEC	4,560	862
Employment creation in the HAWTEC area	HAWTEC	2,165	990
Cobridge Community Renewal	Stoke on Trent CC	2,067	459
Birmingham 1995–2000	Birmingham CC	5,679	2,260
Spreading market confidence north	CWP Ltd.	2,301	1,208

Title	Accountable body	Lifetime forecast	Achievement to 31 March 1997 Outputs over 1 year
Round 2			
Birmingham 1996–2003	Birmingham CC	1,620	32
Burton: A better future	East Staffordshire BC	5,901	232
Trent Challenge	Cannock Chase DC	2,386	6
Meeting the Challenge of Change—North Warwickshire	CWP Ltd.	439	24
Wren's Nest comprehensive Area Regeneration	Dudley MBC	50	34
Aston SRB: Breaking the cycle	Focus Housing Association	75	2
Empowering Local Communities	Walsall MBC	759	0
Improving Labour Market Flexibility in the HAWTEC area	HAWTEC	180	20
Leek Regeneration	Staffordshire Moorlands DC	196	12
Cheston Community Programme	Newcastle Under Lyme BC	1,031	16
Redditch Community Works	Redditch BC	750	7
Capacity Building for Urban Regeneration	Sandwell MBC	124	24
North Solihull Change	Solihull MBC	130	10
Villages Initiative	Stoke on Trent CC	1,090	10
Impact on Employment	Stourbridge College	0	1
Empowering Enterprise in Local Communities	HAWTEC	120	11
Substance misuse initiative	Warwickshire Probation Service	6	5
Engineering in Education	EEF West Midlands	8	7

Title	Accountable body	Lifetime forecast	Achievement to 31 March 1997 1st return due November 1997
Round 3			
Black Voluntary Sector Regional Regeneration Network	SIA	10	n/a
Burntwood Chase Community Partnership	Lichfield DC	769	n/a
Foleshill Regeneration	Coventry CC	450	n/a
Leominster—Back from the Brink	Leominster DC	343	n/a
Malvern Hills Science Park	Malvern Hills DC	81	n/a
Newcastle Western Urban Villages Community Programme	Newcastle under Lyme BC	1,811	n/a
Regeneration Wolverhampton—Round 3	Wolverhampton MBC	5,700	n/a
Young People in Focus—Sandwell	Sandwell MBC	527	n/a

Sources:
Lifetime Forecasts—1997–98 Delivery Plans.
Actuals to 31 March 1997—1995–96 and 1996–97 outputs returns.

Contaminated Land

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will list, by region, the percentage of land in the United Kingdom which is classified as contaminated land. [16882]

Angela Eagle: This information is not held by this Department. Various estimates have been made by different bodies of the total amount of land affected by contamination in the UK. However, each of these takes a different approach to the definition of what might constitute contaminated land.

Euroregions

Mr. Brazier: To ask the Secretary of State for the Environment, Transport and the Regions which English county councils are involved in discussions with EU institutions on the issue of the creation of Euroregions; and if he will make a statement. [16996]

Mr. Caborn: I am not aware of any discussions, although I know that Kent County Council is working with neighbouring areas of continental Europe to create an informal "Euroregion", for co-operation on issues of common interest, comprising Kent, Nord-Pas de Calais in France, and Belgium. Also, two English county councils, Kent and East Sussex, are involved with other local partners in the Interreg 2 programme, a Community Initiative which aims to increase transfrontier co-operation. Through these programmes the county councils are linked with their neighbouring French departments, Nord-Pas de Calais and Seine-Maritime/Somme, respectively.

Planning Applications

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will make the water companies statutory consultees in respect of planning applications. [16993]

Angela Eagle: Under Planning Policy Guidance note 12, "Development Plans and Regional Planning Guidance", local planning authorities should consult all infrastructure providers, including water companies, when preparing their development plans. This process seeks to ensure that development does not exceed the capacity of existing or planned water supply systems. We will give further consideration to the need to consult on the impact of proposed development on water demand in our forthcoming revisions of PPG12 and the system of regional planning guidance. In the light of these arrangements, we see no need to make water companies statutory consultees in relation to individual planning applications.

Pentland Coastguard Station

Mr. Wallace: To ask the Secretary of State for the Environment, Transport and the Regions (1) what factors led to Pentland Coastguard Station being included in the list of stations to be closed by 2002; [16880]

(2) if he will publish the Coastguard Agency's strategy document relating to the closure of Pentland Coastguard Station; [16879]

(3) what arrangements he intends to make for the radioing-in of vessels going through the Pentland Firth, after the proposed closure of the Pentland Coastguard Station. [16881]

Ms Glenda Jackson: The Five-year Strategy which I announced on Monday is based on the introduction of new digital communications technology to replace outdated equipment. This will enable greater organisational flexibility without compromising safety. Indeed, the changes will improve the efficiency and effectiveness of Coastguard Search And Rescue (SAR) co-ordination services. A document outlining the strategy will be published shortly. I will arrange for the hon. Member for Orkney and Shetland to receive the document and will place a copy in the Library.

The proposed closure of a number of Coastguard stations, including Pentland, means that Coastguard officers will be co-ordinating search and rescue from fewer centres. Concentrating resources in this way will enhance the potential for watch keeping staff to become involved in vital accident prevention work during quieter periods. The number of coastal rescue teams will not be affected by these changes, but the number of sector managers will be increased through additional posts at the locations where centres are to be closed.

The current level of Coastguard radio coverage around the UK will remain unchanged. Vessels using the Pentland Firth will be able to contact the Coastguard on radio as now. Pentland's aerials will be monitored by Aberdeen and Shetland. Staff complements at these adjacent centres will be increased to appropriate levels.

Government Homes

Yvette Cooper: To ask the Secretary of State for the Environment, Transport and the Regions how his Department, the Home Office and the Ministry of Defence performed against last year's targets for reducing empty government homes; and what new targets have been set for 1997–98. [17291]

Mr. Raynsford: The overall number of empty homes held by my Department, the Ministry of Defence and the Home Office fell by 754 between 1 April 1996 and 1 April 1997. This welcome reduction reflects a 5.7 per cent. fall in the number of empty Ministry of Defence properties. Against this there was a small increase in the number of empty homes held by both the Home Office and the Department of Environment, Transport and the Regions (DETR), reflecting an unexpectedly high number of new vacancies coming on stream. The number of empty homes is still too high and this Government are determined to improve on these figures in the future. We simply cannot afford to have substantial numbers of Government-owned homes lying empty.

I have considered with other Departments and interested parties such as the Empty Homes Agency how we might make better use of these properties and have investigated every opportunity for setting new, more challenging targets for this year as well as improving arrangements for the disposal process.

The Home Office target for this year is more stringent than last year's. The high figure of empty DETR (Highways Agency) properties is due, mainly, to the rundown of the road programme, with properties which had been bought and were being let until needed, being vacated so that they could be sold. This year's targets for my Department reflect this fact and the failure to meet the April 1997 target. However, they represent a significant improvement over last year's achievements. The Ministry of Defence's target has been set at a level which will continue the disposal of surplus properties while retaining the flexibility to react to any changes to the demand for service housing which may emerge from the findings of the Strategic Defence Review, due to report next year.

Details of achievement against targets for 1996–97, and new targets for 1997–98 are below. Details of the Welsh

Office and Scottish Office performance are not shown in the table as they are reporting their figures separately. My hon. Friends the Ministers responsible for housing in Scotland and Wales will, however, continue to report and remain committed to further reductions in the number of empty properties they own.

	Total stock at 1.4.97	*Total empty stock at 1.4.96*	*Total empty stock at 1.4.97*	*Target for percentage empty at 1.4.97*	*Achievement against target*	*Target for percentage empty at 1.4.98*	*Target for percentage habitable homes empty more than 6 months at 1.4.97*	*Achievement against target*	*Target for percentage habitable homes empty for more than 6 months at 1.4.98*	*Action being taken to dispose of homes empty more than 6 months*
Home Office	3,411	242	268	<6 per cent.	7.9 per cent.	<5 per cent.	1 per cent.	0.9 per cent. (32)	<1 per cent.	[1]—
Department of Transport[5]	3,120	669	690	<17 per cent.	22 per cent.	<18 per cent.	<7 per cent.	11.2 per cent. (350)	<9 per cent.	[4]—
Ministry of Defence	65,800	13,943	[2]13,142	To dispose of 4,000 empty homes	4,987	To dispose of 1,000 empty homes				

Notes:

1. Properties that are "habitable" include all properties except:

(a) derelict properties that await demolition (e.g. to make way for road schemes),

(b) those that are expected to be demolished in the near future where the expenditure required to make them habitable would be disproportionate to their expected life (e.g. where substantial investment would be required to connect essential services such as water, sewage or electricity),

(c) those that cannot be made accessible (e.g. due to adjacent construction works).

[1] The Home Office has identified an under-reporting of this figure because the Prison Service had previously understood that only homes surplus to operational requirements were to be included in the empty homes more than six months category. Consequently no central record has been kept of how long the non-surplus homes have been empty. The estimate is that up to 100 homes may have been missed from the previous reports, but that the current figure is considerably less than this as a result of a rigorous challenging of the non-surplus status. These homes will be included in future figures and are subject to 1997–98 targets.

[2] Of the 13,142 properties empty: 1,755 have already been identified for disposal; 3,364 were allocated to incoming families; 2,533 were empty pending major upgrade work; 633 had been identified as temporarily surplus with action in hand to lease out to local authorities or housing associations and; 1,117 were not available to dispose of or lease out as they were on military bases and subject to security constraints. If these properties are excluded from the total number of empty properties it leaves 3,740 properties, which represents 5.86 per cent. of MOD stock.

[3] 19 properties are in the process of being sold. Four being refurbished for reoccupation. Four under review for disposal. Five are in blocks of police quarters with police tenants being targeted.

[4] All properties currently vacant are in the process of being sold or let through managing agents.

[5] (Now the Department of Environment, Transport and the Regions.)

< = less than.

Road Safety (Mobile Phones)

Dr. Gibson: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the research evidence relating to the dangers of using a mobile phone while driving. [17292]

Ms Glenda Jackson: There has been much concern both in this country and elsewhere in the world about the road safety implications of using mobile phones while driving. My noble friend, the Minister for Roads therefore asked the Transport Research Laboratory to review the evidence currently available and the report it has prepared is being published today. Copies have been placed in the Library.

The report concludes that the use of hand-held mobile phones while driving is widely regarded as unsafe. Most safety researchers regard this as so self-evident that there have been few specific studies. Hands-free phones have received the greatest attention and the debate in the research community centres on the extent to which hands-free conversations impact on driving performance. Studies suggest that the distraction effect of phones reduces as they are made easier to use. However, the distraction caused by the mental effort of telephone conversation is present, even with advanced devices.

Manual dialling and intense telephone conversations have been shown to cause considerable distraction and it is thought that this may impact on safety. Although the evidence is largely circumstantial, it all points in the same direction—there is an association between telephone use and increased accident risk. Furthermore, there is evidence that phone conversations are more stressful than equivalent conversations with passengers.

The results of this research are reflected in the revised draft of the Highway Code on which public comment was invited last week and which we hope to put before Parliament next year. It is also reflected in the draft Code of Practice on the use of mobile phones in vehicles, which is currently being discussed with the mobile phone companies and motoring interests.

House Building

Mr. Ronnie Campbell: To ask the Secretary of State for the Environment, Transport and the Regions if he has set a target for the amount of new housing to be built on previously developed land. [17520]

Mr. Prescott: No, the Government have not yet taken a final decision on what target might be appropriate. In the meantime, the previous Government's target of 50 per cent. still applies. We are considering our policy on planning for household growth, taking into account the public consultation earlier this year, and will announce our decisions in due course. We remain committed both to protecting the countryside and to regenerating our towns and cities, by encouraging local authorities to make the best possible use of previously developed land. The presumption against inappropriate development within Green Belts remains in place.

HEALTH

Myelograms

Mr. Collins: To ask the Secretary of State for Health if he will make a statement on the adequacy of the keeping of medical records concerning myelograms int he health service. [14609]

Ms Jowell: The preservation, retention and destruction of medical records is addressed in Health Circular HC(89)20, copies of which are available in the Library. This guidance satisfies the requirements of the Public Records Acts 1958 and 1967. While HC(89)20 recommends minimum retention periods, implementation of the guidance is for local interpretation. It is a matter for local management and professionals to determine which elements of the record may be retained, and which may be discarded before the end of the recommended retention period.

The radiologist's report on an x-ray procedure, including those for myelograms, is kept with the patient's medical record. Following a meeting with the Department of Health, the Royal College of Radiologists issued guidance in May 1991 advising that there was greater value in retention of the radiologist's report rather than the film. This was because the x-ray report was considered to be the permanent constituent of the record and the x-ray film was considered to be of transitory nature. Therefore the report should be kept for a period consistent with guidance. In most cases this is for a minimum of eight years after the latest treatment. Where a new episode of treatment begins during that eight-year period the retention period will be extended for a further eight years from that date. Therefore, where treatment continues indefinitely the record will be retained indefinitely.

Ill Health Retirement

Mr. Breed: To ask the secretary of State for Health (1) what percentage of NHS pension applicants each year have been successful in gaining ill health retirement *(a)* on initial application to the Pensions Agency and its medical consultants, *(b)* on appeal to the Pensions Agency and its medical consultants, *(c)* on appeal to the Occupational Pensions Advisory Service, *(d)* on appeal to the Pensions Ombudsman and *(e)* on appeal to the Secretary of State for Health; [14802]

(2) what percentage of NHS pension applicants each year have been successful in gaining ill health retirement on *(a)* initial application to the Pensions Agency and their medical consultants, *(b)* appeal to the Pensions Agency and their medical consultants, *(c)* appeal to the Pensions Ombudsman and *(d)* an appeal to the Secretary of State. [15592]

Mr. Milburn: Responsibility for this matter has been delegated to the NHS Pensions Agency under its Chief Executive, Mr. A. F. Cowan. I have asked him to reply to the hon. Member.

Letter from Alec Cowan to Mr. Colin Breed, dated 20 November 1997:

The Secretary of State has asked me to reply to your recent Parliamentary Question, as it falls within my area of responsibility.

We cannot answer your question precisely in the format asked because until 1 April 1997 the Agency operated open ended procedures for ill health applications. An unsuccessful applicant could submit fresh medical evidence at any time for reconsideration by the Agency's medical advisers. The table below therefore shows only the proportion of applications accepted in the financial years 1992–93 to 1996–97:

Percentage of accepted NHS ill health pension applications

	Number
1992–93	98
1993–94	96
1994–95	91
1995–96	75
1996–97	84

During 1995–97 there was a special review exercise relating to cases involving Chronic Fatigue Syndrome, because of the particular difficulties of prognosis in that condition. 245 cases were independently reviewed by an Expert Group established by the Medical Adviser to the DSS. Of these 154 (63%) were accepted on appeal by the Secretary of State for Health.

Since 1 April 1997, when formal appeal mechanisms were introduced the position is as follows:

	Per cent.
Accepted on initial application or remitted for review to await outcome of treatment	72
Accepted on appeal by NHSPA and their advisers	6
Accepted by OPAS	0
Accepted by Pensions Ombudsman	0
Accepted by Secretary of State	2

There were no successful applications on appeal to OPAS and the Pensions Ombudsman.

Mr. Breed: To ask the Secretary of State for Health how many NHS pension applications for early retirement on the grounds of ill health there were in each year from 1992 to 1996 and in 1997 to date; and what percentage of the applicants in each year quoted stress as a contributory factor in causing their ill health. [14801]

Mr. Milburn: Responsibility for this matter has been delegated to the NHS Pensions Agency under its Chief Executive, Mr. A. F. Cowan. I have asked him to reply to the hon. Member.

Letter from Alec Cowan to Mr. Colin Breed, dated 20 November 1997:

The Secretary of State has asked me to reply to your recent Parliamentary Question, as it falls within my area of responsibility.

The number of pensions applications for early retirement on the grounds of ill-health from 1992 to 1996 and in 1997 to date was:

Year	*Number of applications*
1991–92	7,725
1992–93	8,497
1993–94	9,918
1994–95	10,355
1995–96	10,704
1996–97	8,005
1997–98[1]	3,807

[1] Estimated to 31 October 1997. We do not hold data that would indicate for each application the extent to which stress was a contributory factor in causing their ill-health.

Mr. Breed: To ask the Secretary of State for Health how many times since 1992 the NHS Pensions Agency has changed the medical consultants it uses regarding decisions on ill-health retirement; what factors underlie the changes; and if he will make a statement. [15939]

Mr. Milburn: Responsibility for this matter has been delegated to the NHS Pensions Agency under its Chief Executive, Mr. A. F. Cowan. I have asked him to reply to the hon. Member.

Letter from Alec Cowan to Mr. Colin Breed, dated 20 November 1997:

The Secretary of State has asked me to reply to your recent Parliamentary Question as it falls within my area of responsibility.

Since 1992 the Agency has changed the source of its expert medical advice once. Between 1992 and 1997 the Benefits Agency Medical Service (BAMS) of the Department of Social Security advised on all ill-health retirement applications under the NHS Pension Scheme. BAMS withdrew from this service with effect from 31 March 1997 and following an open competitive tendering exercise were replaced by Medical Insurance Services Ltd.

Renal Dialysis (East Lancashire)

Mr. Gordon Prentice: To ask the Secretary of State for Health what estimates he has made of the likely additional future demand for renal dialysis in East Lancaster; and if he will make a statement. [15196]

Mr. Boateng: East Lancashire Health Authority, in conjunction with the three other health authorities in Lancashire and South Cumbria, has commissioned a statistical modelling exercise to predict the numbers of residents likely to require renal dialysis up to the year 2005. The modelling exercise is complex and is able to take into account special factors such as the age structure of the population and the proportion of residents from an ethnic minority background.

The model predicts a very substantial increase in the total number of residents requiring dialysis, from 120 in 1996 to 220 in 2005. In order to meet the predicted demand for dialysis places over the next 10 years, East Lancashire Health Authority is about to consider the best way of increasing local provision.

Tobacco-related Illnesses

Mr. Dismore: To ask the Secretary of State for Health what was the cost to local authority social services departments of assisting people suffering from disabilities resulting from tobacco-related illnesses in each of the last three years; and if he will make a statement. [15037]

Ms Jowell: Smokers generally suffer from a number of disabilities arising out of their having smoked. It is only possible to identify, from the current statistics, the cost of the type of social service provision being made to each client group and not the original cause which gave rise to it.

National Blood Authority

Dr. Harris: To ask the Secretary of State for Health what was the expiry date for the contracts under which the chairman and chief executive of the National Blood Authority are employed. [15562]

Mr. Boateng: The Chairman was appointed for a two-year period beginning 1 April 1997, and the Chief Executive's contract with the National Blood Authority expires on 31 March 2000.

Ambulance Service

Mr. Keetch: To ask the Secretary of State for Health if he will review his Department's objections to making the Ambulance Service (Emergency) Long Service and Good Conduct Medal available to all ambulance personnel who served with the service from its national inception, and if he will make a statement. [15342]

Mr. Boateng: No. There is a long-standing precedent that civilian medals are not awarded retrospectively.

Mr. Keetch: To ask the Secretary of State for Health if he will list the ambulance trusts which *(a)* have introduced and *(b)* are considering introducing a priority dispatch system for dealing with emergency 999 calls; and if he will make a statement. [15976]

Mr. Boateng: Nine ambulance services have introduced priority dispatch systems: Berkshire, Derbyshire, Essex and West Midlands from April 1997 and Cleveland, Lancashire, Leicestershire, Northumbria and Warwickshire from October 1997. Others plan to do so shortly.

CS Gas

Mr. Livingstone: To ask the Secretary of State for Health what assessment of the health effects of the CS gas solvent, methyl isobutyl ketone, has been made by the medical officers of the Department of Health since 1990; how many *(a)* published and *(b)* internal reports have been written by the Department of Health's medical officers since 1990; and how many of these reports are currently unclassified. [15504]

Ms Jowell: I refer my hon. Friend to the reply I gave him on 3 July 1997 *Official Report, column 231.*

No internal reports have been produced or published, but the toxicology of the CS gas solvent methyl isobutyl ketone was discussed between scientists in the Department and the Police Scientific Development Branch.

Greenhouse Gas Emissions

Mr. Stunell: To ask the Secretary for Health if he will list *(a)* his Department's policies and initiatives designed to reduce carbon dioxide emissions and *(b)* the departmental policies and initiatives designed to reduce other greenhouse gases; if he will estimate for each the annual reduction in tonnage of greenhouse gas emissions achieved in the most recent year for which figures are available compared to those for 1990; and what estimate he has made of further reductions, or increases, predicted for 2000 and 2010, assuming continuation of current policies. [15536]

Ms Jowell: The United Kingdom's Second Report under the United Nations Framework Convention on Climate Change which was published in February 1997 reports the UK's progress in implementing its programme for reducing greenhouse gas emissions and gives a projection of what the programme is expected to deliver by 2000. The report projects forward what the current programme is expected to achieve by 2020.

Lariam

Ms Corston: To ask the Secretary of State for Health how many reports of suspected adverse reactions associated with Lariam were reported to the Medicines Control Agency in each year from 1990 to 1997. [15456]

Ms. Jowell: The numbers of suspected adverse reactions reported to the Committee on Safety of Medicines and the Medicines Control Agency from 1 January 1990 to 31 December 1997 for mefloquine (brand name, Lariam) as the suspect drug in the United Kingdom are given in the table:

Year	*Total number of suspected adverse reactions*	*Number of reports*
1990	54	19
1991	58	27
1992	52	22
1993	183	73
1994	597	227
1995	1,233	447
1996	1,361	455
1997 (up to 11 November 1997)	445	159

A report of a suspected adverse drug reaction does not necessarily mean that it was caused by the drug. Each report relates to one patient. Patients may have more than one suspected reaction and the number of reactions given exceeds the number of patients affected as seen above.

Donated Blood Products

Dr. Harris: To ask the Secretary of State for Health what was the nature, value and destination of sales abroad of English and Welsh voluntarily donated blood products during *(a)* 1994–95, *(b)* 1995–96, *(c)* 1996–97 and *(d)* the first half-year period of 1997–98. [15561]

Mr. Boateng: Blood products surplus to domestic requirements, mainly albumin together with small quantities of other products such as clotting factors VIII and IX, are sold to many countries worldwide. The value of sales, which raise money for the blood service, is given in the list.

1994–95: £5.7 million

1995–96: £6.7 million

19967–97: £9.4 million

1997–98: (April to end September) £5 million.

Special Advisers

Mrs Virginia Bottomley: To ask the Secretary of State for Health what representations he has received about the salary and benefits of the special advisers in his Department; and how many candidates were considered for each post. [16034]

Ms Jowell: We have not received any such representations. One candidate was considered for each post.

Diabetes

Mr. Martyn Jones: To ask the Secretary of State for Health what research his Department has evaluated on the relationship between the incidence of diabetes mellitus and diet; and if he will make a statement. [16337]

Ms Jowell: The Government are currently supporting a range of research into the incidence of diabetes and diet. The Medical Research Council, the main agency through which the Government support medical and clinical research, is funding a major epidemiological study of the effect of diet on a number of health outcomes including diabetes. This work is taking place at the University of Cambridge under Professor K. Khaw. The value of the award is £1,109,000 over five years, with £210,000 spent in 1996–97.

Other current grants by the Medical Research Council for work on diabetes incidence and diet have a total value of £586,000, with £71,000 spent in 1996–97. This includes research into the influence of foetal growth on diabetes in later life, an important element of which is being carried out at the MRC Environmental Epidemiology Unit by Professor D. Barker and his team.

The Department of Health's Policy Research Programme has recently funded a study entitled "Development and validation of a weight-losing dietary intervention to reduce the risk of diabetes and coronary heart disease in South Asians". This study was undertaken at the London School of Hygiene and Tropical Medicine at a cost of £173,836.

Heart Disease

Mr. Martyn Jones: To ask the Secretary of State for Health what new initiatives his Department plans to take to combat incidences of coronary heart disease; and if he will make a statement. [16335]

Ms Jowell: The Government are committed to a series of initiatives to reduce the incidence of coronary heart disease.

Coronary heart disease is the biggest killer of men and women in this country. It accounts for about 124,000 deaths a year. We are committed to countering this by tackling the main risk factors associated with coronary heart disease, such as smoking, poor diet and physical inactivity. Smoking is the greatest single cause of preventable illness and premature death and kills more than 13 people an hour. The prevention of smoking is therefore a high priority for this Government. Details of the Government's strategy to reduce smoking will be set out in a White Paper, which will be published next year.

The significance of physical inactivity as a major risk factor in coronary heart disease is as high as that for smoking because of the prevalence of inactivity. We are, therefore, pressing ahead with plans within the "Active for Life" physical activity campaign to promote the significant health benefits of moderate-intensity physical activity, and to focus not only on people aged 50 and over, but also young women aged 16 to 24 and disabled people in the coming year. In a special exercise, we have also asked the Health Education Authority to investigate and report on the levels of physical activity appropriate for children and young people aged up to 16. The consultation work is currently under way. We are also

liaising with colleagues in the Department of the Environment, Transport and the Regions, to play a key role in promoting active and health modes of transport through the national cycling and walking forums.

In addition to this, last month we published a review of effective interventions in the prevention and treatment of obesity, and work is in hand to establish a directory of weight management services available across the National Health Service in England which have been evaluated for their effectiveness.

Furthermore, the Government's Healthy Living Centres initiative aims to promote health, both physical and mental, and some activities within the initiative are likely to contribute to the prevention of coronary heart disease.

Contraception

Mr. Martyn Jones: To ask the Secretary of State for Health (1) what family planning and other reproductive health facilities are currently available free within the NHS; and if he will list those which are available on prescription; [16325]

(2) which types of contraception are available *(a)* free and anonymously at family planning centres, *(b)* free through a qualified doctor and *(c)* with a prescription; and what plans he has to change these arrangements. [16494]

Ms Jowell: The National Health Service provides a wide range of family planning services through general practitioner services and family planning clinics. This includes advice and counselling on family planning, as well as the provision of contraceptives. All methods of contraception available under the National Health Service are obtainable free of charge.

Doctors are entitled to provide any of the contraceptive methods available under the National Health Service providing they have the necessary expertise. Certain drugs and appliances are available by prescription only. These are listed in the British National Formulary at chapter 7.3. Copies have been placed in the Library.

Confidentiality is an important feature of family planning service provision. Questions of anonymity are a matter for the professionals and individuals concerned taking account of particular circumstances as well as the type of contraception involved.

A review of the existing arrangements for prescribing is currently being undertaken. The issue of charging for prescriptions is also being examined within a comprehensive review of all National Health Service spending. However, the Government remain committed to a policy of access to treatment based on need and not on ability to pay.

Departmental Information

Mr. Matthew Taylor: To ask the Secretary of State for Health if he will place in the Library a copy of the internal departmental guidance on the dissemination of information; and if he will make a statement. [16306]

Ms Jowell: The information requested has been placed in the Library. The guidance is kept under review, and is regularly amended.

Press Releases

Mr. Matthew Taylor: To ask the Secretary of State for Health what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16305]

Ms Jowell: The Department makes press releases available by placing hard copies in the Library. Electronic versions are placed on the Parliamentary Online Information Service (POLIS) which can be accessed by all Members of Parliament and Peers and on the Internet.

Appendicitis

Mr. Martyn Jones: To ask the Secretary of State for Health how many cases of appendicitis were recorded for each year since 1979; and if he will make a statement. [16334]

Mr. Boateng: The information available is in the table:

Diagnosis of appendicitis recorded in National Health Service hospitals in England

	Number
1979	60,020
1980	59,220
1981	54,060
1982	51,820
1983	47,480
1984	46,660
1985	45,990
1989–90	45,518
1990–91	42,225
1991–92	41,037
1992–93	41,386
1993–94	41,246
1994–95	39,285

Notes:
1979 to 1985: Discharges and Deaths (Ordinary admissions only) with a primary diagnosis Appendicitis (ICD code 540–543).
Source:
Hospital In-patient Enquiry (data grossed by a factor of 10).
Information for the year 1986 to 1988–89 is not available.
1989–90 to 1994–95: Completed Finished Consultant Episodes with a primary diagnosis of Appendicitis (JCD9 code 540–543). (Ordinary admissions and day cases).
Source:
Hospital Episode Statistics.
Data in this table is grossed for both coverage and unknown/invalid clinical data.

Utting Report

Mrs. Golding: To ask the Secretary of State for Health when he plans to publish the Utting Report. [16339]

Mr. Boateng: Sir William Utting's report "People Like Us" was published yesterday. Copies have been placed in the Library.

NHS Trusts (Mergers)

Mr. Denis Murphy: To ask the Secretary of State for Health how many NHS trusts in the area covered by the NHS Yorkshire and Northern Region he estimates are currently considering mergers; and if he will estimate the anticipated financial savings and assess the potential benefits to patients if the mergers go ahead. [16165]

Mr. Milburn: We understand that 16 National Health Service trusts in Northern and Yorkshire Region are currently considering mergers. If all these mergers were to be approved, then the 16 existing trusts would be consolidated into eight new NHS trusts.

All new trusts will be expected to achieve savings of around £500,000 from management costs alone from merger. In some cases there is further potential for greater savings from rationalising non-clinical support services and making better use of clinical capacity.

The potential benefits to patients from merger will depend on the type of merger being proposed, but may include:

better integration of acute and community services;

pooling of resources and expertise to offer patients more effective, integrated specialist services; and

creating specialist trusts than can offer patients more responsive services more focused on their needs.

Ministers will only approve mergers if they are able to demonstrate improvements in patient care.

Obesity

Mr. Martyn Jones: To ask the Secretary of State for Health what recent actions he has taken to reduce the national incidence of obesity; and if he will make a statement. [16333]

Ms Jowell: Diet and physical inactivity are major risk factors for obesity and coronary heart disease. Details of the Government's proposed public health strategy, which will include proposals to combat these, will be issued for consultation in a green paper later this winter.

Meanwhile, we want to maintain the momentum of the excellent national and local work which is currently being done in the areas of increasing physical activity and reducing the level of obesity. We are, therefore, pressing ahead with plans within the "Active for Life" physical activity campaign to focus not only on people aged 50 and over but also young women aged 16 to 24 and disabled people in the coming year. In a special exercise, we have also asked the Health Education Authority to investigate and report on the levels of physical activity appropriate for children and young people aged up to 16. The consultation work is currently under way. In addition, we are liaising with colleagues in the Department of the Environment, Transport and the Regions, to play a key role in promoting active and healthy modes of transport through the national cycling and walking forums.

In addition to this, last month we published a review of effective interventions in the prevention and treatment of obesity and work is in hand to establish a directory of weight management services available across the National Health Service in England, and to evaluate a sample of these for their effectiveness.

Also, the Health Education Authority continues to promote the healthy eating message, which is that a varied and balanced diet, in particular one which is low in fat and rich in fruit and vegetables, should have a longer-term impact on combatting obesity.

Infertility

Mr. Martyn Jones: To ask the Secretary of State for Health what is his Department's estimate of the extent of *(a)* female and *(b)* male infertility in the United Kingdom. [16327]

Ms Jowell: A number of studies have suggested that about one in six couples seek specialist help at some time because of difficulty in conceiving.

For those couples who seek specialist help, an estimated 20 per cent. of cases are attributable to conditions affecting the male partner and 40 per cent. to the woman. The remainder involves either a combination of difficulties affecting both partners or unexplained causes.

Metered Dose Inhalers

Mr. Reed: To ask the Secretary of State for Health what plans he has to assist patients and general practitioners to change from chlorofluorocarbons to non-chlorofluorocarbon metered dose inhalers. [16641]

Mr. Milburn: We are considering what action we need to take to provide information to patients and to general practitioners and other health professionals, to assist in the change from chlorofluorocarbon to non-chlorofluorocarbon metered dose inhalers. The Government will consult with the relevant professional groups.

Mr. Reed: To ask the Secretary of State for Health what estimate he has made of the annual cost to the National Health Service of changing from chlorofluorocarbons to non-chlorofluorocarbon metered dose inhalers. [16640]

Mr. Milburn: It is estimated that the direct cost of switching to chlorofluorocarbon (CFC) free products will be up to £10 million per annum. This cost will be incurred because there will not be a generic version of one of the major "reliever" inhalers containing salbutamol so patients currently using these will have to be moved on to another product. However other costs may arise if doctors respond to the transition by prescribing patients more expensive products than before. Such indirect costs depend on how the behaviour of individual doctors and patients might change and are difficult to quantify.

Private Health Insurance

Mr. Prior: To ask the Secretary of State for Health if he will make a statement on the number of people who have discontinued private health insurance since May. [16534]

Mr. Milburn: The information requested is not collected by the Department.

Patient Care

Mr. Prior: To ask the Secretary of State for Health if he will make a statement on his Department's policy regarding the relationship and responsibilities for patient care between *(a)* community hospitals and general practitioners, *(b)* community hospitals and acute district hospitals and *(c)* Kelling Hospital in North Norfolk and the Norfolk and Norwich General Hospital. [16532]

Mr. Boateng: I refer the hon. Member to the reply I gave him on 18 November 1997, *Official Report*, column *174*.

The relationship between Kelling Hospital and Norfolk and Norwich Hospital is currently being considered as part of the review of intermediate services being carried out by East Norfolk Health Authority.

Engagements

Mr. Maples: To ask the Secretary of State for Health if he will publish his official engagements together with those of the Minister for Public Health for 16 October. [16731]

Ms Jowell: On 16 October, in addition to internal meetings, I met the National Consumer Council, the Meat Training Council, and had lunch with members of the Human Fertilisation and Embryology Authority.

My right hon. Friend, the Secretary of State, met the hon. Member for Southwark North and Bermondsey (Mr. Hughes), spoke at a lunch of the Health and Medical Public Relations Association, and fulfilled a speaking engagement at the National Housing Association in addition to attending internal meetings.

Minister for Public Health

Mr. Maples: To ask the Secretary of State for Health for what reasons the Minister for Public Health did not attend the anti-smoking awards ceremony on 14 November. [16745]

Ms Jowell: On this day I attended the funeral of my former constituency secretary and visited her bereaved relatives.

Junior Doctors (Hours)

Mr. Hinchliffe: To ask the Secretary of State for Health what proposals he has for the future operation of the Regional Task Force on junior doctors' hours; and if he will make a statement. [15838]

Mr. Milburn: Regional task forces will continue to advise National Health Service trusts on reducing junior doctors' hours and to monitor progress. They will also promote action to improve junior doctors on-call accommodation and out-of-hours catering facilities.

My right hon. Friend the Secretary of State for Health announced on 29 October 1997 that £1.233 million had been allocated in 1998–99 to support both regional task forces and local medical workforce advisory groups (LMWAGs). Copies of the 1998–99 Health Authority Cash Limits Exposition Book, which contains this information, have been placed in the Library.

The precise allocation between task forces and LMWAGs will be decided in December.

Mr. Hinchliffe: To ask the Secretary of State for Health what percentage of posts in each NHS trust comply with the recent agreement on junior doctor's hours, indicating the compliance figure issued by the trusts concerned prior to its revision following the involvement of the Regional Task Force. [15839]

Mr. Milburn: The set of returns from regional task forces for 30 September 1997 show overall compliance with limits on junior doctors' hours at 80.5 per cent. This represents 23,808 juniors out of a total of 29,572 in England. This information is derived from monitoring data collated by the 10 English task forces based on validated returns from the National Health Service trusts in their area.

Part of the monitoring process conducted by task forces is to check and verify returns from individual trusts. Task forces may challenge returns and agree amendments with trusts if necessary. We do not keep separate returns to show the unchecked position before task forces have completed their monitoring function. We shall place a list of all NHS trusts and their agreed compliance rate in the Library.

Mr. Hinchliffe: To ask the Secretary of State for Health what advice his Department gives to individual trusts concerning methods of monitoring the hours worked by junior doctors. [15840]

Mr. Milburn: We monitor junior doctors' hours every six months and detailed guidance notes on the completion of monitoring forms is made available to National Health Service trusts via our regional task forces at the same time.

It would not be appropriate to prescribe centrally one single method of monitoring hours. Task forces will advise individual trusts on the most suitable local method. Trusts are required to have their progress reports validated by a junior doctor representative locally to ensure that accurate monitoring has taken place. Also, before a trust can be accredited as complying in full with junior doctors' hours' limits the task force must be satisfied that robust internal monitoring is in place.

Hospital Waiting Lists

Mr. Simon Hughes: To ask the Secretary of State for Health what are the criteria which his Department will use to measure the number of patients removed from waiting lists. [16656]

Mr. Milburn: Information on the numbers of patients treated from waiting lists is published annually in "Hospital Episode Statistics". The latest is for 1995–96 and copies are available in the Library. Removals are patients removed from the waiting list for in-patient treatment, in accordance with clearly defined guidelines set out in "The NHS Data Manual", for any reason other than admission for treatment from that list. This can be because they have already received treatment at another hospital or because the treatment is no longer necessary. Trusts are encouraged to validate their waiting lists on a regular basis to ensure they do not include any patients that should not be on them.

Health Care (Geographical Discrepancies)

Mr. Simon Hughes: To ask the Secretary of State for Health if his planned White Paper on the future of the NHS will address geographical discrepancies in eligibility for health care services. [16657]

Mr. Milburn: The Government consider that fair access to services on the basis of need is a fundamental principle of the National Health Service. It is central to our plans to replace the internal market.

Health Authorities and Trusts (Expenditure)

Mr. Simon Hughes: To ask the Secretary of State for Health what instruction he has given to the chairs of health authorities and trusts in England on the use of extra money made available from *(a)* central Government, *(b)* efficiency savings and *(c)* other sources for patient care only. [16658]

Mr. Milburn: Details of the purposes to which the extra funds for the National Health Service announced in October 1997 are to be put are contained in Executive Letter (97)64, copies of which are available in the Library. This made it clear that the additional resources made available from central Government should be used to: help hospitals cope with medical emergencies during the winter months; reduce delays in discharging patients; reduce the need for people to be admitted to hospital in the first place by strengthening primary, community and social services; and begin to restrain the growth in waiting lists.

Emergency Admissions and Elective Surgery

Mr. Simon Hughes: To ask the Secretary of State for Health by what criteria his Department plans to measure the effectiveness of provisions made for *(a)* treating emergency accident and emergency admissions and *(b)* elective surgery in the period 1 October 1997 to 1 April 1998. [16659]

Mr. Boateng: During the coming winter we expect health authorities and trusts to ensure that their first priority is to make adequate provision for emergency care. We expect health authorities to share the risks faced by National Health Service trusts in meeting unpredictable demand and for all concerned to work closely with other NHS agencies and with social services departments. In particular hospitals should not close unilaterally to hospital admissions.

We have allocated additional funds which will be used both to ease the pressures on the health and social care system during the winter period and to restrain the growth in waiting times and waiting lists, starting by clearing all patients waiting over 18 months.

The NHS Executive will measure the effectiveness of provision through its normal management procedures.

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for Health what is his estimate of the expenditure by *(a)* his Department, *(b)* its agencies and *(c)* its non-departmental public bodies on official hospitality for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997. [15218]

Ms Jowell *[holding answer 11 November 1997]:* Information on hospitality expenditure for the Department, its agencies and the non-departmental public bodies (NDPBs) is not available prior to 1990–91 which is when the Department of Health was established as a separate Department. Prior to April 1995 additional elements of expenditure (working lunches and refreshments at meetings) were included under the heading of hospitality.

Figures for the years are 1991–92 to 1996–97 and the period 1 May 1997 to 30 September 1997 are given in the table:

Year	*Departmental expenditure*	*Agencies expenditure*	*NDPB expenditure*
1990–91	158,000	0	17,505
1991–92	168,151	10,318	16,416
1992–93	246,374	15,612	20,366
1993–94	218,995	28,864	21,208
1994–95	229,779	32,451	21,152
1995–96	73,516	37,182	23,646
1996–97	105,192	23,589	21,335
1997–98 (1 May to 30 September)	41,803	7,159	7,004

Written Answers to Questions

Friday 21 November 1997

HOME DEPARTMENT

"Corpus Juris"

Sir Teddy Taylor: To ask the Secretary of State for the Home Department what assessment he has made of the document "Corpus Juris" produced by Directorate General XX at the European Commission seminar at San Sebastian; and if he will make a statement. [16980]

Mr. Michael: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Great Grimsby (Mr. Mitchell) on 28 October 1997, *Official Report*, column *778*.

In this, I explained that the document in question is a discussion paper with no formal status. We disagree with many of its recommendations which are incompatible with the legal traditions of this country. For any of them to have effect, they would need to be proposed formally and agreed unanimously in the Council. An English translation of the document has been placed in the Library.

NORTHERN IRELAND

RUC

Mr. McNamara: To ask the Secretary of State for Northern Ireland on how many occasions and for what purpose the RUC hosted visits by German police officers in November and December 1996. [13077]

Mr. Ingram *[holding answer 6 November 1997]:* The RUC hosted no visits by German police officers in November and December 1996.

Mr. McNamara: To ask the Secretary of State for Northern Ireland on how many occasions and for what purpose RUC officers travelled to Germany in November and December 1996. [13076]

Mr. Ingram *[holding answer 6 November 1997]:* During November and December 1996 police officers visited Germany on a number of occasions for both training and operational reasons.

Belfast Incidents

Mr. McNamara: To ask the Secretary of State for Northern Ireland (1) if she has received a report on the conduct of British soldiers *(a)* in Ardoyne on 2 September, *(b)* on 20 September at the Old Park barracks and *(c)* in North Belfast on 3 October; [15899]

(2) if she has received a report of an incident in Belfast city centre on 10 October after which an individual was taken to Grosvenor Road barracks. [15901]

Mr. Ingram *[holding answer 18 November 1997]:* My right hon. Friend the Secretary of State has not had a report of the incidents referred to by my hon. Friend. If he can furnish further details she will look into the matter.

Ian Magill Case

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what was the cost to public funds of salary payments made, since his suspension, to the employee of the Ulster Folk and Transport Museum at Cultra recently convicted of paedophile offences. [16718]

Mr. Worthington: Mr. Magill has been paid £42,554.24 from September 1995 to October 1997.

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what estimate was made of the cost of an award by an industrial tribunal in the event of Ian Magill making a successful claim against the Ulster Folk and Transport Museum for unfair dismissal. [16719]

Mr. Worthington: No estimate was made of the cost of an award by an industrial tribunal.

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what factors led Ulster Folk and Transport Museum to employ Ian Magill after his first conviction on paedophile charges. [16720]

Mr. Worthington: Following Mr. Magill's conviction in 1991, the Board of Trustees of the Ulster Folk and Transport Museum obtained legal advice about whether or not Mr. Magill could be dismissed. Counsel's opinion and that of the Museum's solicitors was that the Museum would have difficulty in establishing a fair dismissal.

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what steps her Department is taking to recover the salary paid to Ian Magill since his suspension; and if she will assess the advantages of restricting his pensionable service to the date of that suspension. [16721]

Mr. Worthington: This is entirely a matter for the Museum's senior management and Board of Trustees. They are seeking legal advice.

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what assessment she has made of the legal advice obtained in the Ian Magill case. [16722]

Mr. Worthington: No assessment has been made as this is entirely a matter for the Museum's senior management and Board of Trustees.

CULTURE, MEDIA AND SPORT

Museums and Galleries

Mr. Alan Campbell: To ask the Secretary of State for Culture, Media and Sport what the level of grant-in-aid subsidy was per visitor for *(a)* national museums and galleries on Merseyside, *(b)* the Museum of Science and Industry in Manchester and *(c)* Tyne and Wear museums, in each year since 1994. [16191]

Mr. Fisher: The details requested are listed in the table. The figures are not strictly comparable. For the National Museums and Galleries on Merseyside (NMGM)

and the Museum of Science and Industry in Manchester (MSIM) the grant figures shown represent grant in aid provided by the then Department of National Heritage. Neither the NMGM nor the MSIM receive core revenue funding from their respective local authorities. In the case of the Tyne and Wear Museums Service (TWMS) the figures represent only the grant provided by the Museums and Galleries Commission. The figures exclude revenue support to the Service's museums provided by the five metropolitan district councils in the former Tyne and Wear Metropolitan County Council area which make up the bulk of the public funding to the TWMS.

	Government grant £000			*Visitors*			*Grant per visitor*		
	1994–95	*1995–96*	*1996–97*	*1994–95*	*1995–96*	*1996–97*	*1994–95*	*1995–96*	*1996–97*
NMGM	16,411	13,275	13,123	1,344,959	1,221,428	1,207,937	12.20	10.87	10.86
MSIM	2,318	2,363	2,310	286,510	261,597	334,852	8.09	9.03	6.90
TWMS	1,020	1,015	1,015	1,047,612	929,128	1,048,731	0.97	1.09	0.97

These figures are not comparable, since the basis on which these museums/museums services are funded are different.

DUCHY OF LANCASTER

Lords Lieutenant

Mr. Gordon Prentice: To ask the Chancellor of the Duchy of Lancaster how many Lords and Deputy Lords Lieutenant come from the ethnic minorities; and if he will make a statement. [15167]

Dr. David Clark: Although Lords Lieutenant are appointed by the Queen on the recommendation of the Prime Minister, Deputy Lieutenants are recommended for appointment by Lords Lieutenant. The information sought will take time to complete. I will write to my hon. Friend when it is available and place a copy in the Library.

Access Business Group

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster on what dates the Access Business Group has met; and how often it plans to meet in future. [17182]

Mr. Kilfoyle: The group met on 23 July and 6 October and will meet again on 25 November. It is expected to continue to meet at intervals of approximately two months as its programme of work requires.

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster what are the aims and objectives of the Access Business Group. [17184]

Mr. Kilfoyle: The objective of the Access Business Group is to help to make central and local government's regulatory advice and service more transparent, accessible and helpful. The Group aims to minimise bureaucracy and red tape by coordinating and modernising a wide range of regulatory advice, forms and guidance for business into a simpler, more unified service.

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster who are the members of the Access Business Group; and how they were appointed. [17183]

Mr. Kilfoyle: I announced its membership on 23 July 1997, *Official Report 1997* column *583*. Councillor John Ryan was nominated by the Local Government Association to assist the group's work on local government regulatory advice and service. My right hon. Friend the Chancellor of the Duchy of Lancaster invited Teresa Graham to join the group in her capacity as vice chair of the Better Regulation Task Force where she is responsible for advising the government on regulatory issues. The remaining members of the group are the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Wallasey (Angela Eagle), and the Minister for Small Firms, Trade and Industry in the Department of Trade and Industry.

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster what remuneration is provided to which members of the Access Business Group. [17185]

Mr. Peter Kilfoyle: None.

FOREIGN AND COMMONWEALTH AFFAIRS

Amsterdam Treaty

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs in what circumstances the principle of subsidiarity as set out in the Amsterdam Treaty is subordinate to *(a)* the 'acquis communautaire' and *(b)* EU law; and in what circumstances it could be used to repeal existing directives. [16964]

Mr. Doug Henderson *[holding answer 20 November 1997]:* The protocol on subsidiarity in the Treaty of Amsterdam is not subordinate to the acquis communautaire or EU law. All protocols have Treaty force and are fully justiciable before the European Court of Justice. Paragraph 2 of the protocol says that:

"The application of the principles of subsidiarity and proportionality shall respect the general provisions and objectives of the Treaty, particularly as regards the maintaining in full of the acquis communautaire and the institutional balance."

As regards the repeal of existing European legislation, paragraph 3 of the subsidiarity protocol says that:

"Subsidiarity is a dynamic concept and should be applied in the light of the objectives set out in the Treaty. It allows Community action within the limits of its powers to be expanded where circumstances so require, and conversely, to be restricted or discontinued where it is no longer justified".

EU Social Chapter

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Social Chapter will come into force in the United Kingdom. [16965]

Mr. Doug Henderson *[holding answer of 20 November 1997]:* The provisions of the Agreement on Social Policy will be incorporated into the EC Treaty by the Amsterdam Treaty. They will thus enter into force in the UK when the Amsterdam Treaty enters into force. This will happen once the Treaty is ratified by all Member States.

In the meantime, it was agreed at Amsterdam that the UK could take part in discussions under the Social Agreement and that our views would be taken into account. This is already happening.

Separately, legislation under the Social Chapter will be extended to the UK by new directives under Article 100. We have undertaken to implement the two existing directives within two years of their formal application to the UK.

EU Works Council Directive

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy on the Commission's proposal to extend works councils to businesses employing 50 or more employees. [16963]

Mr. Doug Henderson *[holding answer 20 November 1997]:* There is no such proposal on the table, but the Commission is consulting the Social Partners about possible action in this area. We believe that it is good practice to inform and consult employees about matters which concern them. However, we are not convinced of the need for additional EU legislation on information and consultation arrangements for companies operating only in one Member State.

SCOTLAND

Devolution

Mr. Shepherd: To ask the Secretary of State for Scotland when he plans to publish the Bill to implement his devolution proposals. [17223]

Mr. McLeish: The Bill will be published as soon as it is ready.

Dounreay Nuclear Plant

Mr. McGrady: To ask the Secretary of State for Scotland what steps will be taken to eradicate the new areas of contamination in sea discharge tanks at the Dounreay nuclear plant. [14303]

Mr. Battle *[holding answer 3 November 1997]:* I have been asked to reply.

During routine monitoring of the Dounreay sea discharge tanks UKAEA discovered three small patches of low level radioactivity which they have now removed. I have been assured by the UKAEA that their monitoring arrangements will continue to ensure that there are no unauthorised discharges.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many representatives he has received concerning his legal aid proposals. [16469]

Mr. Hoon: My officials and I have held a total of 22 meetings with individuals and organisations concerning the legal aid proposals announced by my noble and learned Friend, the Lord Chancellor.

Departmental Information

Mr. Matthew Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will place in the Library a copy of the internal departmental guidance on the dissemination of information and if he will make a statement. [16288]

Mr. Hoon: The Lord Chancellor's Department is required and committed to provide information in line with the principles laid down in the Code of Practice on Access to Government Information. A copy of our internal guidance, "Lord Chancellor's Department Guidelines on Code of Practice on Access to Government Information", which supplements Cabinet Office guidance, has been placed in the Libraries of both Houses today. Government Information Service members of the Department's Communications Branch use "A Working Guide for Government Information Officers" (produced by the Government Information Service in 1992 and currently being updated) as a handbook for working practices in disseminating information to the public.

Child Litigants

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment his Department has made of the rights of child litigants in personal injury cases where the parents or a potential next friend cannot afford to seek initial legal advice in order to prepare a claim in respect of the injury; and if he will make a statement. [16350]

Mr. Hoon: No such assessment has been made. Under the current legal aid scheme, a parent or guardian may apply on behalf of a person under the age of 16 for Legal Advice and Assistance (Green Form scheme) on any matter of English law. The Green Form scheme provides for up to two hours help from a solicitor covering advice, writing letters and, where appropriate, obtaining counsel's opinion. For eligibility purposes, a child's means are assessed separately from their parents where it appears just and equitable to do so.

Appointments

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* public and *(b)* judicial appointments his Department has made since 1 May. [16468]

Mr. Hoon: The Lord Chancellor has made a total of *(a)* 135 appointments to non-departmental public bodies and *(b)* 927 judicial appointments (including 686 appointments to the lay magistracy), since 1 May.

Immigration Appeals

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer 10 November 1997, *Official Report*, column *425*, how many cases were awaiting hearing on *(a)* 1 May and *(b)* 1 October; and how many adjudicators have been appointed since 1 May. [16464]

Mr. Hoon: The number of adjudicator appeals awaiting hearing on 1 May was 34,048; this figure rose to 34,907 at the end of July and fell to 33,865 at the end of September. During October it fell further, to 32,692. Eight full-time and 35 part-time adjudicators have accepted appointment since 1 May 1997.

Press Releases

Mr. Matthew Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16287]

Mr. Hoon: My Department does not automatically fax press releases to Opposition party spokesmen on the day of release. Departmental press releases are transmitted electronically by the Central Office of Information to both Houses at the same time as they are issued to the media and can be accessed by all Peers and Members of Parliament, including Opposition party spokesmen, via the Parliamentary On Line Information System (POLIS). No changes have been introduced since 1 May.

HOUSE OF COMMONS

Equal Opportunities

Mr. Baker: To ask the hon. Member for Roxburgh and Berwickshire representing the House of Commons Commission if he will make a statement on equal opportunity employment practices within the House. [17020]

Mr. Kirkwood: The Commission aims to provide equal opportunities for all its staff. We are currently reviewing our equal opportunities policy in order to ensure that it matches best practice elsewhere and that it meets the requirements of the Disability Discrimination Act 1995.

Mail Services

Mr. Winnick: To ask the Chairman of the Administration Committee for what reasons it has been decided that mail should be delivered hourly to outbuildings; which committees and officials were consulted; if she will give the total added cost of such deliveries; and if she will make a statement. [17224]

Mrs. Roe: Two of the conclusions of the survey of Members, their staff and Departments of the House, which has been used to shape the mail services, were that there was a demand both for more frequent mail deliveries and for a faster internal mail service. These have been met by hourly deliveries and collections in the outbuildings. The findings of the survey were reported to the Administration Committee at the end of the last Parliament.

Costs for delivery are included in the overall cost of the service provided by Royal Mail and it is not possible to disaggregate them. However, the total charge for the enhanced service is expected to be not more than that paid previously.

SOCIAL SECURITY

Civil Servants (Benefits)

Mr. Hinchliffe: To ask the Secretary of State for Social Security what are the administrative arrangements within the Benefits Agency for the payment of benefits to civil servants. [16988]

Mr. Keith Bradley: The administration of Social Security benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. David Hinchliffe, dated 20 November 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what are the administrative arrangements within the Benefits Agency for the payment of benefits to civil servants.

No special arrangements are made for the payment of benefits to civil servants. However, individual benefit areas do try to ensure that claims from civil servants are treated sensitively. A member of staff may highlight that they are a civil servant when making a claim for benefit, particularly if they are employed locally. Claims which are identified in this way are dealt with by nominated officers within each particular benefit unit and can only be accessed by authorised members of staff.

Some benefits, for example Child Benefit, do not require details of a customer's employment. It is unlikely that claims to these benefits will be identified as being from a civil service employee, unless the member of staff actually works in the area responsible for their claim.

I hope you find this reply useful.

Benefit Fraud

Mrs. Fiona Jones: To ask the Secretary of State for Social Security if she will publish the reports of inspections made by the Benefit Fraud Inspectorate; and if she will make a statement. [17704]

Mr. Denham: Our aim is to bring about a permanent reduction in the amount of benefit fraud. The Benefit Fraud Inspectorate (BFI) will play a vital role in driving up operational standards to maximise counter-fraud performance and minimise the risk of fraud throughout the Social Security system. A key role of the BFI is to identify and disseminate good practice to bring the performance of all up to the standards already achieved by the best.

Over recent months, BFI's procedures have been developed and rigorously tested in a series of trial inspections. The BFI is now carrying out the first formal inspection of Blackpool Borough Council's administration of Housing Benefit and Council Tax Benefit, in particular their performance in the prevention and detection of benefit fraud.

Starting with the Blackpool inspection, all BFI reports, including those on DSS Agencies, will be made publicly available. We will not include sensitive material of potential benefit to fraudsters in published reports.

Copies of the reports will be placed in the Library. Further copies will be available from the Department on request.

Mortgage Payments

Mr. Webb: To ask the Secretary of State for Social Security how many people have made use of the 26-week linking period on income support for those whose mortgage protection insurance has fully paid out during the previous benefit claim. [17225]

Mr. Keith Bradley: The information is not available.

Jobseeker's Allowance

Dr. Marek: To ask the Secretary of State for Social Security what assessment she has made of the effectiveness of the jobseeker's allowance payment system; and if she will make a statement. [17192]

Mr. Keith Bradley: Since the Jobseeker's Allowance Payment System (JSAPS) went live on 6 October 1996 the system has continued to meet the levels of service specified in the service level statement.

There has been a number of system releases. Each of these has been subject to review and has been found fully to fully meet the requirements as specified.

TREASURY

Computers (Century Date Change)

Mr. David Atkinson: To ask the Chancellor of the Exchequer, what discussions he has had or plans to have with his World Trade Organisation counterparts on the problems facing computer systems through the century date change; and if he will make a statement. [13155]

Mrs. Liddell: I refer the hon. Member to the answer given by my hon. Friend the Minister for Small Firms, Trade and Industry on 12 November 1997, *Official Report*, column 569.

Economic and Monetary Union

Mr. Todd: To ask the Chancellor of the Exchequer how the Government will measure the convergence between the United Kingdom economy and the economies of European states participating in the first stage of EMU; and at what measurable point it will be possible to establish that convergence has been achieved. [14427]

Mrs. Liddell: The Chancellor's statement to the House on 27 October 1997, *Official Report*, columns 583–88, set out the five economic tests which define whether membership of the single currency would be in Britain's national economic interest.

Applying the economic tests, the Government have concluded that there is no proper convergence between the British and the other European economies now. And there is no realistic prospect of our having demonstrated, before the end of this Parliament, that we have achieved convergence that is settled rather than transitory.

What is needed is a period of stability and intensive preparations, so that Britain will be in a position to join a single currency, should we wish to, early in the next Parliament.

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will take steps to ensure that exchange transfers between sterling and the euro before British membership of EMU are *(a)* free of exchange costs and *(b)* not affected by rate fluctuations. [15926]

Mrs. Liddell: The exchange rate between sterling and the euro will continue to fluctuate unless the UK joins the single currency. The cost of, and exchange rates used for, exchanges between sterling and the euro will be principally a matter for financial institutions and their customers.

Mr. Mitchell: To ask the Chancellor of the Exchequer what requirements will apply to the United Kingdom in respect of the management of the exchange rate in circumstances where the United Kingdom is not a member of EMU in the first round and has signified an intention to join later. [15918]

Mrs. Liddell: The fact of having signified an intention to join EMU would not result in any additional requirements applying to the UK in respect of the management of the exchange rate. In particular, membership of the new exchange rate mechanism will be voluntary.

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will list the provisions of those treaties relating to European Economic and Monetary Union on which the influence of *(a)* Her Majesty's Government and *(b)* other bodies within the United Kingdom can be exercised (i) before the date of United Kingdom full entry to Monetary Union and (ii) after such entry in respect of the duties and operations of the proposed European Central Bank. [16958]

Mrs. Liddell: Protocol 11 of the EC Treaty defines the terms of the UK's opt-out from the third stage of economic and monetary union. Paragraph 5 of that protocol lists the articles which shall not apply to the UK as a result of our exercising the opt-out.

Mr. Streeter: To ask the Chancellor of the Exchequer what is the minimum period for which a country must belong to the ERM in order to participate in the single currency. [16962]

Mrs. Liddell *[holding answer 20 November 1997]:* The Maastricht Treaty states (article 109j) that the Commission and the European Monetary Institute shall report to the Council inter alia on

"the achievement of a high degree of sustainable convergence"

by Member States. On the basis of these reports the Council shall assess whether each Member State fulfils the necessary conditions for the adoption of a single currency. The UK Government have made clear their view that, given the changes in the operation of the ERM since the Treaty was signed, ERM membership is not necessarily a precondition for participating in EMU. It will be for the Council to decide whether each Member State fulfils the necessary conditions for the adoption of the single currency.

Fiscal Deficit

Mr. Mitchell: To ask the Chancellor of the Exchequer what is his target for the United Kingdom fiscal deficit related to GNP for the next four years. [15924]

Mrs. Liddell: The Government's fiscal policy will be guided by two strict rules:

the golden rule: over the economic cycle the Government will only borrow to invest and not to fund current expenditure; and

public debt as a proportion of national income will be held over the economic cycle at a stable and prudent level.

The July 1997 "Financial Statement and Budget Report" set out medium-term projections for the public finances that showed a continuous decline in the fiscal deficit as a proportion of GDP. A new forecast will be published as part of the Pre-Budget Report.

European Bank

Mr. Mitchell: To ask the Chancellor of the Exchequer if the United Kingdom has a vote in the election of the President of the European Bank. [15916]

Mrs. Liddell: The Maastricht treaty establishes that the UK shall have no vote in the election of the ECB president for as long as it continues to exercise its right to opt out of EMU.

E-mail

Mr. Jenkin: To ask the Chancellor of the Exchequer pursuant to the answer from the Chancellor of the Duchy of Lancaster, of 10 November 1997, *Official Report*, column *441*, if he will list the e-mail addresses of *(a)* Ministers, *(b)* senior officials and *(c)* chief executives of agencies for which he is responsible. [15875]

Mrs. Liddell *[holding answer 13 November 1997]:* Ministers and all officials at the Treasury can be e-mailed by typing the first name and surname, separated by a full stop, and then adding "@hm-treasury.gov.uk". For example "gordon.brown@hm-treasury.gov.uk". The names and responsibilities of Ministers and officials can be found in the Treasury's office directory which is available in hard copy and also in electronic form on the Treasury's Internet site at http://www.hm-treasury.gov.uk. Arrangements for the receipt of e-mails for agencies are administered by the individual agencies and are not held centrally.

Departmental Information

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will place in the Library a copy of the internal departmental guidance on the dissemination of information; and if he will make a statement. [16318]

Mrs. Liddell: HM Treasury publications, including press releases, are deposited in the Library of the House. They can also be accessed via the Treasury's Internet site at http://www.hm-treasury.gov.uk.

Press Releases

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16317]

Mrs. Liddell: In line with long-established practice, HM Treasury's policy has been to mail releases to Opposition spokesmen on the day of issue. The Treasury has decided to fax all press releases to Opposition spokesmen on the day of issue with immediate effect. Copies of all press releases and other Treasury material can be found on the Treasury's Internet site at http://www.hm-treasury.gov.uk.

Interest Rates

Mr. Kidney: To ask the Chancellor of the Exchequer what assessment he has made of the current interest rate differentials between the United Kingdom, France and Germany and likely movements in such differentials between the present and 1 January 1999. [16507]

Mrs. Liddell: The UK official interest rate is currently 7¼ per cent. compared with the key official rate of 3.3 per cent. in France and Germany. This interest rate differential partly reflects differences in the countries' current cyclical positions. Financial market prices imply that the differentials are expected to narrow between now and 1 January 1999. Further information may be found in "UK Membership of the Single Currency: An Assessment of the Five Economic Tests", HM Treasury, October 1997, (available in the House of Commons Library).

Euro

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer what plans he has to legislate to enable a person or company in the United Kingdom to require another person to accept payment of the settlement of a debt in euros. [16651]

Mrs. Liddell *[holding answer 18 November 1997]:* The Government has no plans to legislate to make the euro legal tender in the United Kingdom without participating in the single currency. Firms and individuals can agree contracts in foreign currencies, including the euro after its introduction in participating countries, if they choose to do so.

Mrs. Gorman: To ask the Chancellor of the Exchequer if he will place in the Library a copy of the legal opinion of the European Commission lawyers on delaying the introduction of the euro beyond 1 January 1999. [16961]

Mrs. Liddell: Any legal advice given by Commission legal service to the Commission, individual Commissioners or the staff of the Commission would be confidential to the Commission.

Counterfeit Currency

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what estimate he has made of the numbers of *(a)* counterfeit notes and *(b)* counterfeit £1 coins in circulation (i) nationally and (ii) in the North West England. [16921]

Mrs. Liddell: The Bank of England is not in a position to provide a reliable estimate of the number of counterfeit notes in circulation. A record is maintained of the number of counterfeit notes which are received from circulation, but the Bank of England, in common with most note-issuing authorities, does not publish details of the counterfeit notes it receives. However, despite an increase in counterfeiting between 1990 and 1995, counterfeit notes detected still represented only a small fraction of 1 per cent. of the total notes in circulation throughout that period. The number of counterfeit notes received during

1997 shows a reduction against earlier totals. Counterfeit notes are found throughout the United Kingdom and there is no particular bias towards the North West.

The Royal Mint is not in a position to provide a reliable estimate of counterfeit £1 coins in circulation, either on a national or a regional basis. However, the number of counterfeit £1 coins is believed to be very small in relation to the total circulation.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what steps he is taking to make it more difficult for the coinage to be forged. [16922]

Mrs. Liddell: Special precautions are always taken to protect higher value coins. This is done by developing and using sophisticated alloys, edge lettering and, in the case of the new bi-coloured £2 coin, the introduction of a latent feature.

Financial Services Regulation

Mr. Caplin: To ask the Chancellor of the Exchequer if he will make a statement on the consultations with employees and their representatives on the proposed reforms of financial services regulations; and what estimate he has made of the impact on employment of the reforms. [16908]

Mrs. Liddell: Employees of regulated firms and their representatives will have the opportunity to respond to a consultation exercise planned for summer 1998, when the draft bill will be published. Representations before then are very welcome. A modernised system of financial regulation will promote financial stability, a necessary condition for sustainable growth and rising employment.

Mr. Caplin: To ask the Chancellor of the Exchequer if the reform of financial services regulation will include all financial products and services, with particular reference to mortgages. [16858]

Mrs. Liddell: The Financial Services Authority will acquire the regulatory responsibilities currently exercised by the Bank of England, the three Self-Regulating Organisations (the Investment Management Regulatory Organisation, the Personal Investment Authority and the Securities and Futures Authority), the Department of Trade and Industry Insurance Directorate, the Building Societies Commission, the Friendly Societies Commission and the Registry of Friendly Societies. The Financial Services Authority will also be given responsibility for the authorisation of firms currently authorised to do investment business by virtue of their membership of a Recognised Professional Body.

These responsibilities do not currently include regulating the sale of mortgages. The Government will give the Council of Mortgage Lenders an opportunity to demonstrate that their code provides an appropriate level of consumer protection. If it does not, then the Government will act.

Amsterdam Treaty

Sir Teddy Taylor: To ask the Chancellor of the Exchequer in respect of which sections of the Treaty of Amsterdam his Department contributed to the drafting. [17010]

Mrs. Liddell *[holding answer 20 November 1997]:* The UK position on the Treaty of Amsterdam was reached after consultation with relevant Government departments.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Environmental Rights Charter

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce a charter of environmental rights; and if he will make a statement. [16172]

Angela Eagle: We will be considering questions of environmental rights, including the role of citizens in environmental decision making and enforcement, in the context of our forthcoming review of the previous Government's Sustainable Development Strategy.

Regeneration Schemes (Greenwich)

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what regeneration schemes are to be sited in Greenwich as part of the Millennium celebrations. [16467]

Mr. Caborn: The decision to site the Millennium Experience on the Greenwich Peninsula has brought forward the regeneration of the site. A masterplan for a new urban quarter in London has been prepared by English Partnerships, the Government's regeneration agency, which now owns the Peninsula. The Millennium Village scheme announced by the Deputy Prime Minister in July this year represents the first stage of development.

Departmental Information

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of the internal departmental guidance on the dissemination of information and if he will make a statement. [16312]

Angela Eagle: A revised version of the Code of Practice on Access to Government Information was published in January 1997, and circulated to staff in the former Department of the Environment and the former Department of Transport. Copies are available in the Library.

Rural Crime

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the Government's proposals on access to the countryside on levels of rural crime; and if he will make a statement. [16632]

Mr. Meacher: We have made no such assessment. We will take account of concerns about the impact of rural crime when we draw up our detailed proposals to give effect to our manifesto commitment to give people greater freedom to explore open countryside.

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions what proposals

the Government have to ensure that increased public access to the countryside will not provide increased opportunities for rural crime. [16628]

Angela Eagle: People may make known any concerns in their responses to our consultation paper on how to implement our commitment to give greater freedom to explore open countryside. We intend to issue this consultation paper shortly. We will take account of the responses in drawing up our more detailed proposals.

Sewerage

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will take steps to ensure that all sewers and drains serving residential developments are of an adoptable standard. [16856]

Angela Eagle: Under section 102 of the Water Industry Act 1991, the owner of a sewer can apply to the sewerage undertaker to have the sewer adopted. The sewerage undertaker may require that certain conditions are met before it agrees. There are no plans at present to require all existing unadopted sewers to be brought up to an adoptable standard or to require new sewers to be built to that standard.

Planning Police Guidance

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received regarding Planning Policy Guidance Note 6. [16878]

Mr. Caborn: We have received a number of representations. Our Response to the Fourth Report of the Environment Select Committee on Shopping Centres, published in July 1997 [Cmnd 3729], reaffirmed the policy set out in Planning Policy Guidance Note 6 (PPG6).

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to revise Planning Policy Guidance Note 6. [16875]

Mr. Caborn: We have no current plans to revise Planning Policy Guidance Note 6.

Coastguard

Mr. Ian Bruce: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide a breakdown by type of all the employees, indicating separately auxiliaries and volunteers, working with the Coastguard over each of the past five years; and what changes will be made in these numbers consequential on the control centre closures and mergers announced on 17 November. [17028]

Ms Glenda Jackson: The information is as follows:

Year	*Total number of permanent employees*	*Total number of auxiliary (voluntary) coastguards*
1993	536.5	3,823
1994	544	3,454
1995	518.5	3,415
1996	516.5	3,200
1997	[1]648.5	[1]3,121

[1] Figures at November 1997.

As a result of the closure of the stations at Pentland, Oban, Tyne Tees and Liverpool, the Coastguard officers complement will be reduced by around 78 staff over the next four to five years, although there will be some additional posts at flank stations. This will be set against the increase in staff of around 200 this year and the overall result after 5 years will be a net increase in staff over last year's levels. The number of coastal rescue teams will not be affected by these changes, but the number of sector managers will be increased through additional posts at the locations where centres are to be closed.

Water Supply (New Developments)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will review the requirement on water companies to supply water to all newly approved developments. [17067]

Angela Eagle: Under section 37 of the Water Industry Act 1991, a water undertaker is required to supply water to all persons who request it. This duty is enforceable by the Secretary of State. There are no plans at present to review this requirement.

Carrington Moss (Planning Application)

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions (1) what representations he has received regarding Manchester United's application for planning permission to build on green-belt land at Carrington Moss; [17188]

(2) if he will list those organisations and individuals which have made representations to him *(a)* in favour of and *(b)* against Manchester United's planning application to build on green-belt land at Carrington Moss; [17186]

(3) what discussions he has had with directors of Manchester United regarding its application to build on green-belt land at Carrington Moss. [17187]

Mr. Raynsford: Trafford Metropolitan Borough Council referred Manchester United's application for planning permission to build a training facility at Carrington Moss to the Secretary of State, under normal procedures. The Secretary of State decided on 7 November not to call in the application.

Ministers received a number of representations on this matter. I will place a list of the names of the 51 individuals and organisations who provided written submissions opposing the proposal in the Library of the House.

Compulsory Competitive Tendering

Mr. Russell Brown: To ask the Secretary of State for the Environment, Transport and the Regions if he will announce the conclusion of the recent review of regulations and guidance on compulsory competitive tendering. [17588]

Ms Armstrong: I have today laid before Parliament new regulations which amend the existing framework for Compulsory Competitive Tendering in England and Wales to make it more flexible and encourage local authorities to move to a Best Value-based approach to service delivery. In due course we will be replacing CCT

with a new legislative framework on Best Value. In the meantime, I want local authorities to develop Best Value ahead of primary legislation.

These changes take account of the views of nearly 300 local authorities, professional bodies and relevant private sector interests who responded to the consultation paper I published on 25 July. Copies of these responses will shortly be placed in the House of Commons Library. The regulations themselves have also been the subject of consultation with local government and other organisations.

The key changes brought about by the Regulations are:

(a.) a significantly enhanced credit for voluntary competition of 125 per cent. of its real value which offsets the amount of work which must be exposed to compulsory competition and is designed to encourage authorities to pursue this route ahead of Best Value;

(b.) Lowering of the competition percentage for *finance* to 40 per cent. and for *construction and property* to 55 per cent. A raising of the *de minimis* for *construction and property* to £450,000.

(c.) Moving the implementation date from a finance-based to a 4,000-properties *de minimis* level for *housing management* to 1 April 1999 and abandoning the previous Government's plans to move to a 2,500 property *de minimis* level;

(d.) a relaxation of the implementation timetable for reorganising authorities in England in respect of professional services, particularly for authorities reorganised in April 1996 and April 1997, and housing management. Also an alignment of implementation dates for professional services, where they have not yet been reached, to align with, or post date, the effective dates of the new Regulations;

(e.) exemption of all schools from CCT with a special credit within the Regulations to take account of the potential anomaly which might otherwise have increased the overall competition requirement within an individual local authority;

(f.) a significant reduction in the amount of detailed prescription in relation to tendering and evaluation of CCT contracts. The de minimis level for manual services is raised to £150,000;

(g.) removal of need for local authorities to prepare an annual statement of the costs of supporting their front line services (the 'SSSC').

I believe that we have made sensible adjustments to the regulations set in place by the previous Government. I believe that these will be broadly acceptable to all parties. The new Regulations will allow local authorities to develop Best Value alternatives which are consistent with the purpose of the primary legislation and allow them much greater flexibility. We have removed many of the prescriptive elements of CCT. Local authorities now have real incentives to seek partnerships with the voluntary and private sectors to deliver quality services.

The changes emphasise voluntary competition. Competition will remain a vital element of Best Value but we are keen to use it in a more flexible and constructive way. We are increasing the credit that local authorities will get for any professional services work that they put out to competition voluntarily during the remainder of the CCT regime.

In recognition of the concerns expressed in the responses to our consultation paper, we have also decided to extend our original proposal to exempt work done on behalf of LMS schools from CCT, to cover all local authority maintained schools. This will reduce the administrative burden on school heads and allow local authorities to consider Best Value alternatives for schools.

I hope local authorities will respond to the opportunities these changes now provide. Best Value is about providing quality services at a price that local people are willing to pay. There is no reason for any local authority to put off considering how they are going to approach this. The new Regulations will provide the extra flexibility and resources they need to consider the new agenda.

I also intend to publish a new Departmental Circular to replace Circular 5/96 (Welsh Office Circular 11/96), which provides guidance on the conduct of CCT, shortly.

Hedgerows

Mr. Etherington: To ask the Secretary of State for the Environment, Transport and the Regions when the review of the Hedgerows Regulations 1997 will be completed. [17414]

Angela Eagle: The group which we set up to review how the Hedgerows Regulations 1997 might be strengthened is making good progress but does not now expect to be able to complete its deliberations by the end of December 1997. Its consideration of the issues involved has taken longer than anticipated. I expect it to complete its work in early 1998.

EDUCATION AND EMPLOYMENT

New Deal (Young People)

Ms Moran: To ask the Secretary of State for Education and Employment what consultation he has carried out with young people on the New Deal. [14371]

Mr. Andrew Smith: Nationally, the Employment Service commissioned a consultation exercise to discover young people's expectations of the New Deal. A detailed report will be published before the end of the year but results have already been used in the design of the New Deal provision. In addition, individual Regions and Districts will have carried out widespread consultation including obtaining the views of young people.

University Funding

Mr. Wicks: To ask the Secretary of State for Education and Employment what is the amount of state financial support per student in *(a)* Oxford, *(b)* Cambridge and *(c)* all universities. [16437]

Dr. Howells: In the current academic year, public funding for teaching per student is some £5,800 at Oxford and Cambridge and an average of £4,000 per student at other universities.

In addition, students are entitled to apply for maintenance support in the form of grants and loans. In 1995–96 (the latest figures available) the average maintenance grant per student was £1,390 and the average loan was £1,250.

Road Transport Industry Training Board

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment if he will list the assets transferred to the Road Transport Industry Training Board on its privatisation. [16680]

Dr. Howells: It was the Road Transport Industry Training Board which was wound up and its assets were transferred to RTITB Services Limited in September 1992. The assets listed in the transfer agreement, with values where shown, were:

Assets	*Value* £
The Book Debts (estimated)	1,390,000
The Capital Fund	8,976,727
The Contracts	—
The Fixed Assets	1,094,772
The Goodwill	—
The Intellectual Property	—
The Investments	3,050,000
The Premises (book value as at transfer date)	6,747,788
The Stocks	—

Teaching Positions (Greater London)

Sir Sydney Chapman: To ask the Secretary of State for Education and Employment what are the total number of *(a)* teaching, *(b)* head teacher and *(c)* deputy head teacher posts in the Greater London area in maintained (i) primary, (ii) secondary and (iii) special schools; and how many and what percentage of these are currently (1) vacant and (2) covered by (A) supply teachers and (B) those with short-term contracts. [16905]

Mr. Byers: The numbers of full-time teachers employed, vacancies and vacancy rates, in the Greater London area, as at 16 January 1997, in the maintained nursery, primary, secondary and special schools sector are shown in the table.

	Nursery/primary	*Secondary*	*Special*
Head teachers[1]			
Number of teachers[2]	2,200	460	160
Number of vacancies[3]	22	4	9
Vacancy rates (per cent.)	1.0	0.9	5.6
Deputy head teachers[1]			
Number of teachers[2]	2,170	930	180
Number of vacancies[3]	59	9	7
Vacancy rates (per cent.)	2.7	1.0	4.0
Classroom teachers[1,4]			
Number of teachers[2]	21,500	21,310	1,640
Number of vacancies[3]	366	221	54
Vacancy rates (per cent.)	1.7	1.0	3.3

[1] The breakdown by grade has been estimated, based on the scale of which a teacher is paid.
[2] Full-time teachers plus full-time secondments in maintained schools sector at 16 January 1997. Figures rounded to the nearest 10.
[3] Only those posts which were advertised at 16 January 1997 as full-time permanent posts or posts of at least one term's duration are counted as vacancies. Posts covered by temporary appointments on a contract of at least a term are not counted as vacant.
[4] Excludes unqualified teachers.

New Deal (West Lancashire)

Mr. Pickthall: To ask the Secretary of State for Education and Employment if the work already done on the new deal by *(a)* the West Lancashire Forum, *(b)* the CVS and *(c)* other bodies will be copyright. [16865]

Mr. Andrew Smith: It is recognised that many organisations and individuals have invested significant time and commitment in order to bring the New Deal Partnership in West Lancashire to its current position.

It will be important that the good work already undertaken in West Lancashire is built upon in order to ensure we provide the best possible help to unemployed young people. I would expect the private sector organisation selected to manage New Deal in West Lancashire to work closely with existing partnerships and the Employment Service. The issue of copyright is currently under consideration within the Department.

HEALTH

General Practitioners

Mr. Hunter: To ask the Secretary of State for Health what initiatives he *(a)* is taking and *(b)* proposes to take, to attract back to general practice general practitioners who are not currently practising as full-time partners. [15821]

Mr. Milburn: The Government are very aware of the problem of recruitment and retention of general practitioners in some parts of the country. We are committed to tackling these problems, which is why we are delighted to introduce a salaried option for GPs who cannot, or do not wish to, become a GP principal. This can happen within general medical services this year, and under the National Health Service (Primary Care) Act 1997 pilots from 1 April next year. Under arrangements beginning this year, which my right hon. Friend the Secretary of State has just announced, together with a kick start of an extra £4 million, it will be possible for a GP to be salaried by a practice and for the health authority to reimburse some or all of the expenses to the practice.

We also propose to strengthen the retainer scheme by allowing GPs who wish to take a career break to keep in touch by undertaking up to four sessions per week with appropriate educational input and supervision. Finally, through local development schemes under section 36 of the National Health Service (Primary Care) Act, it will be possible for HAs to devise returner schemes from 1 April 1998. These schemes will be aimed at meeting the needs of individuals who wish to return to general practice after a career break.

Taken together, these schemes provide a package which will help to retain GPs and attract them back to the work force.

NHS Trusts (Chairpersons)

Mr. Pendry: To ask the secretary of State for Health if he will list the criteria by which he will appoint the chairpersons of National Health Service trusts; and if he will ensure that those chosen will live in the area served by the trust. [15844]

Mr. Milburn: To be considered for a trust chairmanship, candidates are normally expected to:

live in the area served by the trust;

have a strong personal commitment to the National Health Service;

be able to demonstrate a commitment to the needs of the local community;

be a good communicator with plenty of common sense;

be committed to the public service values of accountability, probity, openness and equality of opportunity;

be available for about 3 days a week;

be able to demonstrate leadership and motivation skills and the ability to think strategically;

have the ability to understand complex issues; and

be able to demonstrate an interest in healthcare issues

Desirable qualities include having:

experience as a carer or user of the NHS;

experience serving in the voluntary sector, particularly in an organisation working in health issues;

served the local community in local government or some other capacity;

relevant specialist skills or knowledge relevant to the trust; and

management experience at a senior level in the public, private or voluntary sectors.

Candidates are expected to have all the essential qualities and preferably some of the desirable ones. Only in exceptional circumstances would we be prepared to depart from the requirement that a trust chairman should live in the community served by the trust, for example, where there are severe recruitment problems, or when a particularly strong candidate has demonstrated in some other way their commitment to the local community.

Counselling (Consultation Rooms)

Mr. Breed: To ask the Secretary of State for Health if he will make a statement on his Department's policy towards the provision of counselling in the consultation rooms of general practitioners. [15938]

Mr. Milburn: The Department's policy is to support general practitioners in rendering to their patients all necessary and appropriate personal medical services including giving advice, where appropriate, to a patient in connection with the patient's general health, and in particular about the significance of diet, exercise, the use of tobacco, the consumption of alcohol and the misuse of drugs or solvents; and arranging for the referral of patients, as appropriate, for the provision of any other services under the National Health Service Act 1977. Such services can be delivered at the doctor's practice premises, or elsewhere within the doctor's practice area, according to the condition of the patient.

Dentures

Mr. Gordon Prentice: To ask the Secretary of State for Health what estimates he has made of the number of young people under 18 years who have *(a)* a partial and *(b)* a full set of dentures. [15973]

Mr. Milburn: We do not have this information for children under 16, although some of it may be inferred. Figures for 1988 show that, in the United Kingdom, 100 per cent. of 16 to 19-year-olds had some natural teeth, in England and Wales 20 per cent. of 16 to 24-year-olds had a combination of natural teeth and dentures.

Medical Auditing

Mr. Letwin: To ask the Secretary of State for Health what plans he has to increase the effectiveness of medical auditing. [15941]

Mr. Milburn: Clinical audit is central to the framework for promoting clinical effectiveness. It offers a practical way for all local clinicians to review their own practice and thereby improve the quality of care given to patients. In order to promote clinical effectiveness, health authorities are responsible for ensuring that sufficient resources are made available for clinical audit and that they are used in the most effective way.

The quality and effectiveness of National Health Service services will be a paramount objective of our plans to replace the competitive, contract driven and bureaucratic internal market, which we will set out in a White Paper later this year.

Energy Efficiency

Mr. Martyn Jones: To ask the Secretary of State for Health what progress has been made in promoting *(a)* energy efficiency and *(b)* recycling and waste minimisation within the National Health Service; and what plans he has for further measures. [16332]

Mr. Milburn: The Department of Health is committed to encouraging hospitals to be more energy efficient. National Health Service trusts are required to provide data on energy consumption. This is analysed by the Department's NHS Estates agency so as to give NHS trusts detailed information on energy usage against which to compare their performance. NHS trusts are expected to contribute to the target of the Department of the Environment, Transport and the Regions of improving energy efficiency by 15 per cent. between 1990 and 1995–96, revised to 20 per cent. from 1990–2000. The NHS achieved an energy saving of some 11.4 per cent. from 1990 to 1995–96. Information for 1996–97 is not yet available but initial indications suggest continuing reductions.

The NHS Estates agency has set up a working group with the aim of identifying existing good waste management practice to encourage the reduction of waste arisings.

To promote recycling and waste minimisation, the NHS Estates agency has issued 'A strategic guide to clinical waste management—for General Managers and Chief Executives' advising Trusts to develop environmental protection and waste minimisation policies, with the emphasis on waste management rather than disposal. The preferred options, in order of priority, are: prevention; reuse; recycling; combustion with energy recovery; incineration; and landfill. To continue to promote the importance of waste management and segregation, the NHS Estates agency recently published Health Technical Memorandum 2065 'Healthcare waste management—segregation of waste streams in clinical areas'(1997).

The agency is working on further guidance relating to the minimisation and disposal of clinical waste in the community.

Social Services Funding

Mr. Burstow: To ask the Secretary of State for Health if the extra funding for social services for the current financial year under the recently announced extra funding proposal to avoid a winter crisis will be available only if it is authorised by individual health authorities. [16447]

Mr. Milburn: Yes. Those additional resources for the National Health Service made available to improve services this winter have been allocated to health authorities. It has been the responsibility of individual health authorities, liaising with interested parties in their area, including local authority social services departments, to draw up plans for the use of the resources and agree them with regional offices of the National Health Service Executive. Guidance to health authorities given in Executive Letter EL(97)64, copies of which are available in the Library, indicated that where the identified service need was for social care, funds should be transferred to local authorities using powers under Section 28A of the National Health Service Act 1977.

Health Authority Contracts

Mr. Burstow: To ask the Secretary of State for Health if he will list by health authority the number of contracts in each of the last three financial years that have been referred for arbitration within the NHS region. [16445]

Mr. Milburn: The information requested has not been collected and validated on a consistent basis at a regional level.

Health Service (London)

Mr. Cohen: To ask the Secretary of State for Health if he will publish the report of the Independent Advisory Panel into London's health service; and if he will make a statement. [16444]

Mr. Milburn: We will be publishing the Independent Advisory Panel's advice and the Government's response in due course.

Prescription Charges

Mr. Martyn Jones: To ask the Secretary of State for Health how many (i) women and (ii) men and *(a)* are and *(b)* are not currently entitled to an exemption from prescription charges in the United Kingdom. [16326]

Mr. Milburn: The information requested is not available. It is estimated that about 50 per cent. of the population are entitled to free prescriptions in England.

Additional Resources 1997–98

Mr. Burstow: To ask the Secretary of State for Health if health authorities will be able to use the recently announced extra funds to avoid winter pressures for health and social care, to reduce their budget deficits. [16446]

Mr. Milburn: Details of the priorities for the extra funds for the National Health Service announced in October 1997 are contained in Executive Letter EL(97)64, copies of which are available in the Library. This made clear that priority would be given to plans which:

- help hospitals cope with medical emergencies which are already known or likely to occur during the winter months, for example by improving staffing levels at times of peak pressure and through services being open for extra hours;
- reduce delays in discharging patients, for example by improving rehabilitation and recuperation services, funding increased care at home, extra nursing and residential home places and more social services support;
- reduce the need for people to be admitted to hospital in the first place by strengthening primary, community and social services, providing more specialist nursing and therapy for people—particularly older people—in their own homes, nursing and residential homes, and through improved community and out-of-hours services;
- restrain the growth in waiting times and waiting lists. As resources allow, a further aim should be to keep any increase in lists and waiting times to an absolute minimum and where possible improve on performance.

Tobacco Sponsorship

Mr. Maples: To ask the Secretary of State for Health pursuant to the oral answer of 12 November 1997, *Official Report*, columns 898–99 when *(a)* he and *(b)* his Ministers were informed of the £1 million donation from Mr. Ecclestone. [16730]

Mr. Dobson: Friday 7 November 1997.

Utting Report

Mr. Dawson: To ask the Secretary of State for Health when Sir William Utting's report on children in care will be published; and if he will make a statement. [17286]

Mr. Boateng: Sir William Utting's report "People Like Us" was published on 19 November and a statement of the Government's response was made in the House on that date, *Official Report*, columns 327–38.

Bereavement and Mortuary Services

Mr. Chidgey: To ask the Secretary of State for Health (1) how many, and which NHS hospitals contracted out bereavement and mortuary services to the private sector in the years *(a)* 1994, *(b)* 1995, *(c)* 1996 and *(d)* 1997; [16711]

(2) how many and which, NHS hospitals plan or have announced plans to contract out bereavement and mortuary services. [16710]

Mr. Milburn *[holding answer 19 November 1997]:* The National Health Service Executive market testing database has no record of any NHS trust contracting out its bereavement and mortuary services in 1994, 1995 and 1996. In 1997, one NHS trust, the Central Middlesex Hospital, contracted out its bereavement and mortuary services (but not its bereavement counselling).

The database has no record of any other NHS trust planning to contract out bereavement and mortuary services.

Metered Dose Inhalers (CFCs Exemption)

Mr. Reed: To ask the Secretary of State for Health what plans he has to phase out the chlorofluorocarbons exemption on metered dose inhalers. [16639]

Angela Eagle: I have been asked to reply.

The Montreal Protocol allows chlorofluorocarbons (CFCs) to continue to be produced for use in the manufacture of metered dose inhalers. This essential use exemption will only continue to be provided until an adequate range of non CFC based alternatives is on the market, which in the European Union is likely to occur within the next two to five years.

The European Commission expects to finalise in January a transition strategy which will provide for the orderly phase out of CFCs in metered dose inhalers as suitable non-CFC based treatments become available. The government has also begun to prepare a UK phase out strategy to complement the European Union strategy. We will be consulting on the UK strategy shortly.

Mr. Reed: To ask the Secretary of State for Health what estimate he has made of the current annual volume of chlorofluorocarbons released into the atmosphere through the use of metered dose inhalers in the United Kingdom. [16638]

Angela Eagle: I have been asked to reply.

In 1996 the European Commission approved the production of 2,171 tonnes of chlorofluorocarbons (CFCs) for use by the manufacturers of metered dose inhalers in the United Kingdom under the essential use exemption allowed by the Montreal Protocol. About 40 per cent. of these metered dose inhalers will be used in the United Kingdom, the remainder being exported to other European Union countries and elsewhere. It is assumed that all the CFC used in the manufacture of metered dose inhalers will eventually be emitted to the atmosphere.

TRADE AND INDUSTRY

Electricity Generation

Mr. Prior: To ask the President of the Board of Trade what is the Government's forecast for the percentage of electricity produced from coal in the United Kingdom for (i) 1997, (ii) 2000, (iii) 2010, (iv) 2020 and (v) 2030. [14807]

Mr. Battle: Coal's share of fuel used in UK electricity generation was 43 per cent. in 1996. Energy projections for the UK were published by the previous administration as Energy Paper 65 in March 1995 which is available in the Library of the House.

The department is working on a new set of projections which will be published next year.

Export Licences

Ann Clwyd: To ask the President of the Board of Trade, pursuant to her answer to the hon. Member for Don Valley of 30 October 1997, *Official Report*, column *870*, to what extent she attributes the errors in export licensing data to *(a)* computer and *(b)* human error. [15315]

Mrs. Roche: A number of factors contributed to the situation:

(i) the computer was developed primarily as a licence application processing system (detailed information is retained in the licensing papers);

(ii) even simple data searches were found to require expert knowledge of the computer system;

(iii) information transferred electronically from preceding computers was shown to have contained significant errors, as was the input of new data;

(iv) in the interests of processing efficiency, and given that the full list of goods subject to licensing scrutiny was always detailed in case papers available to all Departments participating in the licensing process, only the most significant items of an application were recorded on the computer.

Airbus

Mr. Barry Jones: To ask the President of the Board of Trade if she will make a statement concerning applications for grant aid for the A340-600 aircraft project by British Aerospace. [16098]

Mr. Battle: No final decision has yet been taken on the application from British Aerospace for launch aid in respect of the A340-500/600 project. Discussions with the company are continuing.

Mr. Jack: To ask the President of the Board of Trade what assessment her Department has made of the potential impact on the United Kingdom aerospace industry of not providing Launch Aid in connection with British Aerospace's involvement in the Airbus A340-500 and 600 projects. [17278]

Mr. Battle: I refer the right hon. Member to the answer given to my hon. Friend the Member for Alyn and Deeside (Mr. Jones) today.

My Department has been considering the impact on the UK aerospace industry of its decision on launch aid, as part of its detailed appraisal of British Aerospace's application.

Action 2000

Mrs. May: To ask the President of the Board of Trade what discussions the Minister had with the chairman of Taskforce 2000 prior to establishing Action 2000. [16137]

Mrs. Roche: My hon. Friend the Minister for Science, Energy and Industry met the Chairman of Taskforce 2000 on 14 July. I had further discussions with him about the century date change and related matters on 16 July and 25 September and on 22 July we co-chaired the Millennium IT Skills Summit.

Iraq

Mr. Flynn: To ask the President of the Board of Trade what plans she has to reclaim from the Government of Iraq the unrecovered money paid in claims for arms-related equipment. [15980]

Mrs. Roche *[holding answer 14 November 1997]:* Iraq has large outstanding debts with official creditors (such as ECGD) and private creditors around the world. It is our objective to recover debt from the Government of Iraq, although this is not easy at present, while Iraqi assets remain frozen under UN Sanctions.

Minimum Wage

Mr. Healey: To ask the President of the Board of Trade if she will set out in *(a)* domestic currency and *(b)* pounds sterling at purchasing power parity exchange rates, the statutory national minimum wage, on the minimum wage established through bargaining in key industries, in (i) each EU state, (ii) the USA and (iii) Japan. [14752]

Mr. Ian McCartney *[holding answer 18 November 1997]:* My department does not systematically collect information on all countries. What information is available is set out in the table.

National minimum wages in selected countries for 1997

	Local currency	*Local currency rate*	*Period*	*PPP £ equivalent*
Belgium	Belg. franc	44,185	month	796.74
France	Fre. franc	39.43	hour	4.07
Greece	drachma	5,746–6,321	day	17.55–19.30
Luxembourg	Lux. franc	46,275–55,530	month	786.33–943.59
Netherlands	guilder	2,243	month	734.66
Portugal	escudo	56,700	month	310.02
Spain	peseta	2,221	day	11.86
USA	dollar	5.15	hour	3.49
Japan	yen	4,521–5,252	day	17.72–20.58

The definition of the minimum wage varies across countries. Also, exemptions may apply for some workers and different rates may apply for youth workers.
Local Currency rates for 1997 as known at 28 July 1997.
Source for purchasing power parities (PPP), OECD, Main Economic Indicators, 10/97. PPP rates are for 1996.

Nuclear Power

Mr. Mitchell: To ask the President of the Board of Trade which powers are exercisable *(a)* by the Energy Council of Ministers and *(b)* the European Parliament in respect of Community legislation whose basis is the Treaty establishing the European Atomic Energy Community as subsequently amended. [16927]

Mr. Battle: *(a)* Legislative acts of the Council under the Treaty establishing the European Atomic Energy Community (or the Euratom Treaty) are handled not by the Energy Council but by the General Affairs Council, except for research items, which are referred to the Research Council.

(b) There is no provision for co-decision under the Euratom Treaty, but the European Parliament has been consulted on legislation based on the Treaty. In addition, the Parliament may request the Commission to submit any appropriate proposal on matters on which it considers that a Community act is required for the purpose of implementing the Euratom treaty.

Scientific Research Associations (Taxation)

Mr. Jack: To ask the President of the Board of Trade if her Department's proposals to change the definition affecting the tax treatment of scientific research associations will have retrospective effect in relation to accounting periods ending in March 1996. [17583]

Mr. Battle: The position of approvals and the treatment of outstanding applications relating to earlier accounting periods are key issues being addressed by my Department's review of its administration of section 508 of the Income and Corporation Taxes Act 1988 initiated in December 1996.

Mr. Jack: To ask the President of the Board of Trade what factors led her Department to conduct its exercise to redefine scientific research associations; which current bodies or organisations are under scrutiny; and what are the implications for their tax status. [17531]

Mr. Battle: The Department initiated the review of its administration of section 508 in December 1996 of the Income and Corporation Taxes Act 1988 because in autumn 1996 it became concerned that over the years its procedures had become flawed and that consequently many previous approvals might be unsound. At present, the Department is looking at the approvals system and, once the review is complete, will consider the position of any bodies seeking approval.

AGRICULTURE, FISHERIES AND FOOD

Fish Stocks

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 17 November 1997, *Official Report*, column 22, concerning fish stocks, what information was given by his Department's scientists to the representatives of the fishing industry who met them on Thursday 13 November. [17285]

Dr. John Cunningham: The scientists concerned were staff of the Centre for Environment, Fisheries and Aquaculture Science and I have asked the Agency's Chief Executive to reply to the right hon. Member direct.

Letter from P. W. Greig-Smith to Mr. Michael Jack, dated 21 November 1997:

Dr. Cunningham has asked me to respond your Parliamentary Question concerning information given by this Department's Scientists to the representatives of the Fishing Industry on 13 November.[17285]

I would advise that the International Council for Exploration of the Sea's Advisory Committee on Fishery Management (ACFM) met from 22–31 October. At this meeting, ACFM prepared advice for the management of many of the commercial fish stocks important to the UK. Dr. J. Horwood (CEFAS) was the UK representative and Dr. R. Cook (FRS, Aberdeen) also attended.

On 13 November CEFAS scientists gave representatives of the fishing industry their summary of the expected ACFM advice. The attached table was handed to the industry. The final column is CEFAS' interpretation of the ACFM advice for catch limits in 1998. As was explained to the industry, these figures should be used with some caution. They are based upon the latest draft of the ACFM advice, and the figures are subject to change.

The final ACFM report is expected very soon.

Summary of ICES ACFM advice, agreed TACs and actual landings (k tonnes) 1985–91

			1985	1986	1987	1988	1989	1990	1991
Demersal									
North Sea	Cod	ICES rec	<259	<130	<125	<148	<124	113	92
		Agreed TAC[a]	250	170	175	160	124	105	100
		Actual landings[a]	193	163	175	150	116	104	87
	Haddock	ICES rec	<209	<239	<120	<185	<68	50	48
		Agreed TAC[2,a]	207	230	140	185	68	50	50
		Actual landings[a]	165	169	112	109	78	54	49
	Whiting	ICES rec	<118	135	127	134	115	130	134
		Agreed TAC[2,a]	160	135	135	120	115	125	141
		Actual landings[a]	69	76	78	100	83	93	84
	Saithe	ICES rec	195	195	<198	156	170	120	125
		Agreed TAC[b]	200	240	173	165	170	120	125
		Actual landings[b]	200	164	149	105	92	88	99
	Plaice	ICES rec	130	<160	120	150	<175	171	<169
		Agreed TAC	200	180	150	175	185	180	175
		Actual landings	160	165	154	154	170	156	147
	Sole	ICES rec	15	12	11	11	14	25	27
		Agreed TAC	22	20	14	14	14	25	27
		Actual landings	24.2	18.2	17.4	21.6	21.8	35.1	34
English Channel (VIId, e)	Plaice	ICES rec	5.4	6.2	[4]6.8	[4]6.9	11.7	10.7	8.8
		Agreed TAC	6.5	6.9	8.3	[4]9.96	11.7	10.7	10.7
		Actual landings	7.4	8.6	10.3	12.9	11.1	11.6	9.7
English Channel (East VIId)	Sole	ICES rec	2.3	[4]2.6	[4]3.1	[4]3.4	3.8	3.7	3.4
		Agreed TAC	2.7	3.2	3.85	3.85	3.85	3.85	3.85
		Actual landings	3.9	3.9	4.90	3.90	4.2	4.0	4.4
English Channel (West VIIe)	Sole	ICES rec	1.3	1.3	1.3	1.3	1.0	0.9	0.54
		Agreed TAC	1.4	1.3	1.15	1.3	1.0	0.9	0.80
		Actual landings	1.4	1.4	1.2	1.4	1.2	1.1	0.70
English Channel and Celtic Sea	Cod	ICES rec VIId	—	—	—	—	[c]10.0	[c]10.5	[c]12.0
		ICES rec VIIf, g	—	—	—	7.0	8.6	9.2	4.5
		Agreed TAC	—	—	—	[b,c]22.0	[b,c]23.9	[b,c]24.0	[b,c]22.0
		Actual landings	—	—	—	29.8	29.2	18.2	12.8
	Whiting	ICES rec VIId	—	—	—	—	—	—	—
		ICES rec VIIf, g	—	—	—	7.0	7.9	8.4	8.0
		Agreed TAC	—	—	—	[4]18.5	[4]19.3	[4]24.0	[4]24.0
		Actual landings	—	—	—	21.2	22.5	18.8	20.2
Bristol Channel/Celtic Sea (VIIf, g)	Sole	ICES rec	1.2	1.2	1.6	0.9	1.0	1.2	1.1
		Agreed TAC	1.2	1.5	1.6	1.1	1.0	1.2	1.2
		Actual landings	1.33	1.60	1.22	1.15	1.0	1.2	1.1
	Plaice	ICES rec	1.3	1.6	[4]1.2	n/a	2.0	1.9	1.7
		Agreed TAC	1.8	1.8	1.8	2.5	2.5	1.9	1.9
		Actual landings	1.8	1.7	1.9	2.1	2.2	2.1	1.5
Irish Sea	Cod	ICES rec	8.8	10.7	10.3	10.1	<13.4	15.3	6.0
		Agreed TAC	15.0	15.0	15.0	15.0	15.0	15.3	10.0
		Actual landings	10.5	9.9	12.9	14.2	12.8	7.4	6.7
	Whiting	ICES rec	13.4	16.0	16.0	12.0	<11.0	8.3	6.4
		Agreed TAC	18.2	18.2	18.2	18.2	18.2	15.0	10.0
		Actual landings	18.2	12.4	14.4	11.9	13.4	10.7	10.0
	Plaice	ICES rec	4.0	5.0	5.0	4.8	5.8	5.1	3.3
		Agreed TAC	5.0	5.0	5.0	5.0	5.8	5.1	4.5
		Actual landings	5.1	4.8	6.2	5.0	4.4	3.3	2.5
	Sole	ICES rec	1.1	1.65	1.9	1.6	<1.5	1.5	1.3
		Agreed TAC	1.25	1.9	2.1	1.75	1.5	1.5	1.5
		Actual landings	1.1	2.0	2.8	2.0	1.8	1.6	1.2
NE Arctic	Cod	ICES rec	170	<446	<645	[e]530	300	172	215
		Agreed TAC	220	400	560	[e]590	300	160	215
		Actual landings	308	430	523	435	332	212	319
Pelagic									
Herring	North Sea (north)	ICES rec[d]	166	235	600	500	484	373	363
	ICES IVa, b	Agreed TAC	—	500	560	500	484	385	370
		Actual landings	466	496	580	646	620	488	503
	North Sea (south) and	ICES rec[d]	62	42	[4]10	[4]5	[4]30	[4]30	[4]30
	English Channel	Agreed TAC	90	70	40	30	30	30	30
	(IVc, VIId)	Actual landings	70	51	45	52	79	61	61
	Irish Sea	ICES rec	5	6.3	4.3	[4]10.5	[4]5.5	[4]6.0	5.6
		Agreed TAC	5	6.3	4.5	10.5	6.0	7.0	6.0
		Actual landings	9.2	7.4	5.8	10.2	5.0	6.3	4.4
Mackerel	North Sea	ICES rec	0	0	[4]—	[4]—	[4]—	[4]—	[4]—
		Agreed TAC	37	55	55	55	49.2	45.2	65.5
		Actual landings	35	25	3	6	7	10	10
	Western	ICES rec	340	290	380	430	[4]500	480	500
		Agreed TAC[a]	415	367	405	573	495	525	575
		Actual landings	561	538	615	628	567	606	646
Sprat	North Sea	ICES rec	[4]—	<80	[4]—	[4]—	[4]—	n/a	n/a
		Agreed TAC	153	100	57	[4]57	[4]59	[4]59	[4]55
		Actual landings	50	16	33	87	63	71	110

Summary of ICES ACFM advice, agreed TACs and actual landings (k tonnes) 1985–91

			1985	1986	1987	1988	1989	1990	1991
Other									
Hake	Northern	ICES rec	—	—	—	[4]54	[4]54	[4]59	[4]59
		Agreed TAC	—	[4]48.9	[4]63.5	[4]66.2	[4]60.0	[4]65.1	[4]67.0
		Actual landings	65.7	59.9	63.3	64.8	66.5	59.9	57.6
Nephrops	North Sea	ICES rec	—	—	—	—	—	—	10.0
		Agreed TAC	—	—	—	—	—	—	—
		Actual landings	8.1	8.6	8.2	9.7	11.1	10.4	11.0
	Area VII	ICES rec	—	[3]20.0	[3]20.0	[3]20.0	[3]20.0	16.5	17.7
		Agreed TAC	—	24.7	24.7	24.7	26.0	26.0	19.0
		Actual landings	17.6	16.4	17.6	15.6	15.2	14.9	15.9
Anglerfish	Area VIIb–k[(f)] and VIIIa, b	ICES rec	—	—	—	—	—	—	—
		Agreed TAC	—	—	39.1	43	43	43	43
		Actual landings	—	—	29.5	28.5	30.0	29.3	25.0
Megrim	Area VIIb–k[(f)] and VIIIa, b	ICES rec	—	—	—	—	—	—	—
		Agreed TAC	—	—	16.5	18.1	18.1	18.1	18.1
		Actual landings	—	—	17.0	17.5	19.2	14.3	15.0

[1] Expected landings.
[2] Human consumption + industrial.
[3] Status quo as no specific recommendation.
[4] Precautionary TAC.
[5] STCF recommendation.
[6] Revised May 1988.
[7] Subsequently revised to 5.6.
[8] Lowest possible level.
n/a: not available.
[(a)] Includes IIa + IV.
[(b)] Includes IIa + IV + IIIa–d.
[(c)] Includes VIIe.
[(d)] Includes VIId–h.
[(e)] Includes VIII, IX, X and CECAF 34.1.1.
[(f)] Includes VIId–k.
[(g)] Includes IV + IIIa + VIId.
[(h)] Includes IV + VIId.
[(i)] Includes IIa (except EC zone), Vb + VII + VIIIa, b, d, e + XII + XIV.
[(j)] Includes VII + VIIIa, b, d, e.
ICES recommended figures are preferred or maximum levels.

Summary of ICES ACFM advice, agreed TACs and actual landings (k tonnes) 1992–98

			1992	1993	1994	1995	1996	1997	1998
Demersal									
North Sea	Cod	ICES rec	98	95	–102	132	141	115	153
		Agreed TAC[(a)]	100	101	102	120	130	115	—
		Actual landings[(a)]	98	105	94	120	106	[1]137	—
	Haddock	ICES rec	60	134	210	109	120	114	110
		Agreed TAC[2,(a)]	60	133	160	120	120	114	—
		Actual landings[(a)]	81	91	84	83	81	[1]131	—
	Whiting	ICES rec	121	88	–87	69	59	76	54
		Agreed TAC[2,(a)]	135	120	100	81	67	74	—
		Actual landings[(a)]	72	68	52	69	64	45	—
	Saithe	ICES rec	[1]102	93	–72	107	111	113	97
		Agreed TAC[(b)]	110	93	97	107	111	115	—
		Actual landings[(b)]	92	105	97	114	110	[1]118	—
	Plaice	ICES rec	<160	[1]170	[1]147	87	61	80	82
		Agreed TAC	175	175	165	115	81	91	—
		Actual landings	125	110	111	98	83	[1]93	—
	Sole	ICES rec	21	[1]29	[1]31	28	23	14.6	18.1
		Agreed TAC	25	32	32	30	23	18	—
		Actual landings	29	31	33	30	23	[1]20	—
English Channel (VIId, e)	Plaice	ICES rec	<9.6	6.1-7.7	[1]9.1	7.0	7.1	6.5	4.8
		Agreed TAC	9.6	8.5	9.1	8.0	7.5	7.1	—
		Actual landings	7.9	6.7	7.0	6.1	6.4	[1]6.7	—
English Channel (East VIId)	Sole	ICES rec	<2.7	2.8	<3.8	3.8	4.7	5.2	<4.5
		Agreed TAC	3.5	3.2	3.8	3.8	4.7	5.2	—
		Actual landings	4.1	4.4	4.6	4.5	5.0	(4.8)	—
English Channel (West VIIe)	Sole	ICES rec	0.77	0.7	1.0	[1]0.86	<0.68	0.69	0.67
		Agreed TAC	0.8	0.9	1.0	0.95	0.7	0.75	—
		Actual landings	0.8	0.8	0.7	0.7	0.58	[1]0.60	—
English Channel and Celtic Sea	Cod	ICES rec VIId	—	—	—	2.9	5.5	—	—
		ICES rec VIIf, g	<9.8	6.5	5.6	4.7	4.7	[4],[6]10.5	[7]13.7
		Agreed TAC	[4],[6]20.0	[4],[6]17.5	[4],[6]17.0	[4],[6]17.0	[4]20.0	[4]20.0	—
		Actual landings	14.1	14.1	14.7	17.1	[7]15.5	(15.9)[7]	—
	Whiting	ICES rec VIId	—	—	6.7	5.7	6.9	—	—
		ICES ref VIIf, g	[4]8.0	6.6	<9.4	8.2	<8.6	[4],[6]12.4	[7]14.0
		Agreed TAC	[4]22.0	[4]22.0	[4]22.0	[4]25.0	[4]28.0	[4]27.0	—
		Actual landings	19.3	22.8	28.3	30.0	[7]23.0	[7]16.2	—

Summary of ICES ACFM advice, agreed TACs and actual landings (k tonnes) 1992–98

			1992	1993	1994	1995	1996	1997	1998
Bristol Channel/Celtic Sea (VIIf, g)	Sole	ICES rec	[1]1.1	—	1.0	1.0	0.8	0.8	0.7
		Agreed TAC	1.2	1.1	1.1	1.1	1.0	0.9	—
		Actual landings	1.0	0.9	1.0	1.2	1.0	[1]0.8	—
	Plaice	ICES rec	1.4	—	1.2	[1]1.3	0.93	1.10	1.0
		Agreed TAC	1.5	1.4	1.4	1.4	1.1	1.1	—
		Actual landings	1.2	1.1	1.1	1.0	0.95	[1]1.2	—
Irish Sea	Cod	ICES rec	10.0	10.2	3.7	3.9	5.4	5.9	6.2
		Agreed TAC	10.0	11.0	6.2	5.8	6.2	6.2	—
		Actual landings	7.2	7.6	5.4	4.6	4.8	[1]5.9	—
	Whiting	ICES rec	9.7	6.5	9.9	[1]8.3	9.8	7.5	3.8
		Agreed TAC	10.0	8.5	9.9	8.0	9.0	7.5	—
		Actual landings	12.8	9.2	7.9	7.0	4.5	[1]4.9	—
	Plaice	ICES rec	3.0	2.8	<3.7	[1]2.4	2.5	2.1	2.4
		Agreed TAC	3.8	2.8	3.1	2.8	2.45	2.1	—
		Actual landings	3.2	2.0	2.1	1.9	1.7	[1]2.1	—
	Sole	ICES rec	1.2	0.92	1.5	0.8	0.8	0.8	0.85
		Agreed TAC	1.35	1.0	1.5	1.3	1.0	1.0	—
		Actual landings	1.3	1.0	1.4	1.3	1.0	[1]0.9	—
NE Arctic	Cod	ICES rec	250	385	649	681	746	993	514
		Agreed TAC	356	500	700	700	700	850	—
		Actual landings	513	582	771	740	732	[1]840	—
Pelagic									
Herring	North Sea (north) ICES IVa, b	ICES rec[2]	[1]396	290	296	[1]379	156	159	225–250
		Agreed TAC	380	380	390	390	156	134	—
		Actual landings	472	432	392	534	216	[1]361	—
	North Sea (south) and English Channel (IVc, VIId)	ICES rec[2]	[4]130	[4]50	[4]50	[4]50	—	—	—
		Agreed TAC	50	50	50	50	—	25	—
		Actual landings	74	85	73	63	50	—	—
	Irish Sea	ICES rec	6.6	4.9–7.4	[4]5.3	[4]<5.1	[4]5.0	none	none
		Agreed TAC	7.0	7.0	7.0	7.0	7.0	9.0	—
		Actual landings	5.3	4.4	4.8	5.1	5.3	n/a	—
Mackerel	North Sea	ICES rec	[5]—	[5]—	[5]—	[5]—	[5]—	[5]—	[5]—
		Agreed TAC	76.3	83.1	95.7	—	—	52.8	—
		Actual landings	n/a	n/a	n/a	—	n/a	n/a	—
	Western	ICES rec	[6]600	670	[6]831	530	280	381	420–580
		Agreed TAC[7]	670	730	790	608	425	364	—
		Actual landings	742	805	798	729	529	[1]530	—
Sprat	North Sea	ICES rec	n/a	n/a	n/a	n/a	none	none	none
		Agreed TAC	[8]55	114	114	175	200	[4][8]150	—
		Actual landings	124	200	324	357	137	n/a	—
Other									
Hake	Northern	ICES rec	[6]61.5	—	<46	31	39.1	54.2	44.8
		Agreed TAC	[6]69.0	71.5	60	55.1	51.1	60.1	—
		Actual landings	56.6	52.1	51.3	56.2	47.8	[1]52.1	—
Nephrops	North Sea	ICES rec	10.6	10.2	[4]12.5	[4]12.5	[4]12.5	[4]12.5	14.6
		Agreed TAC	12.0	12.0	13.0	15.2	15.2	15.2	—
		Actual landings	9.6	12.8	14.4	14.7	13.5	n/a	—
	Area VII	ICES rec	16.5	17.2	[4]17.2	[4]17.2	[4]17.2	[4]17.2	17.2
		Agreed TAC	20.0	20.0	20.0	20.0	23.0	23.0	—
		Actual landings	15.8	16.7	17.5	20.2	17.1	n/a	—
Anglerfish	Area VIIb–k[f] and VIIIa, b	ICES rec	—	—	—	—	30.3	34.3	33.0
		Agreed TAC	43	25.1	23.9	23.2	30.4	34.3	—
		Actual landings	21.1	20.1	21.9	25.0	26.9	[9]29.8	—
Megrim	Area VIIb–k[f] and VIIIa, b	ICES rec	—	—	—	—	16.6	19.1	14.5
		Agreed TAC	18.1	21.5	20.3	22.6	21.2	25.0	—
		Actual landings	15.5	14.9	13.5	15.5	14.4	[1]14.3	—

[1] Expected landings.
[2] Human consumption + industrial.
[3] Status quo as no specific recommendation.
[4] Precautionary TAC.
[5] STCF recommendation.
[6] Revised May 1988.
[7] Subsequently revised to 5.6.
[8] Lowest possible level.
n/a: not available.
[a] Includes IIa + IV.
[b] Includes IIa + IV + IIIa–d.
[c] Includes VIIe.
[d] Includes VIId–h.
[e] Includes VIII, IX, X and CECAF 34.1.1.
[f] Includes VIId–k.
[g] Includes IV + IIIa + VIId.
[h] Includes IV + VIId.
[i] Includes IIa (except EC zone), Vb + VII + VIIIa, b, d, e + XII + XIV.
[j] Includes VII + VIIIa, b, d, e.
ICES recommended figures are preferred or maximum levels.
In many cases 1998 figures are estimates of possible Commission proposals.

Unpasteurised Milk

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food how many people were medically affected as the result of drinking unpasteurised milk in each of the last five years. [17282]

Dr. John Cunningham: Information is not routinely collected on individual cases of illness.

Raw cows' drinking milk has been shown by surveillance studies to contain pathogens, and some data are available on illnesses associated with particular foods following outbreaks of food poisoning.

The Public Health Laboratory Service has published data in 'General outbreaks of infectious intestinal disease associated with milk and dairy products in England and Wales between 1992 and 1996'. This can be found in the 'Communicable Disease Report', Volume 7, Review number 3 dated 7 March 1997.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will list the powers available to him to ban the use of unpasteurised milk in England and Wales. [17284]

Dr. John Cunningham: Section 16 (1) (f) of the Food Safety Act 1990 empowers Ministers to make regulations prohibiting the sale of food where it appears necessary or expedient to them in the interests of the public health or to protect or promote the interests of consumers.

In accordance with established procedure, any proposal to proceed with a ban, e.g. on the sale in England and Wales of raw cows' milk for drinking, would need to be notified under the Technical Standards Directive (83/189/EEC), to give the European Commission and the other member states the opportunity to express a view.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will publish the concerns expressed to him by the Advisory Committee on the Microbiological Safety of Food about the microbiological quality of unpasteurised cows' milk for drinking. [17283]

Dr. John Cunningham: The Advisory Committee on the Microbiological Safety of Food has considered reports of two surveys on the microbiological status of raw cows' milk for drinking. The Committee was very concerned to note that these surveys showed that raw cows' drinking milk contained significant amounts of faecal contamination indicator micro-organisms as well as, in some cases, food poisoning pathogens. These concerns were publicised in the press release of the Committee's 18 September meeting, copies of which have been placed in the Library of the House.

Sheep Annual Premium

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if an underspend on sheep annual premium in the financial year 1997–98 could result in an increase in the level of Britain's Fontainebleau rebate during 1998–99. [17280]

Dr. John Cunningham: An underspend on sheep annual premium in the 1997 EU Budget could theoretically increase the UK's Fontainebleau abatement during 1998. However, it is not possible to be sure of the effect for the UK's abatement, for the reasons given in the reply to the right hon. Member by my hon. Friend the Economic Secretary to the Treasury on 18 November 1997, *Official Report*, column *115*.

Food Priorities

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 17 November 1997, *Official Report*, column *21*, when he estimates it will be appropriate for him to publish the details of the United Kingdom, agriculture, fisheries and food priorities for the period of the United Kingdom's presidency of the European Union. [17281]

Dr. John Cunningham: I will announce my presidency priorities after the Luxembourg presidency has substantially completed its business.

Agriculture Schemes

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food which Community-funded agricultural schemes affecting the United Kingdom he estimates will be underspent in relation to their expected levels of expenditure at the end of the current financial year; and if he will make a statement giving details of projected underspends for each affected scheme. [17279]

Dr. John Cunningham: Lower than expected levels of expenditure on EU-funded agricultural schemes do not automatically lead to an underspend since reduced expenditure is mirrored in a corresponding reduction in EU receipts.

Written Answers to Questions

Monday 24 November 1997

TREASURY

Tax Avoidance Schemes

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if, in his review of avoidance of direct taxes, he will examine the use of Jersey-based capital gains tax avoidance schemes by British companies. [12587]

Dawn Primarolo: Yes.

Economic and Monetary Union

Ms Kelly: To ask the Chancellor of the Exchequer if he will make a statement on the legislation which would need to be enacted prior to the United Kingdom joining a single currency. [15338]

Mrs. Liddell: The European Communities (Amendment) Act 1993 requires an Act of Parliament before the UK would be able to move to the third stage of economic and monetary union. In addition, as confirmed in the Chancellor's statement on 27 October 1997, *Official Report*, columns *583–88*, whenever a decision to enter is taken by the Government, it should be put to a referendum of the British people, and this would require legislation. Separately, the Bank of England would need to be compatible with the terms of the Treaty which apply if we were to join and there would be changes needed to related UK legislation.

Mr. Mitchell: To ask the Chancellor of the Exchequer from what decisions relating to the European Single Currency—other than those determined in treaties or protocols concerning the operation of the European Monetary Institute, the European System of Central Banks or the statutes and duties of the European central banks—member states unable or unwilling to participate in the single currency, or the representatives of their respective central banks, will be excluded. [15436]

Mrs. Liddell: All decisions relating the European Central Bank (ECB) will be taken pursuant to the Treaty establishing the European Community, including its various Protocols, in particular Nos. 3, 4, 8 and 11, which collectively lay down the rights and obligations of participating and non-participating member states and their National Central Banks.

Mr. Brazier: To ask the Chancellor of the Exchequer what representation he has made concerning the formation of a working group of first-round EMU participants distinct from the ECOFIN group. [16987]

Mrs. Gorman: To ask the Chancellor of the Exchequer what is his policy on the proposal of the French Government for a Conseil de l'Euro. [17002]

Mrs. Liddell *[holding answer 19 November 1997]:* The UK is in agreement with all other Member States that the ECOFIN Council will remain the decision-making body for economic and financial issues after the start of stage three of EMU, as it is now.

Tax and Benefits Task Force

Mr. Gibb: To ask the Chancellor of the Exchequer if he will list the members of the Tax and Benefits Task Force chaired by Mr. Martin Taylor. [16845]

Mr. Gordon Brown: Martin Taylor chairs a Task Force on which the Treasury, Inland Revenue, the Department of Social Security and Department for Education and Employment are represented by senior officials. It is not the usual practice to name individual officials.

Public Appointments

Mr. Vaz: To ask the Chancellor of the Exchequer how many public appointments he has made since 1 May; and how many and what percentage of these *(a)* receive remuneration and *(b)* are of (i) Afro-Caribbean and (ii) Asian origin. [16782]

Mrs. Liddell: The Chancellor's Department and Agencies have made 31 public appointments since 1 May 1997, of which eight (26 per cent.) receive remuneration. The information about ethnic origin cannot be provided since to do so would risk identifying individuals without their consent. My right hon. Friend the Chancellor of the Duchy of Lancaster has provided information for all departments in an aggregated form.

Wealth Tax

Dr. Vis: To ask the Chancellor of the Exchequer if he will calculate the revenue impact of imposing an additional 1 per cent. annual tax on individuals whose assets exceed £1 million. [17040]

Dawn Primarolo: It is not possible to assess precisely the number and wealth of millionaires in the United Kingdom at any one time. The only available estimates are derived from inheritance tax data on a year-of-death basis. On this basis it is provisionally estimated that living individuals with net marketable wealth—that is, excluding pension rights—exceeding £1 million in 1994, the latest available year, owned assets totalling £116 billion, of which 1 per cent. represents just over £1 billion.

Exchange Rates

Dr. Fox: To ask the Chancellor of the Exchequer pursuant to his answer of 13 November, *Official Report*, column *625*, on exchange rates, if he will publish the available evidence which suggests that the use of foreign currency is fairly stable over time. [16899]

Mrs. Liddell *[holding answer 20 November 1997]:* The following figures, which are the most recent available, show exports and imports invoiced in foreign currency from 1979–88. It suggests that the proportion of trade invoiced in foreign currency was generally stable over that period, after allowing for a likely once-off adjustment by businesses to the lifting of foreign exchange controls.

Proportion of UK exports invoiced in sterling and foreign currency (by value) 1979–88[1]

Year	Invoiced in currency of destination country[2]	Invoiced in US dollars	Invoiced in other foreign currencies	Invoiced in sterling
1979	12	12	2	74
1980	11	11	2	76
1981	16	9	1	74
1982	18	15	2	65
1983	19	14	2	65
1984	22	15	0	63
1985	23	18	0	59
1986	26	20	3	54
1987	24	19	3	57
1988	24	15	3	62

[1] Data 1979 based on annual figures; 83–88 based on November transactions except for 1987, which is based on May data.

[2] 'Invoiced in currency of destination country' includes US dollar for US/UK trade.

Proportion of UK imports invoiced in sterling and foreign currency (by value) 1979–88[1]

Year	Invoiced in importing country currency[2]	Invoiced in US dollars	Invoiced in other foreign currencies	Invoiced in sterling
1979	38	21	3	38
1980	38	27	3	32
1981	41	23	1	3
1982	41	22	2	34
1983	44	19	2	35
1984	41	25	1	34
1985	43	24	1	32
1986	46	17	2	37
1987	46	13	1	40
1988	41	16	2	43

Notes:

[1] Data 1979–83 annual figures; 83–88 based on September transactions except for 1987 which is based on March data.

[2] 'Invoiced in currency of importing country' includes US for US/UK trade.

Sources:

'British Business' 31 May 1985, 17 January 1986 and 24 April 1987 (DTI) and 'Business Bulletin' 15 December 1989 (CSO).

Airbus

Mr. Jack: To ask the Chancellor of the Exchequer if he will make a statement on the reasons for his Department not having approved the grant of launch aid to British Aerospace in respect of its involvement in the Airbus A340–500 and 600 aircraft. [17255]

Mr. Darling *[holding answer 21 November 1997]:* The Government have yet to announce their decision concerning the application for assistance from British Aerospace.

National Asset Register

Mr. Timms: To ask the Chancellor of the Exchequer when he expects to be able to publish the National Asset Register. [17817]

Mr. Darling: I am publishing The National Asset Register today. Copies are available in the Vote Office.

The National Asset Register fulfils the Government's Manifesto commitment to publish a thorough inventory of the assets they own. Publication demonstrates the Government's commitment to greater openness and accountability by letting the nation see what assets the nation owns.

This is the first time that any Government have had such a comprehensive picture of all the assets they hold. The National Asset Register will be an invaluable starting point in helping departments to identify whether they are making the best use of their assets and achieving value for money. It demonstrates the Government's commitment to maintaining prudent and sound financial management.

To help departments do this the Treasury has also introduced two new measures to encourage departments to get the best from their assets:

First, at present any receipts from the sale of surplus assets must be surrendered to the Consolidated Fund unless the Treasury agrees that the department concerned can retain them to increase its gross spending power. (The receipts then count as negative public expenditure so do not increase net spending or the Control Total.)

From 1 April 1998 until 1 April 2001 when the new resource budgeting arrangements are in place, the Treasury will allow departments to retain 100 per cent. of the receipts from assets of which they dispose, subject to certain limits. These limits are that:

the value of an individual sale does not exceed £100 million;

the value of the total sales for any financial year does not exceed 3 per cent. of a department's cash-limited vote; and

the receipts can only be used to finance capital spending. They cannot be used to finance current spending.

These limits are necessary to ensure that these sales do not distort the Government's overall spending allocations.

Second, Departments are also being encouraged to make better use of assets they retain. This more effective management may include increasing commercial activity which has generally been constrained by lack of incentives for departments and by current Treasury guidance.

Under the new arrangements Departments will be helped to maximise the value they retain from their assets by

being able to retain receipts from commercial activity;

being encouraged to develop relationships with the private sector to bring in any necessary skills and expertise;

the Treasury's Private Finance Task Force will provide support to Departments; and

this new approach in being developed in partnership with departments which are being consulted on the arrangements.

PRESIDENT OF THE COUNCIL

Press Releases

Mr. Matthew Taylor: To ask the President of the Council what is her policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if she will make a statement. [16283]

Mrs. Ann Taylor: All press releases issued on my behalf are posted to the relevant Opposition spokesman on the day of release. Press notices are not routinely faxed to Opposition party spokesmen unless requested. There has been no change since 1 May.

Departmental Information

Mr. Matthew Taylor: To ask the President of the Council if she will place in the Library a copy of the internal departmental guidance on the dissemination of information; and if she will make a statement. [16284]

Mrs. Ann Taylor: In my small Department it has not bee necessary to issue detailed guidance on the dissemination of information.

EDUCATION AND EMPLOYMENT

Student Loans

Mr. Ian Bruce: To ask the Secretary of State for Education and Employment what will be the total loan available to students whose parents are not required to provide a parental contribution for those undertaking higher education for *(a)* three years, *(b)* four years, *(c)* five years, *(d)* six years, *(e)* seven years and *(f)* eight years; and what is his estimate of how long the loan will take to repay in each case if a graduate earns (i) 50 per cent. average earnings, (ii) 75 per cent. average earnings, (iii) 85 per cent. average earnings, (iv) average earnings, (v) 125 per cent. average earnings, (vi) 150 per cent. average earnings, (vii) twice average earnings and (viii) three times average earnings. [16429]

Dr. Howells *[holding answer 17 November 1997]:* The table following sets out the estimated maximum amount of loan available to students studying outside London and living away from home during their studies, and the estimated number of years it would take to repay these loans. It should be noted, however, that the vast majority of students will be on courses lasting not more than four years. Of those few on courses lasting longer than four years, medical and dental students might also be eligible for income-related bursaries from the Department of Health to help with living costs.

Maximum loan available to students and estimated length of repayment under new student support arrangements

Earnings (as a percentage of average earnings)

Number of years of study	*Maximum loan available (1990–00 prices) (£)*	*50 per cent.*	*75 per cent.*	*85 per cent.*	*100 per cent.*	*125 per cent.*	*150 per cent.*	*200 per cent.*	*300 per cent.*
		Number of years taken to repay loans							
3	10,395	[1]—	17	13	10	7	5	4	3
4	14,020	[1]—	21	16	12	9	7	5	3
5	17,645	[1]—	25	19	15	10	8	6	4
6	21,270	[1]—	28	22	17	12	9	7	4
7	24,890	[1]—	32	25	19	14	11	8	5
8	28,520	[1]—	34	27	21	15	12	8	5

[1] Loans never fully repaid. 'Average earnings' have been taken from the 'New Earnings Survey 1997'. Average graduate earnings would be expected to increase more rapidly than average earnings for full-time workers as a whole, thus reducing the average length of the repayment period for any given amount of loan;

Repayments will not begin until a graduate has a gross annual income of £10,000 and will stop if at any time their income falls below this threshold;

The figures for 'maximum loan available' are based on the assumption that the graduates enter higher education in 1999–2000 and are therefore eligible for a 100 per cent. maintenance loan (as opposed to the 75 per cent. loan available in the 1998–99 transitional year). They also assume that loans will be uprated annually in line with inflation.

Child Care

Mrs. Gillan: To ask the Secretary of State for Education and Employment what plans he has to build on the Child care Consultation carried out by the last Government. [17274]

Mr. Alan Howarth: We have already taken action to improve childcare by extending the childcare disregard and offering young people the opportunity to obtain training and work experience in childcare as part of the New Deal programme. We are currently developing a National Childcare Strategy which will help parents, especially women, to balance family and working life and I will make an announcement in the first part of next year.

Student Fees

Mr. Rowlands: To ask the Secretary of State for Education and Employment if he will list those non-degree education courses which will be subject to the Government's new student fees policy. [16541]

Dr. Howells: Undergraduate full-time courses of higher education leading to an HND or DipHE or to a certificate, diploma or other academic award comparable to a first degree will be subject to the new arrangements for student support starting in autumn 1998. Postgraduate and part-time courses of initial teacher training will also be covered. However, we have already announced that students on PGCE courses will continue to receive free tuition.

Teachers (Advanced Skilled Status)

Mr. Fitzpatrick: To ask the Secretary of State for Education and Employment what estimate he has made of the percentage of teachers who achieve advanced skilled teacher status. [16909]

Ms Estelle Morris: The Government intends to introduce a new career grade of Advanced Skills Teacher to reward the best teachers who are prepared to take on additional roles contributing tc the quality of teaching in their schools. In the first instance, it is proposed that the new grade could be introduced on a pilot basis in September 1998. Further decisions will be taken following the pilots.

University Admissions (Oxford and Cambridge)

Mr. Sheerman: To ask the Secretary of State for Education and Employment what proportion of undergraduate students admitted to Oxford and Cambridge universities came from outside the European Union in the last year for which figures are available. [16760]

Dr. Howells: The most recent data available are for academic year 1996–97 and are given in the table:

Entrants[1] to undergraduate courses 1996–97

University	*Percentage of non-EU undergraduate entrants*
Oxford	7.2
Cambridge	8.0

[1] Students on their first year of study.

Mr. Sheerman: To ask the Secretary of State for Education and Employment what proportion of undergraduate students admitted to Oxford and Cambridge universities came from grant-maintained schools in the most recent year for which figures are available. [16857]

Dr. Howells: The information requested is not held centrally. I understand that the Admissions Offices of both universities do produce annual statistics along these lines and my hon. Friend might care to speak to them directly.

Student Maintenance Grant

Mr. Sheerman: To ask the Secretary of State for Education and Employment (1) how many *(a)* first-year, *(b)* second-year, *(c)* third-year and *(d)* fourth-year undergraduate students at Oxford and Cambridge universities qualified for a maintenance grant in each of the last five years; [16758]

(2) if he will list the proportion for each year of the last five years of *(a)* first-year, *(b)* second-year, *(c)* third-year and *(d)* fourth-year undergraduate students attending all United Kingdom universities who qualified for a maintenance grant. [16759]

Dr. Howells: Information is not collected centrally on maintenance awards by year of course nor on awards made to students at individual universities. The table below shows the percentage of mandatory award holders from England and Wales who received full, partial and nil maintenance grants in each of the last five years.

Mandatory awards in England and Wales[1]

Academic years 1991–92 to 1995–96 — *Percentage of award holders receiving full, partial and nil rates of grant*

	1991–92[2]	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Full maintenance grant	39	42	44	45	45
Partial maintenance grant	36	34	33	32	30
Nil maintenance grant	25	24	22	23	24

Source:
F503G
Notes:
[1] Made by LEAs in England and Wales to students normally domiciled in their area who are studying in the United Kingdom. Includes awards made to postgraduate students on courses of initial teacher training.
[2] Excluding awards made by the London Residuary Body for which full details are not available.

University Funding

Mr. Öpik: To ask the Secretary of State for Education and Employment if he will list the amount of university funding per student in England in *(a)* 1994–95, *(b)* 1995–96, *(c)* 1996–97 and *(d)* 1997–98; and if he will make a statement. [16935]

Dr. Howells: Public funding in cash terms per higher education student in England paid through grants to the Higher Education Funding Council for England and the Teacher Training Agency and through publicly funded tuition fees was £4,973 in 1994–95; £4,976 in 1995–96; £4,803 in 1996–97; and is £4,858 in 1997–98.

Age Discrimination

Dr. Vis: To ask the Secretary of State for Education and Employment if he will make a statement on the protection afforded under *(a)* European Union and *(b)* United Kingdom law to employees against age discrimination. [17044]

Mr. Andrew Smith: Employees in the UK are afforded protection under employment legislation. However, there is no specific age discrimination legislation in either the United Kingdom or the European Union.

Dr. Vis: To ask the Secretary of State for Education and Employment what guidance his agencies issue to *(a)* employers and *(b)* employees about age discrimination in the work place. [17041]

Mr. Andrew Smith: My colleagues and I take every opportunity to explain to employers the benefits of a diverse workforce. The Employment Service encourages employers to recruit on merit, irrespective of age. It also encourages jobseekers to treat age as a positive asset in jobsearch and provides advice on handling objection to employment which may be due to age.

Dr. Vis: To ask the Secretary of State for Education and Employment (1) what is the Government's policy on age discrimination in the work place; [17042]

(2) what proposals his Department has to tackle age discrimination in the work place. [17043]

Mr. Andrew Smith: The Government believes that age discrimination in employment is unfair and makes no economic sense, either for business or society. I told my hon. Friend the Member for Walsall North on 22 May 1997, *Official Report*, column *825*, that I intended to consult widely on the best approach to this issue. The consultation is taking place.

LEA Funding

Mr. Bill O'Brien: To ask the Secretary of State for Education and Employment what criteria are laid down by his Department for LEAs obtaining support for bids under the New Deal scheme for replacing old school buildings; and if he will make a statement. [17024]

Mr. Byers: We issued guidance to Local Education Authorities (LEAs) on how to bid for the next tranche of New Deal for Schools funding on 5 November. In deciding allocations, we shall consider LEAs plans to meet their most urgent building needs as a whole. We are asking LEAs to assess the condition of their school buildings objectively in four priority bands. This will allow us to compare the needs of LEAs consistently across the country.

Mr. Bill O'Brien: To ask the Secretary of State for Education and Employment if he will make a statement on the procedure followed by his Department in approving funding for design work on the replacement of old school buildings and in allocating funding for the replacement of such schools. [17025]

Mr. Byers: For county schools, we do not allow separately for design fees when we allocate Annual Capital Guidelines (ACGs) or Supplementary Credit Approvals (SCAs); design fees are part of the project costs which LEAs meet from borrowing and other sources of funding at their disposal. For voluntary aided and special agreement schools, LEAs may bid for grant aid for design fees in the annual capital bidding round in October each year or, in the case of statutory proposals, before publication. The annual bidding letter sets out the priorities for distributing resources to schools. Authorities may bid to replace a school in the Exceptional Basic Need (EBN) category. EBN funding is only given if the building will have to be taken out of use within the next twelve months; repair is impracticable; and no alternative provision exists.

For New Deal for Schools allocations in 1997–98, we gave priority to bids to cover the development costs of innovative Public Private Partnerships and building work which could be completed between 30 September 1997 and 31 March 1998. No whole-school replacements were supported.

Mr. Bill O'Brien: To ask the Secretary of State for Education and Employment if he will list those schemes included in the 1997–98 financial year bids for school replacements which are due for completion by 31 March 1998. [17026]

Mr. Byers: No Annual Capital Guideline or Supplementary Credit Approval cover, grant aid for governors costs, or grant through the New Deal for Schools is being provided in 1997–98 for whole school replacements scheduled for completion before 31 March 1998.

Lancaster Adult College

Mr. Dawson: To ask the Secretary of State for Education and Employment if he will make a statement on the allocation of additional resources to Lancaster Adult College. [17546]

Dr. Howells: On 12 November, my right hon. Friend set out the Government's vision and priorities for further education. He announced additional funding for the sector next year, totalling £83 million. The Further Education Funding Council will take decisions, in the light of guidance from my right hon. Friend, on the general principles to be applied to funding for the academic year 1998–99. Allocations of funding to sector colleges, and external institutions like Lancaster Adult College, are the responsibility of the Council which will make them early next year.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Local Government (South-East England)

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government have taken to meet local government associations and council leaders for authorities covering South-East England since 1 May. [16504]

Mr. Raynsford: My Ministerial colleagues and I have met on a number of occasions with representatives of the Local Government Association, the Association of London Government and individual council leaders since 1 May, to discuss a wide range of topics, including the London and South East Regional Planning Conference (SERPLAN).

Rural England White Paper

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions if the Government intend to continue the updating of statistics which the 1995 White Paper on Rural England and its 1996 update emphasised the importance of updating; and if he will make a statement. [16506]

Angela Eagle: We have no plans to publish an update of the commitments set out in the previous Administration's White Papers on Rural England, but statistics on issues affecting the countryside continue to be collected and updated. Much of this information is published.

For example, we will be undertaking a major national survey of the habitats, plants, landscape features and land types of the British Countryside to mark the end of the Millennium. Countryside Survey 2000 will update and extend previous surveys undertaken at intervals over the last 20 years.

Biocidal Products Directive

Mr. Brazier: To ask the Secretary of State for the Environment, Transport and the Regions what are the total

projected costs to British business of the amended European Union directive on the placing of biocidal products on the market; and what discussions he has had with British business interests on this matter. [16984]

Angela Eagle: I have had no direct discussions with British business about the Biocidal Products Directive. The Health and Safety Executive have consulted business on all aspects of this directive through regular meetings of a working group on biocides.

When the directive is implemented, British business will benefit from the opening up of the EU-wide market in biocidal products and from the introduction of a single risk assessment procedure for approval of products, involving mutual recognition of product authorisations in all member states. HSE's estimate of the costs to industry of implementing the directive are set out in the cost benefit assessment (CBA) appended to the Department's Explanatory Memorandum 9600/97 submitted in August 1997. A copy has been placed in the Library.

Costs are estimated on the basis of the additional costs over and above those which would be incurred by a compliance with existing chemical control regimes. The CBA shows estimated one-off costs in the range of £5–£20 million, with annual costs of around £6.7 million, depending on the number of new products placed on the market. This estimate of annual costs takes account of the significant reduction in costs achieved by the simplified administrative procedures negotiated by the United Kingdom. HSE are currently updating the cost estimates in the CBA in discussion with the Chemical Industries Association.

Coastguards

Mr. Jack: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list the locations of the permanently manned coast stations planned for 2001 which will have responsibility for marine and coastal safety in the Irish Sea; [16977]

(2) if he will make a statement on the provision of coastguard services for the North West of England following the proposed closure of the Liverpool Centre in 2000. [16973]

Ms Glenda Jackson: The Coastguard Agency plans that in the year 2001, the following permanently manned coastguard stations will have responsibility for marine and coastal safety in the Irish Sea:

Maritime Rescue Sub Centre (MRSC) Belfast

MRSC Holyhead

MRSC Milford Haven

Following the closure of Liverpool in 2000, the level of provision of coastguard services in the North West will be unaffected. Radio sites will remain at Calbeck, Walney Island, Blackpool, Liverpool and Heswall and will be controlled by MRSC Holyhead. An additional Sector Manager will be located at Liverpool.

Local Authority Spending

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions by how much local authority spending increases for each 1 per cent. rise in the GDP deflator. [16870]

Mr. Raynsford: There is no automatic link between inflation in the economy generally, as measured by any rise in the GDP deflator, and local authority spending. The impact would depend on the rate of increase in prices for the particular services and goods purchased by authorities, and on authorities' budgetary reactions to these pressures.

Bus Lanes

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how much has been spent on bus lane cameras since 1 May. [16840]

Ms Glenda Jackson: The Traffic Director for London is currently developing a trial in north London as part of a project to test the use of cameras to enforce bus lanes, but nothing has been spent on cameras since 1 May. We understand that the London local authorities are also working towards using cameras to enforce bus lanes but we have no information on how much money they might have spent on cameras.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many people have been successfully prosecuted for driving in bus lanes since 1 May. [16841]

Ms Glenda Jackson: The information requested is not separately identified in the statistics collected centrally.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what is the average number of police man hours spent each week studying the film from bus lane cameras. [16843]

Ms Glenda Jackson: From 5 December prosecutions will begin in the Traffic Director for London's project in north London to test cameras to enforce bus lanes. He estimates that it will then require about two police man hours per week to study the film from the cameras.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the revenue expected from fines for driving in bus lanes during the next financial year. [16842]

Ms Glenda Jackson: No estimates are made of future fine revenue for specific offences.

Social Housing

Mr. Todd: To ask the Secretary of State for the Environment, Transport and the Regions what annual targets have been set for social housing construction. [16974]

Mr. Raynsford: My Department has not set annual targets for social housing construction. Official estimates of the newly arising need for social housing in England over the period 1991–2001, published in 1995, indicate a requirement for 60,000 to 100,000 lettings per year.

My Department has commissioned the Department of Applied Economics at Cambridge University to carry out a feasibility study of an economic model of housing need for the period 1996–2006. Ministers have not yet reached conclusions on this research, or on the proportion of housing need which will be met by means other than new construction. A report on the research will be published shortly.

Carbon Dioxide Emissions

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will seek to negotiate an enforcement mechanism for reviewing carbon dioxide emission targets at Kyoto. [16868]

Mr. Meacher: Both the UK and the EU believe that the targets to be agreed in Kyoto should be legally binding. We consider that targets, as well as other commitments in the Protocol, must be backed by a strong compliance regime. However, the details of the regime provided for in the Protocol will be elaborated after Kyoto.

Lord Sainsbury

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions when he last met Lord Sainsbury in an official capacity; and what subjects were discussed. [16836]

Mr. Prescott: I met Lord Sainsbury of Turville on 20 October 1997 for the first and only time since the General Election. We had a wide-ranging discussion on a number of issues relating to the policy areas of my Department. In particular, the meeting covered rail freight, lorry weights, mixed-use housing and retail developments and the speed and consistency of the planning process generally.

Local Government Finance

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions by how much the interest rate bill of local authorities rises for each 1 per cent. rise in interest rates. [16861]

Mr. Raynsford: I estimate that English local authorities currently hold about £5 billion in variable rate debt, on which additional interest payments of £50 million would arise if interest rates rose by 1 per cent. generally.

Further, if authorities borrow an additional £2 billion in 1997–98, broadly in line with the issue of new credit approvals, then a 1 per cent. rise in interest rates would increase interest payments on this new borrowing by about £20 million.

Local authorities currently hold around £10 billion in bank deposits and other short-term investments and might therefore earn additional interest of up to £100 million, if rates rose by 1 per cent.

However, the additional costs or income arising from the increase in interest rates would tend to be offset over time by compensating changes in HRA subsidy and Revenue Support Grant paid to local authorities by central government.

Tourist Coaches (London)

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the adequacy of parking facilities for tourist coaches in London; and what plans he has to make improvements. [16791]

Ms Glenda Jackson: In London, the provision of coach parking and its enforcement is generally the responsibility of the local authorities. We aim to encourage the local authorities, the coach and tourist industries and other interested parties to discuss and implement measures to assist the operation and parking of coaches.

Acid Rain

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effect of acid rain on Britain's trees. [17170]

Angela Eagle: Maps of acid deposition in the UK based on work carried out for my Department have recently been published in reports by the Review Group on Acid Rain and the Critical Loads Advisory Group. Copies have been deposited in the House of Commons Library.

Research into the sensitivity of trees to acid deposition is being carried out both in the UK and elsewhere in Europe. From the research, maps of the sensitivity of forest ecosystems to acid deposition have been developed on a UK and European scale. The areas of the UK forest at risk of damage can be identified by combining the maps of sensitivity and acid deposition.

In addition, surveys of woodland tree condition in the UK are carried out annually. While these do not assess directly the impact of acid rain, the have provided evidence that, during the past few years, the previous decline in tree health has been reversed.

Acid rain and damage to sensitive ecosystems including trees is an on-going transboundary problem. The UK was one of the first countries to ratify the Second Sulphur Protocol under the United Nations Economic Commission for Europe (UNECE) Convention on Long Range Transboundary Air Pollution. This commits the UK to an 80 per cent. reduction in its 1980 sulphur emissions by 2010. My Department is currently taking an active part in negotiations in the EU and UNECE aiming to provide further protection to the environment from acid deposition.

English Partnerships (Allocation of Funds)

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will list, by region, the amount of money in each of the last five financial years which English Partnerships allocated to *(a)* housing development, *(b)* employment, and *(c)* retail development. [16894]

Angela Eagle *[holding answer: 20 November 1997]:* English Partnerships became fully operational in April 1994, with statutory objectives focusing on the sustainable regeneration of areas of need promoting job creation, inward investment and environmental improvements through the reclamation and development of vacant, derelict and underused land and buildings. It operates through broadly based strategic partnerships throughout the English regions with local authorities, the private sector, voluntary bodies and others.

Although English Partnerships does not keep information in the form requested, the table sets out, by region, English Partnerships' approved investment by development type under its Partnership Investment Programme, over its first three years of operation.

Approved Partnership Investment Programme

£ million

	1994–95	1995–96	1996–97
North East Region			
Housing	0.584	3.408	5.022
Retail	1.453	—	2.670
Other			
Commercial/Industrial	16.374	8.574	47.594
Total	18.411	11.982	55.286
North West Region			
Housing	11.628	4.223	6.440
Retail	0.300	2.874	6.416
Other			
Commercial/Industrial	14.878	37.137	39.086
Total	26.806	44.234	51.942
Yorkshire and Humberside			
Housing	1.018	4.913	1.926
Retail	—	—	2.744
Other			
Commercial/Industrial	8.861	18.760	34.276
Total	9.879	23.673	38.946
Midlands			
Housing	0.805	1.777	0.845
Retail	3.370	0.982	0.546
Other			
Commercial/Industrial	34.444	37.385	44.107
Total	38.619	40.144	45.498
London and South East			
Housing	8.287	0.705	2.084
Retail	6.000	—	—
Other			
Commercial/Industrial	6.800	20.694	26.700
Total	21.087	21.399	28.784
South West			
Housing	0.113	—	0.200
Retail	—	—	1.400
Other			
Commercial/Industrial	—	9.321	26.113
Total	0.113	9.321	27.713
Total all regions	114.915	150.753	248.169

Fishing Vessels (Safety)

Mr. Godman: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 18 November, *Official Report*, column *127*, (1) if he will list the organisations and other interested parties which were consulted over the proposed Code of Safe Working Practices for Fishing Vessels' and if he will make a statement; [17553]

(2) when the new code of safe working practices for fishing vessel will be published. [17552]

Ms Glenda Jackson: I have asked the Chief Executive of the Marine Safety Agency to write to my hon. Friend.

Letter from R. M. Bradley to Mr. Norman Godman, dated 24 November 1997:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your Questions relating to the new Code of Safe Working Practice for Fishermen.

The first draft of the Code has recently been prepared for the Marine Safety Agency (MSA) by the Sea Fish Industry Authority. The MSA is convening an early meeting of the Fishing Industry Safety Group's Technical Sub Group to discuss the draft Code and to consider its further development.

Publication of the Code, which will provide guidance on the regulations which implement the Framework Directive on the introduction of measures to encourage improvements in the safety and health of workers at work and associated daughter directives, is dependent on progress on its development and on consultation with the fishing industry. We aim to introduce the regulations to implement the Directive early in 1998 and, subject to completion of the Code, to bring them into force by 31 March 1998.

CITES

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the Government *(a)* abstained from the vote to downlist three populations of African elephants at the CITES conference and *(b)* agreed to an exemption to the ban on ivory sales by Botswana, Namibia and Zimbabwe. [17578]

Angela Eagle: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Environment to my hon. Friend the Member for Barnsley, East and Mexborough (Mr. Ennis) on 8 July, *Official Report*, column *449*, which reports the main decisions taken by the Conference.

Schools (Safe Routes)

Mr. Shaw: To ask the Secretary of State for the Environment, Transport and the Regions what measures his Department is taking to encourage more children to walk to school. [17432]

Ms Glenda Jackson: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) on 18 November, *Official Report*, columns *137–38*.

EU Structural Funds

Mr. Peter Atkinson: To ask the Secretary of State for the Environment, Transport and the Regions what was the level of Objective 5b funding in the less-favoured areas of the North of England in (i) 1993, (ii) 1994, (iii) 1995 and (iv) 1996. [17310]

Angela Eagle: European Funds under Objective 5b became available for the Northern Uplands from 1 January 1994. However they must be supplemented by other funds from the public and private sectors. The full amount of the funding available is as follows:

£ million

	European structural funds	Public/private sectors	Total
1993	—	—	—
1994	8.8	12.4	21.2
1995	11.5	16.4	27.9
1996	13.1	18.8	31.9

South Downs

Mr. Lepper: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about a timetable for public consultation on the long-term structure for the management of the South Downs; and if he will indicate the form that consultation will take. [16723]

Angela Eagle: At our request, the Countryside Commission is carrying out the consultation on the long-term arrangements for the South Downs. A conference will take place in Brighton on 26 November to launch the consultation document and mark the beginning of the further debate on the future of the Downs. Copies of the consultation document will be available from the Commission's London office from that date. Copies will also be freely available at libraries within the South Downs and surrounding towns from the following week. Written views are requested by 12 January 1998 when the Commission will start its analysis, but any significant points made later in January can still be taken into account. The Commission will analyse the responses and bring the results and advice to Ministers next spring.

Genetically Modified Organisms

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions how many examples of the horizontal transmission of genetic material from genetically modified organisms approved for *(a)* field testing and *(b)* marketing his Department has evaluated. [17339]

Angela Eagle: The risks of all types of gene transfer, including horizontal gene transfer, are evaluated when considering all applications for consent to release or market genetically modified organisms (GMOs) in the UK. To date 134 applications for the experimental release of GMOs in Great Britain and 24 notifications for marketing GMOs in the European Community have been considered since the Genetically Modified Organisms (Deliberate Release) Regulations 1992 came into force on 1 February 1993.

Driving and Diabetes

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the members of the Honorary Advisory Panel on Driving and Diabetes, with their relevant expertise and date of appointment. [16901]

Ms Glenda Jackson: The members of the Honorary Advisory Panel on Driving and Diabetes, and their date of appointment to the Panel, are as follows:

	Appointed
Dr. Peter J. Watkins (Chairman since 1977) Kings College Hospital, London	1985
Professor John D. Ward The Royal Hallamshire Hospital, Sheffield	1985
Dr. John L. Day Ipswich Hospital, Suffolk	1985
Dr. Nina Essex Mayday Hospital, Thornton Heath, Surrey	1989
Dr. Brian Frier The Royal Infirmary, Edinburgh	1996
Dr. Stephen G. Gilbey St. James's University Hospital, Leeds	1997
Dr. Anthony B. Stevens Royal Hospitals Trust, Belfast	1997

All are consultant physicians who specialise in diabetes.

EU Committee of the Regions

Mr. David Heath: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to make British members of the EU Committee of the Regions directly elected by the regions they represent; [17197]

(2) what plans he has to review the method of appointment of British members of the EU Committee of the Regions; and if he will make a statement. [17340]

Angela Eagle: My right hon. Friend has no such plans. Members of the Committee of the Regions are appointed by the Council of Ministers of the European Union following nominations by member states. Under the European Communities (Amendment) Act 1993 United Kingdom members of the Committee must be elected members of a local authority at the time of their nomination. Any change to the method of appointment, including the direct election of members, would require a Treaty amendment agreed by all European Union member states acting unanimously.

London Government

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions how many responses to the Green Paper "New Leadership for London" *(a)* expressed satisfaction with the proposals, *(b)* expressed concerns over (i) the length of time between the publication of the White Paper and the Referendum, (ii) the number of questions in the Referendum and (iii) the proposal for a directly elected mayor and *(c)* expressed opinions on the election of mayor; what percentage *(a)* to *(c)* constituted of the total number of responses; and if he will make a statement. [17586]

Mr. Raynsford: An analysis of the responses to the Green Paper "New Leadership for London" will be included in the White Paper.

On 21 November copies of the responses were placed in the Department of the Environment, Transport and the Regions main library, 2 Marsham Street, SW1P. Lists of individuals and organisations who responded, were placed in the House of Commons Library on the same day.

Office Space

Mr. Tom King: To ask the Secretary of State for the Environment, Transport and the Regions what statistics his Department collates on the amount of empty office space in each region of England; and what estimate he has made of the amount of office space that has been empty *(a)* for more than six months and *(b)* for more than a year. [17716]

Mr. Raynsford: None. Information on vacant office space in the major centres is available from leading commercial agents, but is not collated centrally.

Thames 2000

Mr. Fitzpatrick: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on his Thames 2000 river transport initiative. [17708]

Mr. Prescott: I am pleased to announce that excellent progress has been made as a result of my Thames 2000 initiative on proposals to establish new passenger transport services on the River Thames by the Millennium, and to leave a permanent legacy thereafter.

Today I can announce three new developments which, taken together, should provide the blueprint for securing a new future for passenger transport on the Thames, which I believe is an important ingredient in developing a modern, integrated transport system for the capital. As well as providing an important access route to the Millennium Experience, the aim is to secure a lasting legacy of new investment and high-quality services, which will provide a convenient and attractive new means of travel for Londoners and for visitors.

The initiative has been taken forward at my request by the Cross River Partnership, which includes the London Boroughs of Southwark and Lambeth, the Cities of Westminster and London, the Port of London Authority, London Transport and others, in collaboration with the New Millennium Experience Company and the Government Office for London.

First, the Cross River Partnership and the New Millennium Experience Company have formally invited a shortlist of potential operators to tender to run new River services. Some of these would serve the Millennium Experience, with direct services from dedicated central London piers and downstream "park-and-sail" sites, as well as a shuttle service to Greenwich. Operators are also being invited to tender for longer-term services, including a "hopper" service linking key central London destinations, and "express" services to central London from both up-stream and down-stream. Potential operators may bid for any or all of these services.

Second, the Partnership has drawn up a programme of new infrastructure works along the River. This will provide high-quality new piers at key locations, including close to Waterloo and Blackfriars Stations. It will also secure the much-needed improvement of some existing piers, and improved linkages with other public transport modes. The Partnership has sought funding from the Millennium Commission for this project. Matching funding will come from a variety of sources, including local authorities, the PLA, the Single Regeneration Budget and the private sector. The New Millennium Experience Company is also developing new piers on the Greenwich peninsula and downstream.

Finally, we have been working with members of the Partnership to develop new arrangements for managing piers and passenger services on the Thames. Our intention is that a new agency should be set up with responsibility for managing piers and for promoting and co-ordinating river passenger services in London. This agency would in due course come under the aegis of the new London Transport Authority proposed in the "New Leadership for London" Green Paper as part of the plans for a new Greater London Authority. In the interim a shadow agency will be set up under London Transport to commission the new river services and manage piers.

Green Belt (Carrington Moss)

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from employees of Manchester United regarding the club's planning application to build on green belt land at Carrington Moss. [17329]

Mr. Raynsford: The Secretary of State received no representations from employees of the club on this matter.

Housing Corporation

Ms Jennifer Jones: To ask the Secretary of State for the Environment, Transport and the Regions, if he will list the directors of the Housing Corporation, indicating the tenure of their directorships, their remuneration and the qualifications which led to their appointments. [14730]

Mr. Raynsford *[pursuant to his answer, 11 November 1997, c. 483–84]:* Details of the directors of the Housing Corporation are in the table.

In making appointments to the Board of the Housing Corporation, candidates are sought who, in addition to their individual areas of expertise and knowledge, are able to take a broad view of housing policy and related issues. Candidates should be able to contribute usefully in directing a major Non Departmental Public Body and to make constructive contributions to the development of social housing policy at the national level. The Board needs members with a range of skills and expertise extending from knowledge of finance and regulation to an understanding of how housing policy impacts on other areas of social welfare.

Board Members of the Housing Corporation

Name	*Appointed to the Board*	*Current appointment ends*	*Remuneration (per annum)* £	*Main areas of expertise*
Baroness Dean of Thornton-le-Fylde (Chairman)	6 November 1997	31 March 2001	37,958	Regulation, management and organisational expertise
George Cracknell (Deputy Chairman)	1 December 1994	30 November 1997	21,706	Finance and banking
Eric Armitage	1 October 1997	30 September 2000	9,899	Registered Social Landlords
Sheila Button	1 October 1997	30 September 2000	9,899	Social housing sector
Sylvia Denman	1 March 1996	28 February 1999	9,899	Legal
John Foster	1 June 1996	31 May 1999	9,899	Local government
Ken Griffin	1 October 1995	31 May 1999	9,899	Business
David Kleeman	3 September 1990	30 September 1998	9,899	Business

Board Members of the Housing Corporation

Name	*Appointed to the Board*	*Current appointment ends*	*Remuneration (per annum)* £	*Main areas of expertise*
Robin Thompson	17 March 1989	16 March 1998	9,899	Rural housing
Julia Unwin	26 February 1992	25 February 1998	9,899	Homelessness and tenant participation
Derek Waddington	28 January 1994	27 January 2000	9,899	Local government
Dr. Peter Williams	1 October 1995	30 September 1998	9,899	Lending institutions
Anthony Mayer (Chief Executive)	30 April 1991	n/a	n/a	Chief Executive of the Housing Corporation

LORD CHANCELLOR'S DEPARTMENT

Small Claims

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will publish the results of the monitoring conducted by his Department into the effects on waiting times of the last increase in the small-claims limit. [17456]

Mr. Hoon: The last increase in the small claims limit was made on 6 January 1996 and, as the monitoring of waiting times was introduced that year, the information requested could only be provided at disproportionate cost.

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to increase the resources of the small claims court to ensure that the proposal to raise the small claims limit from April 1999 does not result in increased delays. [17408]

Mr. Hoon: The proposed increase in the small claims limit must be considered along with the other civil justice reform proposals. Resources will be allocated to reflect changes in workload consequent upon implementation of the reforms as a whole.

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will give a breakdown of the length of time taken by small claims cases in county courts by type of case; and what assessment he has made of the factors underlying delays. [17455]

Mr. Hoon: The table below shows the average length of time taken for small claims cases in 1996 from the issue of the summons to the hearing. It was previously published in "Judicial Statistics 1996" (CM 3716) in July 1997. These cases take a substantially shorter time than those which proceed to trial.

Average waiting times[1] for arbitrations, by nature of claim, 1996

Nature of claim	*Average waiting time in weeks (issue of summons to arbitration)*
Debt	21
Negligence—personal injury	23
Other negligence	22
Non-possession housing dispute	26
Other	22
Total	21

[1] Figures are based on three months sample data from selected county courts.

NORTHERN IRELAND

Arson Attacks

Mr. Barnes: To ask the Secretary of State for Northern Ireland if she will list all recorded instances of arson attacks on *(a)* Protestant churches, *(b)* Catholic churches, *(c)* orange and other loyal institutions' premises and *(d)* Gaelic Athletic Association premises in the period and since July, indicating the estimated cost of damages. [14183]

Mr. Ingram *[holding answer 5 November 1997]:* Recorded instances of fire caused by arson in these categories are listed below. Estimated costs of damage are not held centrally and are therefore unavailable.

Arson attacks on protestant churches

6 July 1997: 1st Kilrea Presbyterian Church, Church Street, Kilrea;

6 July 1997: Presbyterian Church Hall, Dunloy

9 July 1997: Presbyterian Church Hall, Castle Street, Ballycastle

9 July 1997: Apostolic Church, Melmount Road, Strabane

9 July 1997: Carnmoney Parish Church, Church Road, Carnmoney

9 July 1997: Strathfoyle, Londonderry

10 July 1997: Presbyterian Church Hall, New Street, Dungiven

17 August 1997: Presbyterian Church, Ballyhoe, Newtownbutler

30 August 1997: Church of Ireland Manse, Main Street, Dundrum

31 August 1997: Whitehouse Presbyterian Church, Shore Road, Glengormley

14 September 1997: St. Columbanus Church Hall, Groomsport Road, Bangor

21 September 1997: May Street Presbyterian Church, May Street, Belfast

26 October 1997: St. Stephens Church, Millfield, Belfast

Arson attacks on catholic churches

12 July 1997: Killowen Chapel, Kylesbrae, Coleraine

29 September 1997: Tanaghmore RC Church, Fernisky Road, Kells

Arson attacks on orange halls

4 July 1997 College Square, Bessbrook

6 July 1997 Old English Road, Dungannon

6 July 1997 Newry

6 July 1997 Antrim Road, Glengormley

6 July 1997 Orritor Road, Cookstown

7 July 1997 Tirooney Road, Sixmilecross

7 July 1997 Brackey Road, Beragh

7 July 1997 Armagh Road, Newtownhamilton

7 July 1997 Coleraine Road, Ballycastle

8 July 1997 Station Road, Dunloy

9 July 1997 Athernee Road, Carrickmore

11 July 1997 Bond Street, Londonderry

12 July 1997 Great Georges Street, Warrenpoint

12 July 1997 Rasharkin, Ballymoney

15 July 1997 Gortvale Road, Rock, Ballymoney

6 August 1997 Dyan, Caledon

6 August 1997 Newry

12 August 1997 Ballycoran Road, Carryduff

26 August 1997 Armagh Road, Newtownhamilton

8 September 1997 Aughintober Road, Dungannon

1 October 1997 Darkley Road, Keady

14 October 1997 Main Street, Rasharkin

Arson attacks on GAA premises

13 July 1997 GAA Club, Mary's Lane, Killyleagh

28 August 1997 GAA Clubhouse, Crosskeys Road, Ahoghill

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland if she will list each of the overseas trips made by herself and other members of her ministerial team since 2 May, specifying in each case *(a)* the participating Minister or Ministers, *(b)* the destination of the trip, *(c)* the purpose of the trip and *(d)* the cost of the trip; and if she will make a statement. [15252]

Mr. Murphy *[holding answer 11 November 1997]:* The information is as follows:

(a)	*(b)*	*(c)*	*(d)*
Secretary of State	Washington (USA)	Briefing influential audiences on Government Policy on Northern Ireland	£15,209.25
Paul Murphy	Washington (USA)	Briefing Americans on political situation in Northern Ireland	£6,173.80
	Brussels	Introduction as Northern Ireland Minister for European Affairs	£2,586.88
Adam Ingram[1]	Paris	To attend Paris Air Show	£1,187.80
	Boston (USA)	Inward Investment Visit	£5,961.60
	Washington Chicago Minneapolis (USA) St. Louis New York Washington	IDB Trade Mission	£6,818.70
Lord Dubs	New York (USA)	Delegate to 43rd Annual Conference of the International Downtown Association	£4,941.70

[1] The costs refer to expenditure on flights only. However they do not include internal US flights, accommodation, or any miscellaneous expenditure, as this information is not readily available and can only be provided at disproportionate cost.

Joint Framework Document

Mr. McNamara: To ask the Secretary of State for Northern Ireland if the Joint Framework Document is the preferred option of Her Majesty's Government for a settlement in Ireland. [15678]

Mr. Murphy *[holding answer 13 November 1997]:* Our primary aim is to secure agreement amongst unionists and nationalists. So far as the Government is concerned, no outcome is either predetermined or excluded in advance, or limited by anything other than the need for agreement. The Joint Framework Document describes a shared understanding reached between the British and Irish Governments on the parameters of a possible outcome to the talks process. We believe it is, as the Prime Minister said in May, a reasonable basis for negotiation. The development under this Government of a wider constitutional reform programme, including our commitment to devolution elsewhere in the United Kingdom and to better protection of human rights through incorporation of the ECHR, may also have helpful implications for an agreed outcome to the current negotiations.

Policing

Mr. Burgon: To ask the Secretary of State for Northern Ireland if she will publish her key policing objectives and key performance indicators for the year 1998–99. [17816]

Dr. Mowlam: I am arranging for copies of the key objectives and key performance indicators for the year 1998–99 to be placed in the Library on Tuesday 25 November at 11.00.

WALES

NHS

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he has proposed for the NHS to ensure that the interests of pensioners are not overlooked, with particular reference to *(a)* hip and other joint operations and *(b)* bed blocking. [16105]

Mr. Win Griffiths: While the National Health Service in Wales does not discriminate against pensioners, who receive access to services on the same basis as other patients, I am keen that the interests of elderly people are not overlooked. I stressed the point when announcing recently the provision of an extra £9.5 million this year for the NHS in Wales. Whilst I urged the Service to use the money to improve their emergency services, reduce the need for people to be admitted to hospital and reduce delays in discharging patients, I stressed that Trusts must not forget their elective surgery obligations.

The Patient's Charter guarantees that

"a patient will receive a hip or knee or a cataract operation within 18 months of being referred to their doctor".

However, this guarantee embraces the total patient population and does not target any one group. Latest figures provided by Health Authorities show that there were 35 breaches to this guarantee during the last quarter—this is an improvement from the June quarter when there were 85 breaches. As yet we do not know where the breaches lie, but this will be thoroughly investigated.

A340-600 Aircraft

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement concerning applications for regional development assistance for the A340-600 aircraft project by British Aerospace. [16099]

Mr. Ron Davies: I expect to make a decision on the company's application for Regional Selective Assistance shortly.

Student Funding

Mr. Öpik: To ask the Secretary of State for Wales if he will estimate the level of university funding per student in Wales in 1998–99; and if he will make a statement. [16936]

Mr. Hain: The level of funding per student in Wales in 1998–99 will depend upon the allocation for higher education within the Department's expenditure plans for next year which will be announced shortly.

Mr. Öpik: To ask the Secretary of State for Wales what estimate he has made of the amount of extra funding which will be available for Welsh *(a)* further and *(b)* higher education in 1997–98; and if he will make a statement. [16855]

Mr. Hain: The final claim from the Further Education Funding Council for Wales for extra funding under the Demand-Led Element scheme is currently being considered. There are no plans to increase the 1997–98 budget of the Higher Education Funding Council for Wales.

CULTURE, MEDIA AND SPORT

Lake Windermere Speed Limit

Mr. Collins: To ask the Secretary of State for Culture, Media and Sport (1) what consultations the Sports Council had with anglers and walkers before deciding to support the opponents of the proposed speed limit on Lake Windermere at the public inquiry; [14604]

(2) what was the total cost incurred by the Sports Council in making representations to the public inquiry into the proposed speed limit on Lake Windermere. [14605]

Mr. Banks: The then GB Sports Council (GBSC) consulted a wide range of sports interests groups before deciding to support the opponents of the proposed speed limit upon Lake Windermere. Anglers and walkers organisations included:

Salmon and Trout Association;

Furness and South Cumbria Fisheries Consultative Association;

Northern Federation of Sea Angling Societies;

Fly Dresser' Guild;

Ramblers Association; and

Northumberland Long Distance Walkers' Association.

In 1996–97, the GBSC and its successor, the English Sports Council (ESC) spent £7,200 on the Lake Windermere speed limit issue. In 1997–98 to date, the ESC has spent £4,600. Information on GBSC spending in previous years could only be obtained at disproportionate cost.

The Lake District National Park Authority successfully appealed to the High Court to have the original decision not to introduce a speed limit quashed. A hearing took place on 18 November at which the Secretary of State for the Environment, Transport and the Regions did not oppose the Authority's legal challenge. He is now required to re-consider the whole issue afresh and a further round of representations is necessary.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport if he will list each of the overseas trips made by himself and other members of his ministerial team since 2 May, specifying in each case *(a)* the participating Minister or Ministers, *(b)* the destination of the trip, *(c)* the purpose of the trip and *(d)* the cost of the trip; and if he will make a statement. [15208]

Mr. Chris Smith *[holding answer 11 November 1997]:* The information requested is set out in the table.

Minister	*Date*	*Location*	*Purpose*	*Cost to nearest £100*
Mr. Clarke	12 May–14 May	Cannes	Support for the British film industry	1,700
Mr. Smith	14 May–16 May	Cannes	Support for the British film industry	1,500
Mr. Banks	10 June–11 June	Paris	Support for the FA bid for the World Cup 2006 and attend the Turnoi de France	1,600
Mr. Fisher	28 June–1 July	Rome/Luxembourg	Attending State opening and Culture Council	1,900
Mr. Fisher	28 July–same day	Brussels	Meet representatives of the EP Culture and Media Committee	1,600
Mr. Clarke	31 August–3 September	Venice/Rome	Support for the British film industry/Meeting with Italian DPM	2,600
Mr. Clarke	2 October—5 October	Brittany	Support for the British film industry	500
Mr. Clarke	8 October–15 October	Far East	Promotion of British tourism	10,200
Mr. Banks	10 October–same day	Rome	Support for the FA bid for the World Cup 2006 and attend the England v Italy qualifier	1,600
Mr. Fisher	15 October–16 October	Frankfurt	Promotion of the British publishing industry and attend the European Book Fair	1,200
Mr. Banks	23 October–30 October	USA/Trinidad/Costa Rica	Support for the FA bid for the World Cup 2006	9,800
Mr. Smith	21 October–26 October	USA	Promotion of British creative industries	'12,100
Mr. Smith	11 November–same day	Brussels	Visit to the European Commission	'500
			Total	46,800

' Denotes full figures not yet available.

E-mail

Mr. Jenkin: To ask the Secretary of State for Culture, Media and Sport pursuant to the Answer from the Chancellor of the Duchy of Lancaster, on 10 November 1997, *Official Report*, column *441*, if he will list the e-mail addresses of *(a)* Ministers, *(b)* senior officials and *(c)* chief executives of agencies for which he is responsible. [15869]

Mr. Tom Clarke *[holding answer 13 November 1997]:* E-mail addresses exist for all Ministers at the Department for Culture, Media and Sport. Ministers can be reached at: chris.smith@culture.gov.uk, tom.clarke@culture.gov.uk, mark.fisher@culture.gov.uk and tony,banks@culture.gov.uk. The Permanent Secretary can be reached at hayden.phillips@culture.gov.uk. The Chief Executives of the Department's two agencies do not currently have e-mail addresses. More information on contact details can be obtained from the Department's website at www.culture.gov.uk.

Press Releases

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16307]

Mr. Chris Smith: My Department has made arrangements to fax press notices on the day of release to the main Opposition Spokesman, as was the practice before 1 May. On request we would do the same for other Opposition Parties.

National Lottery

Mr. Denis Murphy: To ask the Secretary of State for Culture, Media and Sport what has been the sum given in grant aid since the commencement of the National Lottery *(a)* in total, *(b)* by region and *(c)* in the Wansbeck constituency. [16168]

Mr. Banks: To date the National Lottery distributing bodies have announced awards worth £4.49 billion to over 30,000 projects throughout the UK. Table 1 below provides a breakdown by country and English region. Wansbeck has received awards worth over £1 million covering 31 projects; these are detailed in Table 2.

Information on all Lottery awards is now available on the Department's website www.lottery.culture.gov.uk.

Table 1: Breakdown of awards announced by value

	Total (£)	*As percentage of total awards*
England		
London (Local)[1]	368,519,487	8.2
London (National)[1]	622,407,546	13.9
North West	376,894,368	8.4
North East	232,927,750	5.2
Yorkshire and Humberside	283,570,947	6.3
Eastern	224,875,804	5.0
East Midlands	183,698,156	4.1
West Midlands	314,142,340	7.0
South West	304,968,472	6.8
South East	330,806,176	7.4
Merseyside	91,801,641	2.0
England wide	9,938,161	0.2
Total	3,344,550,848	74.5
Scotland	446,629,736	9.9
Wales	214,094,982	4.8
Northern Ireland	132,105,934	2.9
Total	4,137,381,500	
UK wide	329,499,704	7.3
Overseas	24,600,000	0.5
Grand total	4,491,481,204	100.0

[1] Awards to bodies based in London include many to institutions that are of national importance and are of benefit to the country as a whole. These are therefore separated from local awards in London.

Table 2: Awards announced in the Wansbeck constituency

Distributing body	*Recipient*	*Project title description*	*Award date*	*Award amount (£)*
Heritage Lottery Fund	Northumberland County Council	West Wylam Bridge, Tyneside Riverside Country Park, West Wylam	3 April 1996	157,000
National Lottery Charities Board	Northumberland Womens Aid	To improve inadequate staffing levels and provide transport	23 October 1995	124,742
National Lottery Charities Board	Chevington Community Initiative	Encourage social cohesion by integrating disaffected youth into the community	23 October 1995	119,150
National Lottery Charities Board	Trinity Youth Association	Provides leisure, recreational and educational opportunities to targeted vulnerable groups of young people	11 June 1996	115,809
National Lottery Charities Board	Northumberland Federation of YMCAs	Promote and develop a range of youth and community initiatives for groups of young people living in rural areas	11 June 1996	106,090
Arts Council of England	Ellington Colliery Band	Purchase of new instruments and equipment.	16 July 1997	54,478
National Lottery Charities Board	Spital Estate Community Association Ltd.	A community training centre for the use of all community members on the estate	11 June 1996	47,915
National Lottery Charities Board	General Access Northumberland Group (G A N G)	To improve access for disabled people to the built environment	17 December 1996	39,564

Table 2: Awards announced in the Wansbeck constituency

Distributing body	*Recipient*	*Project title description*	*Award date*	*Award amount (£)*
Arts Council of England	Wansbeck's Ashington Colliery Band	To purchase instruments	11 December 1996	38,026
Arts Council of England	Pegswood Brass Band	To purchase instruments.	21 January 1997	34,195
National Lottery Charities Board	Womens Health Advice Centre	To increase hours worked by womens health advice centre co-ordinator	23 October 1995	25,013
National Lottery Charities Board	Northumberland Federation of YMCAs	To enable vital work to continue within a deprived community	23 October 1995	25,000
National Lottery Charities Board	Contact Morpeth Mental Health Group	To purchase a caravan to use a permanent respite holiday facility for people with mental health problems and their carers	17 December 1996	22,620
English sports Council	Northumberland CC	To upgrade the sports hall at Hirst High School, Ashington and to provide a district centre of excellence for cricket	6 June 1995	13,400
English Sports Council	Cambois Amateur Rowing Club	Purchase of rowing equipment	11 September 1997	13,194
National Lottery Charities Board	Abuse Counselling and Training	Provides office and travel costs for the expansion of a counselling service for abused young people	11 June 1996	10,000
Heritage Lottery Fund	Castle Morpeth Borough Council	Morpeth, Carlisle Park, feasibility study	12 December 1996	9,000
National Lottery Charities Board	Access to the Working Countryside	Providing access to the working countryside of North East England	23 October 1995	7,250
National Lottery Charities Board	Welfare Crescent Residents Association	To improve living conditions/community facilities for local tenants	23 October 1995	6,000
Arts Council of England	Num Northumberland Area	Miners picnic–Northumberland Coalfield visual art project	19 March 1997	5,000
Arts Council of England	Bothal Church Development Group	Bothal church arts project	11 June 1997	5,000
Arts Council of England	Wansbeck Youth Concert Band	In tune with youth	11 June 1997	5,000
National Lottery Charities Board	B. Ware (Blyth Women are . . .)	To support women who are lone parents, on low income and victims of abuse	1 July 1997	4,992
National Lottery Charities Board	Cambois Camera Club	To establish a club in a premises also used as a day centre for older people from Blyth as part of Age Concern	13 May 1997	4,879
National Lottery Charities Board	Castle Morpeth Mediation	To provide a dispute resolution service led by victim support	1 July 1997	4,800
Arts Council of England	Quadro Ariano	Quadro Adriano: ome and away	11 June 1997	4,790
Arts Council of England	Trinity Youth Association	Schools out (summer programme)	11 June 1997	4,680
National Lottery Charities Board	Bedlingtonshire Community High School P.T.A.	To provide equipment for the Duke of Edinburgh scheme	1 July 1997	3,629
National Lottery Charities Board	Northumberland Hospital Radio	To provide a training resource for volunteers	13 May 1997	2,763
Arts Council of England	The Mid-Northumberland Chorus	Chorus development project	11 June 1997	2,000
Arts Council of England	Blyth Town band	Blyth Town band residential training weekend	11 June 1997	1,264
		Total	31 awards	1,017,243

Tourism

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport what plans he has to introduce a Tourism Development White Paper; and if he will make a statement. [16570]

Mr. Tom Clarke: We are working closely with the tourism industry and we shall be discussing with the newly revitalised Tourism Forum on 26 November our ideas for developing tourism.

Heritage Lottery Fund

Mr. Rhodri Morgan: To ask the Secretary of State for Culture, Media and Sport what is the level of grant allocated to date by the Heritage Lottery Fund to *(a)* England, *(b)* Wales and *(c)* Scotland expressed as a percentage of population; what is the value of grants applied for, but not yet determined, as a percentage of the population in each country; and how many applications remain undetermined in each country more than 12 months after submission. [16580]

Mr. Banks *[holding answer 18 November 1997]:* As at 17 November 1997 the value of awards made by the Heritage Lottery Fund for projects in England, Wales and Scotland was as follows:

	£
England	630,937,408
Wales	19,575,315
Scotland	95,233,358

Taking into account the value of awards for projects in Northern Ireland, the above figures represent, respectively, 83 per cent., 3 per cent. and 13 per cent. of the total value of awards made by the HLF.

The populations of England, Wales and Scotland and their percentage—proportion of the total United Kingdom population, were estimated[1] in 1996 as:

	Population	*Per cent.*
England	49,089,085	83
Wales	2,921,075	5
Scotland	5,128,000	9

[1] Source: Office for National Statistics.

The value of grants applied for, but not yet determined, in respect of each of the three countries is not readily available. However, the figure for the United Kingdom, as at 17 November 1997, was £839,882,885.

The number of applications which remain undetermined more than 12 months after submission in respect of the three countries is likewise not readily available. However, the figure for the United Kingdom was 154 as at 17 November 1997.

Visitor Numbers

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the impact on visitor numbers to the United Kingdom from *(a)* within and *(b)* outside the EU, of the introduction of a single currency not including the United Kingdom. [16792]

Mr. Tom Clarke: Many factors influence the numbers of visitors to the UK, and it is difficult to quantify the effect of each factor. Anything which eases the movement of people is generally seen by the industry to be positive. The travel and tourism industry is represented on the Business Advisory Group established by my right hon. Friend the Chancellor of the Exchequer to consider the practical implications of the single currency for businesses, whether or not the United Kingdom joins. A report summarising the Advisory Group's work will be published early in 1998.

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport how many visitors to the United Kingdom were from *(a)* the Far East, *(b)* the EU and *(c)* the USA in each of the last two years; and if he will make a statement on trends in visitor numbers. [16790]

Mr. Tom Clarke: In 1995 and 1996, the number of visits made to the UK by residents of the Far East, the EU and the USA was as follows (in millions of visits):

		Million
	1995	*1996*
Far East	1.7	1.6
EU	13.9	15.5
USA	3.1	3.1

CABINET OFFICE

Millennium Experience

Mr. Mitchell: To ask the Minister without Portfolio if he will ban smoking *(a)* within the Millennium Dome and *(b)* on the Millennium Experience site. [16449]

Mr. Mandelson: In developing their policy within the Dome and its environs the New Millennium Experience Company (the operating company for the Experience at Greenwich) will take fully into account relevant central and local government policies and all statutory requirements and best practice concerning health and fire safety.

Mr. Dafis: To ask the Minister without Portfolio what arrangements have been made for the involvement of church, charitable and other non-commercial organisations in the Millennium Exhibition in Greenwich. [16408]

Mr. Mandelson: The New Millennium Experience Company is planning to focus on spiritual renewal as one of the themes of the Millennium Experience. This will, among other things, look at the major role Christianity has played in shaping this country and the rest of the world over the past 2000 years. It will also reflect the multi-faith nature of modern British society. To this end, the Company is liaising closely with the Churches and Other Faiths Sub-group of the Department for Culture, Media and Sport's Millennium Co-ordination Group.

The Company is also in discussion with not-for-profit organisations, charities, interest groups and local authorities across England, Scotland, Wales and Northern Ireland, and with the Lottery Distributor bodies. The aim of this ongoing consultation process is to enable as many people as possible to contribute to the development of the NMEC's national programme and to maximise participation in it. The national programme, will be an integral part of the Millennium Experience, and will reflect the central Experience theme that

"It's time to make a difference".

Sir Teddy Taylor: To ask the Minister without Portfolio if he will make a statement on his meeting with the French Minister for European Affairs on 16 September. [16976]

Mr. Mandelson: We discussed a number of matters of mutual interest including the Luxembourg Jobs summit.

DUCHY OF LANCASTER

E-mail

Mr. Jenkin: To ask the Chancellor of the Duchy of Lancaster pursuant to his Answer of 10 November 1997, *Official Report*, column *441*, if he will list the e-mail addresses of *(a)* Ministers, *(b)* senior officials and *(c)* chief executives of agencies for which he is responsible. [15864]

Dr. David Clark *[holding answer 13 November 1997]:* The list of e-mail addresses requested is as follows:

Dr. Clark: (Chancellor of the Duchy of Lancaster)
dclark@ccta.gov.uk
Mr. Kilfoyle: (Parliamentary Secretary):
pkilfoyle@ccta.gov.uk
The Committee on Standards in Public Life:
http://www.open.gov.uk\cspl\csplhome.htm
Better Government:
bettergov@gtnet.gov.uk
Better Regulation:
better.regulation@gtnet.gov.uk
Central Information and Technology Unit:
acarty@citu.gov.uk
lwatson@citu.gov.uk
cmuid@citu.gov.uk
clefevre@citu.gov.uk
mgladwyn@citu.gov.uk
cholmes@citu.gov.uk
Citizen's Charter Unit:
charter@gtnet.gov.uk
Civil Service Employer Group:
opssecretariat@gtnet.gov.uk
Fast stream and European Staffing Division:
fsed.recruit.co@gtnet.gov.uk
Development and Equal Opportunities Division:
deod.ops@gtnet.gov.uk
Office of the Civil Service Commissioners:
ocsc@gtnet.gov.uk
Office of the Commissioner for Public Appointments:
wwwhttp://ww.open.gov.uk/ocpa
Management and Conditions of Service Division:
jstrach.co.hgr@gtnet.gov.uk
International Public Service Unit:
ipsu.co@gtnet.gov.uk
Efficiency and Effectiveness Group:
efficiency.unit@gtnet.gov.uk
Machinery of Government and Standards Group:
open.co.wh@gtnet.gov.uk
AGENCIES
Civil Service College:
hickey@cscollege.attmail.com
Property Advisers to the Civil Estate:
jcisc@property.gov.uk
Security Facilities Executive:
safe@ndirect.com
The Buying Agency:
stephen.sage@tba.gov.uk
Central Computer and Telecommunications Agency:
rassirati@ccta.gov.uk
Government Car and Despatch Agency:
gcda@compuserve.com

Central Office of Information

COI are currently in the final stages of implementing e-mail. They hope to be on-line by the end of this month. The Chief Executive's e-mail address will then be: tdouglas@coi.gov.uk.

The Minister without Portfolio, *Mr. Mandelson* and the Permanent Secretary, *Mr. Mountfield* do not have an e-mail address at the present time but the Department is giving consideration to their introduction.

Web Sites

Mr. Jenkin: To ask the Chancellor of the Duchy of Lancaster if it is Government policy that all Government departments should have web sites on the World Wide Web and that they should make their site addresses well known. [17442]

Dr. David Clark: Whilst this is a matter for individual Departments to decide whether to establish and publish web sites on the World Wide Web, I am pleased to inform the hon. Member that all the major Departments of State do indeed already have public web sites.

They form part of the nearly 600 public sector organisations that are accessible on World Wide Web via the Government Information Service run by CCTA (an Agency of my Department) through its web address http://www.open.gov.uk/. The service is accessed by users between 1.5 and 3 million times a week.

DEFENCE

Departmental Information

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will place in the Library a copy of the internal departmental guidance on the dissemination of information; and if he will make a statement. [16314]

Mr. Spellar: I am placing my Department's guidance notes on answering Parliamentary Questions, Parliamentary Inquiries and letters from members of the public, together with the Departmental instructions on the Code of Practice on Access to Government Information in the Library of the House. The guidance on the Code of Practice can also be found on my Department's Internet site at http://www/mod.uk/pol.docs/dci1997.htm.

Defence Evaluation and Research Agency

Sir Michael Spicer: To ask the Secretary of State for Defence if consideration has been given to the development of science parks close to DERA sites in the Strategic Defence Review. [16670]

Dr. Reid: Yes.

Sir Michael Spicer: To ask the Secretary of State for Defence if he will list the criteria by which DERA is to be assessed as part of the Strategic Defence Review. [16668]

Dr. Reid: The Strategic Defence Review includes a rigorous scrutiny of Departmental assets to ensure best value for money. This includes an examination of Agencies, and options for the future of DERA are being considered as part of this process. Options will be assessed on the basis of value for money and on how best to meet the Department's requirements for access to a wide range of technology.

Sir Michael Spicer: To ask the Secretary of State for Defence (1) if the location of DERA sites will be considered as part of the Strategic Defence Review; [16669]

(2) if the impact of DERA sites on locally-based high technology industries will be taken into account in the Strategic Defence Review. [16667]

Dr. Reid: Work on options for the future of DERA is concerned primarily with the overall role and organisation of the Agency rather than the location of particular sites. The relationship between DERA and high-technology industries will be an important consideration in this work, although not confined to particular geographical locations.

Public Appointments

Mr. Vaz: To ask the Secretary of State for Defence how many public appointments he has made since 1 May; and how many and what percentage of these *(a)* receive remuneration and *(b)* are of (i) Afro-Caribbean and (ii) Asian origin. [16776]

Mr. Spellar: MOD has made 32 public appointments to its Non Departmental Public Bodies since 1 May 1997 of which 22, or 69 per cent. receive remuneration. In all but one case, the remuneration involved is a payment of £200–£250 a day for those days on which the Committee, the Defence Scientific Advisory Council meets. The Chancellor of the Duchy of Lancaster is responding to part *(b)* of your question of behalf of all Departments.

Cadet Forces

Mr. Bob Russell: To ask the Secretary of State for Defence what financial contribution his Department has made to the *(a)* Army, *(b)* Sea and *(c)* Air cadets for each of the last five financial years; what is the figure for the current year; what is the projected figure for the next financial year; and if he will make a statement. [16928]

Dr. Reid: The Ministry of Defence's financial contribution in support of Army, Sea and Air cadets during each of the last five financial years is shown below. Also shown, although not specifically requested, is similar detail in respect of the Combined Cadet Force (CCF). Figures given are in £ million.

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Army Cadets (ACF)	n/a	20.9	22.2	23.4	28.0
Sea Cadets (SCC)	5.6	5.3	5.6	5.7	6.2
Air Cadets (ATC)	16.1	17.6	18.3	19.8	17.5
CCF	n/a	6.1	6.6	6.2	5.8

Expenditure in current year: Forecast expenditure in Financial Year 1997–98 (£ million) is:

	£ million
(a) ACF	25.7
(b) SCC	6.3
(c) ATC	17.0
(d) CCF	6.4

Projected funding for next financial year: The allocation of funds for the next financial year will be determined as part of the MOD's long term costing, which is the process by which the Department recosts and adjusts its internal plans. The Department's internal plans represent projections and assumptions, which inform advice to Ministers on the affordability of particular elements of the defence programme and it has been the policy of successive Governments not to publish detailed information arising from this. Accordingly, I am withholding the information requested in the third part of the question which constitutes internal discussion and advice, under exemption 2 of the Code of Practice on Access to Government information.

Minister's Statement: In February 1997, when in opposition, I addressed the Royal United Services Institute. When considering the question of re-fostering links between military and civilian society I made the following comments in respect of cadet forces:

" . . . cadet forces are, in my view, perhaps the most under-utilised of all in reaching their true potential of civil utility, particularly in offering opportunities for self-development, initiative, character building and leadership qualities among our young people, many of whom are forced by circumstances into blind alleys".

Whilst it would be inappropriate to comment upon future funding levels whilst the Strategic Defence Review work progresses, I can confirm that the Government's commitment to cadet forces, as a major national youth organisation, remains undiminished. Their value both to the civilian community and to our Regular and Reserve Forces is acknowledged, and they will receive our continued support.

Officers (Education)

Mr. Bob Russell: To ask the Secretary of State for Defence how many officers in each of the Armed Forces were educated in *(a)* state and *(b)* private schools. [17138]

Dr. Reid: The breakdown of the educational background of all presently serving officers in the Armed Forces is not readily available. However, figures are available regarding the educational background of those more recently joining the Armed Forces for direct entry officer training. The latest figures from the three officer training establishments show that 80 per cent. of those joining Britannia Royal Navy College in Dartmouth, 45 per cent. of those entering the Royal Military Academy Sandhurst, and 82 per cent. of those entering RAF Cranwell come from State schools.

RAF Menwith Hill

Mr. Baker: To ask the Secretary of State for Defence what period was specified under the 21-year agreement reached in 1976 between the Government and US Forces in respect of RAF Menwith Hill to take account of

circumstances where the Government wished to terminate the US use of the base; and what period of notice now applies. [16990]

Dr. Reid *[holding answer 20 November 1997]:* No period of notice was specified. The arrangements were to facilitate the commitment of US funding and did not constitute any form of lease. As with all sites that are made available to the United States Visiting Forces, termination of occupation would be a matter for the Governments of the United Kingdom and United States under arrangements that exist for our mutual defence.

Mr. Baker: To ask the Secretary of State for Defence pursuant to his answer of 17 July 1997, *Official Report*, column *324*, what is the present status of the US Forces occupying RAF Menwith Hill following the expiry of the 21-year agreement. [16989]

Dr. Reid *[holding answer 20 November 1997]:* RAF Menwith Hill continues to be made available to the United States Visiting Forces on the same basis as other RAF sites in the United Kingdom.

Service Women

Mrs. Gillan: To ask the Secretary of State for Defence what consultations he had with the Minister for Women before deciding to allow women on to the front lines. [17166]

Dr. Reid: Appropriate discussions took place at Ministerial level before my right hon. Friend the Secretary of State for Defence announced, on 27 October 1997, the Government's decision to expand opportunities for women serving in the Army.

Amsterdam Treaty

Mr. Brazier: To ask the Secretary of State for Defence in respect of which sections of the Treaty of Amsterdam his Department contributed to the drafting. [17015]

Dr. Reid *[holding answer 20 November 1997]:* The United Kingdom's position on the draft Treaty of Amsterdam was reached after consultation between relevant Government Departments.

Fox Hunting

Mr. Gray: To ask the Secretary of State for Defence pursuant to his answer of 18 November 1997, *Official Report*, column *154*, what changes in his policy on fox hunting have been made since June; and what guidance his Department has issued on this subject since that date. [17344]

Mr. Spellar: There has been no change in my Department's policy on foxhunting since June. On a matter of detail, following the announcement on 8 August 1997 by the Masters of Foxhounds Association that the practice of digging out foxes once they have gone to ground will in future only take place at the request of the landowner or occupier, my Department has made it known to all hunts which have a licence to operate on the Defence Estate that the Ministry of Defence, as landowner, will not request or allow digging out on the Defence Estate.

Officer Training Corps

Dr. Tony Wright: To ask the Secretary of State for Defence (1) what is the membership of the Officer Training Corps in each institution in which it operates; [13757]

(2) what percentage of members of the Officer Training Corps subsequently join the regular forces. [13756]

Dr. Reid *[pursuant to his answers, 5 November 1997, Official Report, col. 254]:* The figures for OTC establishments given include not only the authorised numbers of Officer Cadets, but also a number of instructor and support staff. The number of Officer Cadets for which each Officer Training Corps is established is shown in the following table, together with the total establishment which was given in my earlier reply:

	Total establishment	*Officer cadets*
Aberdeen	168	140
Belfast	168	140
Birmingham	168	140
Bristol	168	140
Cambridge	224	198
East Midlands	168	140
Edinburgh	168	140
Exeter	168	140
Glasgow	168	140
Leeds	168	140
Liverpool	168	140
London	364	322
Manchester	168	140
Northumbria	168	140
Oxford	224	198
Sheffield	168	140
Southampton	168	140
Tayforth	168	140
Wales	168	140

This means that the 260 members of the OTC commissioned into the Regular Forces in academic year 1995–96 represent nearly 9 per cent. of the Officer Cadet establishment, not 7.5 per cent. as I said in my separate answer of 5 November 1997.

Land (Military Training)

Mr. Gray: To ask the Secretary of State for Defence what representations he has received from land owners whose land was formerly used for military training; and if he will estimate the amount of private land on which military training has been discontinued in the last year. [17345]

Mr. Spellar: My Department has received a number of representations from landowners who have on occasions allowed access to their land for training purposes. With the exception of a few landowners in Wales, I am not aware of any action by landowners to withdraw permission for military training.

FOREIGN AND COMMONWEALTH AFFAIRS

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the expenditure by *(a)* his Department, *(b)* its agencies

and *(c)* its non-departmental public bodies on official hospitality for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997. [15214]

Mr. Fatchett *[holding answer 11 November 1997]:* Expenditure on official hospitality by this Department is shown in the following table:

Year	*FCO £000*	*Agencies £*	*NDPB'S £000*
1980–81	[1]—	[1]—	[1]—
1987–88	[1]—	[1]—	[1]—
1990–91	[1]—	[1]—	862
1991–92	5,688	[1]—	969
1992–93	[1]—	[1]—	967
1993–94	7,476	[1]—	958
1994–95	7,660	455	1,038
1995–96	9,282	786	1,091
1996–97	9,538	687	1,073
1997–98 May–September	4,083	335	423

[1] Figures unavailable.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the expenditure by *(a)* his Department, *(b)* its agencies and *(c)* its non-departmental public bodies on overseas travel for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997; and if he will provide a breakdown to show (1) air fares and (2) other expenditure relating to overseas travel. [15215]

Mr. Fatchett *[holding answer 11 November 1997]:* Details of expenditure by this Department (Diplomatic Wing) on official duty travel overseas by officers serving in the United Kingdom is shown below. Expenditure for air fares is not separately identifiable.

Year	*£ million*
1980–81	No details retained
1987–88	4.7
1990–91	5.6
1991–92	5.6
1992–93	8.3
1993–94	6.7
1994–95	6.8
1995–96	7.9
1996–97	8.4
1997 1 May–30 September	2.9

Publicity and Advertising

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the total expenditure on all forms of publicity and advertising by *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies for (i) 1993–94, (ii) 1994–95, (iii) 1995–96, (iv) 1996–97, (v) the 1997–98, year to date, (vi) the 1997–98, full year estimate and (vii) the 1998–99 planned expenditure. [15217]

Mr. Fatchett *[holding answer 11 November 1997]:* Total expenditure on advertising and publicity in this Department for the last five financial years is as follows:

	£
1993–94	458,000
1994–95	243,000
1995–96	573,000
1996–97	365,349
1997 (to date)	148,758

The full year estimate for 1997–98 is: £436,774.

The planned expenditure for 1998–99 is: £525,703.

Total expenditure on advertising and publicity for Wilton Park Executive Agency for the last five financial years is as follows:

	£
1993–94	22,000
1994–95	20,000
1995–96	15,000
1996–97	21,000
1997 (to date)	8,000

The full year estimate for 1997–98 is: £28,000.

The planned expenditure for 1998–99 is: £30,000.

Quota-hopping

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the draft protocol on quota-hopping, put forward at the Amsterdam summit. [16925]

Mr. Doug Henderson: The draft protocol put forward by the previous administration was not supported by any other Member State.

Schengen Agreement

Mrs. Gorman: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answers of 17 July 1997, *Official Report*, column *252* and 6 June 1997, *Official Report*, column *283*, when he will reach a conclusion as to which documents of The Schengen Acquis will be placed in the Library; and when the Schengen Secretariat will complete its review of the classification of these documents. [16968]

Mr. Doug Henderson: The main Schengen Treaties are already in the Libraries of the House. Work under way within Schengen on the definition of the rest of the acquis is expected to be completed very soon.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Spanish amendment on voting arrangements on asylum and border controls put forward at the Amsterdam summit. [16913]

Mr. Doug Henderson: The Spanish amendment on voting arrangements submitted at the Amsterdam summit is contained in Article 4 of the Schengen Protocols and states that the unanimous agreement of the Schengen States would be necessary for the UK or Ireland to participate in aspects of the Schengen Acquis.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the proposed Schengen-related agreement between the United Kingdom, Ireland, Iceland and Norway. [17080]

Mr. Doug Henderson: In accordance with Declaration 47, adopted by the Inter-governmental Conference at Amsterdam, the Council is currently considering how to give effect to the requirement in Article 6 of the Schengen Protocol that an agreement should be concluded with Norway and Iceland for the establishment of rights and obligations between Ireland and the UK on the one hand and Iceland and Norway on the other in the domains of the Schengen acquis which apply to these States. No decisions have yet been taken on whether any part of the Schengen acquis should apply to the UK in accordance with the Protocol.

Gibraltar

Mr. Brazier: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he proposes to make with regard to *(a)* military and *(b)* civilian aircraft landing rights in Gibraltar. [16969]

Mr. Doug Henderson: None. British military and civilian aircraft have no problems with landing rights at Gibraltar airport, which is owned by the Ministry of Defence and managed by the Royal Air Force.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what will be the impact of the proposals contained in the Amsterdam Treaty on the use of Gibralter's operational facilities during WEU operations by *(a)* Spain and *(b)* other WEU members. [17076]

Mr. Tony Lloyd: None.

Qualified Majority Voting

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the policy areas in which he is opposed to an extension of qualified majority voting in principle. [16914]

Mr. Doug Henderson: We are committed to retaining the national veto over key matters of national interest, such as taxation, defence and security, immigration, decisions over the budget and Treaty changes. These issues were settled for the foreseeable future at the Amsterdam European Council.

Organisation of African Unity

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what support the European Union proposes to give to the Conflict Prevention Unit of the Organisation of African Unity. [16983]

Mr. Doug Henderson: The European Union (EU) is giving 860,000 ecu (about £635,000) to the Conflict Prevention Unit of the Organisation of African Unity (OAU) to improve communication links between its national and regional offices and its teams in the field. The EU is also actively considering further possible practical assistance.

El Salvador

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with El Salvador. [16869]

Mr. Tony Lloyd: Relations with El Salvador are friendly. We welcome the near completion of the implementation of the 1992 Peace Accords which have restored peace and democracy to that country. We are involved in a political dialogue with El Salvador through the San Jose process which began in November 1985. The next Ministerial meeting of the EU/San Jose dialogue will take place during our Presidency in Costa Rica next February. Our trade relationship is also developing with our exports up by 7.7 per cent. We are currently negotiating an Investment Promotion and Protection Agreement with El Salvador and Air Services talks took place on 20 and 21 November to discuss ways of improving air services between our two countries.

Nuclear Weapons

Mr. Godman: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy on the United Nations Resolution Advisory Opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons. [16924]

Mr. Tony Lloyd: We voted against the Resolution tabled in the United Nations First Committee by Malaysia about the Advisory Opinion of the International Court of Justice on the legality of the Threat or Use of Nuclear Weapons, because of its selective quotation of the Advisory Opinion and its unrealistic call for time-bound multilateral negotiations.

We remain committed to the goal of nuclear disarmament and continue to hold the International Court of Justice in high regard. We have said that we will press for multilateral negotiations towards mutual, balanced and verifiable reductions in nuclear weapons and, when satisfied with progress, will ensure that British nuclear weapons are included in multilateral negotiations.

Congo

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations on the military intervention by Angola in Congo Brazzaville in the UN Security Council. [17154]

Mr. Tony Lloyd: On 17 October, the United Nations Security Council issued a statement condemning all external interference in the Republic of Congo and, in particular, the intervention of foreign forces in violation of the Charter of the United Nations, and calling for the immediate withdrawal of all foreign forces including mercenaries. The UK fully supports this statement.

Ottawa Treaty

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects Her Majesty's Government will ratify the Ottawa Treaty. [17050]

Mr. Tony Lloyd: We look forward to signing the Ottawa Convention on 3 December and will ratify it as soon as the necessary legislation is in place.

Amsterdam Treaty

Mr. Leigh: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will define the term rights and obligations of natural and legal persons in Article 309 of the Treaty establishing the European Community as amended by the Amsterdam Treaty; which European institution will be responsible for interpreting this provision; and if he will make a statement. [17221]

Mr. Doug Henderson: The reference to

"rights and obligations of natural and legal persons"

in this Article refers to their rights and obligations under Community law. The Council will, in the first instance, be responsible for interpreting this provision. It is also subject to the jurisdiction of the European Court of Justice.

Electronic Communications

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the role of *(a)* the Home Department and *(b)* the Ministry of Defence on the discussions on COM(97)503 and a common European encryption procedure on electronic communication. [17266]

Mr. Robin Cook: Electronic communications are regularly discussed between interested Departments, including my Department and the Home Office. Both Departments were directly involved in consideration of the UK's response to COM(97)503, but the Ministry of Defence was not.

Africa (Great Lakes Region)

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what new measures he will propose to the EU to deal with the situation in the Great Lakes region of Africa. [17151]

Mr. Tony Lloyd: During our presidency we will seek to ensure co-ordinated EU action in support of stability and economic development in the region, which takes account of humanitarian concerns, human rights issues and the need for improved and more accountable government. We will support the efforts of the EU Special Envoy for the Great Lakes, Aldo Ajello, to promote dialogue and the negotiated resolution of conflict in the region.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will propose the convening by the UN Secretary General of a conference on the problem of displaced people in the Great Lakes region. [17152]

Mr. Tony Lloyd: We support the principle of convening, as soon as conditions allow it to produce concrete results, a conference under UN and OAU auspices to address issues of peace, stability and development in the Great Lakes region. We will consult closely with regional states, partners in the EU and at the UN on the practicalities of arranging such a conference.

Intelligence and Security Committee (Drug Trafficking)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will submit his plans for the redirecting of intelligence resources towards combating the drugs trade to the Intelligence and Security Committee with an estimate of the time required *(a)* for that redirection and *(b)* to undo that redirection. [17021]

Mr. Robin Cook: It is for the Intelligence and Security Committee to request information on intelligence issues which it wishes to consider.

Economic and Monetary Union

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs if joining the single currency will be considered acquis communautaire for applicant countries to the European Union. [17222]

Mr. Doug Henderson: Acceptance of the Community aim of economic and monetary union will be part of the acquis communautaire for applicant countries. The Treaty imposes an obligation to join the Single Currency on Member States considered, in compliance with Articles 109j and k, to fulfil the necessary conditions. However this obligation does not apply to Member States which, like the UK and Denmark, have negotiated special provisions. Applicant countries will have to decide whether to seek to negotiate special provisions in their treaties of accession.

War Crimes

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the definition of war crimes to be used in the draft statute of the International Criminal Court. [16059]

Mr. Tony Lloyd: The definition of war crimes to be used in the draft statute of the International Criminal Court will be on the agenda for the next Preparatory Committee meeting in December. The United Kingdom will be an active participant in that discussion.

Intergovernmental Conference

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of Her Majesty's Government on the timing of a new intergovernmental conference. [17084]

Mr. Doug Henderson: We see no need for a further intergovernmental conference (IGC) in the near future. Under the Protocol on the Institutions in the Treaty of Amsterdam, an IGC will be called to review the institutional provisions of the Treaties before the Union enlarges to 21 or more Member States.

European Union (Co-operation)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if the co-operation envisaged by Article 127 of the treaty establishing the European Community will be restricted to that laid out in Article 129. [17287]

Mr. Doug Henderson: Article 127 (in the Amsterdam Treaty as Article 109p) gives the Community a general role of supporting and, if necessary, complementing

co-operation that is occurring or may occur at Member State level, while respecting the competences of the Member States. The only specific power given to the Community for this purpose is that in Article 129 (or Article 109r) to adopt incentive measures to encourage and support co-operation.

European Union (Enlargement)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of Her Majesty's Government on European Union applicant countries and the desirability of expansion of the Western European Union. [17290]

Mr. Tony Lloyd: Enlargement of the European Union is a priority for us. It will fulfil Europe's historic destiny and will enhance security and stability. Enlargement must remain an all-inclusive process.

We broadly agree with the European Commission's recommendations on the applicants' readiness for membership based on the criteria laid down by the Copenhagen and Madrid European Councils of June 1993 and December 1995 respectively. Generally speaking, these criteria require the new Member States to be able to take on the obligations of membership. Membership of the Western European Union is not such an obligation.

The criteria agreed by WEU Member States at Maastricht in 1991 established the eligibility of countries for different categories of WEU membership as and when they assume membership of NATO, the EU or both. The UK will welcome applications for these respective categories from new NATO and EU Members States should they choose to apply.

Computers (Century Date Change)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultation he has held with representatives of *(a)* other governments and *(b)* international bodies over computer millennium compliance. [17074]

Mr. Fatchett: My right hon. Friend the Foreign Secretary has had no consultations with other governments or international bodies on computer millennium compliance. Officials continue to discuss this issue in appropriate contacts with other governments.

European Union (International Agreements)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Treaty of Amsterdam allows for the European Union to withdraw from international treaties and agreements. [17077]

Mr. Doug Henderson: The Treaty of Amsterdam allows the Council, acting unanimously, to conclude international agreements under certain circumstances in the areas of the Common Foreign and Security Policy and Police and Judicial Co-operation in Criminal Matters. Implicitly, any decision subsequently to withdraw from such an agreement would similarly be taken by the Council acting unanimously. It would also be subject to the relevant rules of international law.

Euro-Mediterranean Process

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Barcelona Euro-Mediterranean Process. [17083]

Mr. Doug Henderson: The United Kingdom is committed to the Euro-Mediterranean Process, which provides for economic, political and social co-operation with the 12 Mediterranean partners. We support progress towards a Euro-Mediterranean Free Trade Area by 2010: the new wave of Euro-Mediterranean Association Agreements are the first step towards this goal. The Euro-Med partnership will be an important part of our EU Presidency: we hope to host a Euro-Med Capital Markets Conference in London in March, and a seminar on the human dimension of the partnership in May. We are discussing with EU partners the idea of holding a meeting of Foreign Ministers to give impetus to the relationship.

Amsterdam Treaty (Foreign Policy)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, if the European Union decided to refrain from taking any military action against Iraq, with the United Kingdom abstaining from that decision under Article 1 (10) (J.13) of the Amsterdam Treaty, the United Kingdom would be prevented by the provisions of that treaty from committing United Kingdom forces or otherwise acting in support of any military action taken against Iraq by the United States of America. [17256]

Mr. Tony Lloyd: The European Union does not take military action. The hypothetical scenario in the hon. Member's question could therefore not arise.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs in relation to Article 1 (10) (J.13) of the Treaty of Amsterdam, whether, if a member state voted for the adoption of a foreign policy stance, requiring unanimity, but voted against a particular implementation of that policy requiring qualified majority voting, that member state would be precluded from taking unilateral action in a way contrary to the implementation agreed by qualified majority voting. [17258]

Mr. Doug Henderson: Member States are bound by implementing decisions taken in accordance with Article J.13.2. If a Member State has difficulties with a proposed implementing decision, such that it would contemplate taking unilateral contrary action, it can prevent the adoption of the decision by invoking the "emergency brake" provisions in Article J.13.2 second paragraph.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs in relation to Article 1 (10) (J.13) of the Treaty of Amsterdam, whether, if a member state abstained from a decision and the European Union apart from that state adopted a foreign policy and acted upon it, the abstaining member state is prevented from taking unilateral action in relation to that foreign policy. [17257]

Mr. Doug Henderson: A Member State which abstains from a CFSP decision requiring unanimity is not prevented from taking unilateral action in relation to the policy concerned. But it is required to refrain from any action likely to conflict with or impede Union action

based on that decision. Any Member State can block rather than abstain from a CFSP decision likely to conflict with its interests.

Fontainebleau Rebate

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he is making at European Union level regarding the Fontainebleau rebate. [17082]

Mr. Doug Henderson: The United Kingdom rebate is enshrined in the Own Resources Decision, which can be changed only with the agreement of the UK Government and following ratification by the UK Parliament. My right hon. Friend the Chancellor of the Exchequer and I have repeatedly made it clear to our Community partners that we shall not agree any change to the rebate which results in a system less advantageous to the United Kingdom than the current arrangement. The rebate will remain fully justified given the size of our net contribution in relation to our relative prosperity.

Amsterdam Treaty (Social Charter)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the legal effect of the references in the preamble to the new Article 117 set out in Article 2 (22) of the Treaty of Amsterdam to the European Social Charter of 18 October 1961 and the 1989 Community Charter of the Fundamental Social Rights of Workers. [17226]

Mr. Doug Henderson: These references indicate a political attachment to the rights identified in the Charters, the provisions of which will not become justiciable before the European Court of Justice.

European Union (Common Concern Principle)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if repeated rejection of recommendations made under Article 128 of the treaty establishing the European Community will be judged to be a breach of the common concern principle; and if he will make a statement. [17289]

Mr. Doug Henderson: Recommendations adopted under Article 128 (old Article 109q) of the Treaty establishing the European Community as amended by the Treaty of Amsterdam will have no binding force, and thus create no binding obligations on Member States. We fully endorse the principles set out in Article 125 (old Article 109n) which encourage the promotion of

"a skilled, trained and adaptable workforce and labour markets responsive to economic change".

PRIME MINISTER

Political Donations

Sir Brian Mawhinney: To ask the Prime Minister pursuant to his oral Answers of 12 November 1997, *Official Report*, columns 898-99, if he will list the names of those with whom he or his advisers have had meetings or discussions in No. 10 Downing Street on policy matters since 2 May who have also made donations or loans to the Labour Party of £5,000 or more in the past 12 months. [16727]

The Prime Minister *[holding answer 19 November 1997]:* No. When individuals or groups meet me or my advisers on Government policy, they are not asked whether they have provided funding to the Labour Party or any other party.

Mr. Garnier: To ask the Prime Minister if he will extend the remit of Sir Patrick Neill's Committee to include the identifying of all those individuals and companies who have donated money to political parties in the years 1992 to 1997 inclusive, indicating the sums they donated. [16366]

The Prime Minister *[holding answer 17 November 1997]:* I have proposed that all Parties disclose to the Neill Committee—on a confidential basis—the names of donors and the amounts over £5,000 donated since 1992, so that the Committee can properly assess the current state of affairs of party funding and see how the system had been working in practice. The leader of the Liberal Democrats has agreed to this. I have urged the hon. and learned Gentlemen's party to do the same.

Tobacco Sponsorship

Mr. Maples: To ask the Prime Minister pursuant to his oral Answer of 12 November 1997, *Official Report*, column 898, when he first learned of the £1 million donation from Mr. Ecclestone. [16755]

The Prime Minister: Before I became Prime Minister.

Planning Policy (Supermarkets)

Mr. Yeo: To ask the Prime Minister what recent representations he has received regarding planning policy towards supermarkets. [16876]

The Prime Minister: I have received a variety of representations concerning planning policy. Our policy was set out in our Response to the Fourth Report of the Environment Select Commmittee on Shopping Centres. Our Response reaffirmed the policy set out in Policy guidance Note 6 (PPG6). This seeks to focus development, especially retail development, within existing town centres.

Mr. Yeo: To ask the Prime Minister what discussions he has had with the Secretary of State for Environment, Transport and the Regions regarding planning policy towards supermarkets. [16877]

The Prime Minister: Along with other Ministerial colleagues, I was consulted on the Government's Response to the Fourth Report of the Environment Select Committee on Shopping Centres (Cmnd 3729). This Response reaffirmed the policy set out in Planning Policy Guidance Note 6 (PPG6), which seeks to focus development, especially retail development, within existing town centres.

Lord Sainsbury

Mr. Yeo: To ask the Prime Minister when he last met Lord Sainsbury in an official capacity; and what subjects were discussed. [16897]

The Prime Minister: I have not met Lord Sainsbury in an official capacity.

Iraq

Mr. Dalyell: To ask the Prime Minister pursuant to his oral answer of 19 November, *Official Report*, column *323* in what circumstances the United Kingdom would consult *(a)* France, *(b)* Russia, *(c)* China and *(d)* Arab states prior to endorsing military action by (i) the United Kingdom and (ii) the USA against Iraq. [17439]

The Prime Minister: Since the crisis with Iraq began, we have maintained close contact with the US, France, Russia, and China as permanent members of the Security Council, and a number of Arab states in our efforts to seek a diplomatic solution.

It is not sensible to speculate on the circumstances in which military action would be appropriate.

We are pleased that the solidarity of the Security Council has forced the Iraqi regime to resume full co-operation with UNSCOM United Nations Special Commission) without the need to resort to military action.

Departmental Reviews

Mr. Burstow: To ask the Prime Minister (1) which Minister is responsible for co-ordinating the work and outputs of *(a)* the Treasury's departmental spending reviews of current public expenditure and tax and benefits, *(b)* the Department of Social Security's review of the future of the welfare state, *(c)* the benefit-by-benefit review, *(d)* the benefits integrity programme and *(e)* the review of pensions; [17035]

(2) what are the anticipated time scales for *(a)* the Department of Social Security's review of the future of the welfare state, *(b)* the DSS benefit by benefit review, *(c)* the benefits integrity programme and *(d)* the Treasury's review of tax and benefits; and how and when the findings of each review will be reported to the House. [17038]

The Prime Minister: My right hon. Friend the Chancellor of the Exchequer is Chairman of the ministerial

committee on public expenditure which is overseeing the Comprehensive Spending Review announced by my right hon. Friend, the Chief Secretary to the Treasury on 11 June. It includes departmental and cross-departmental reviews and is expected to take about a year to complete.

My right hon. Friend the Secretary of State for Social Security is conducting a wide-ranging review of the Social Security system within the framework of the Comprehensive Spending Programme. As a first step in the review, my right hon. Friends the Secretary of State for Social Security and the Minister for Welfare Reform expect to publish a Green Paper on the framework for welfare reform around the turn of the year.

The Benefit Integrity Project, checking the correctness of Disability Living Allowance payments by means of postal inquiries and visits, is due to be completed by 31 March 1999.

The review of tax and benefits, headed by Martin Taylor, Chief Executive of Barclays Bank, and involving officials from the Treasury, the Department of Social Security, the Department for Education and Employment and the Inland Revenue will inform my right hon. Friend, the Chancellor of the Exchequer's, Spring Budget.

Diana, Princess of Wales

Sir Richard Body: To ask the Prime Minister pursuant to his answer of 3 November 1997, *Official Report*, column *3*, on his role in the events surrounding the funeral of Diana, Princess of Wales, if he will list those from whom he sought advice. [17262]

The Prime Minister: No. It has been the long-standing practice, enshrined in the Code of Practice on Access to Government Information, that the sources of advice to Ministers on such matters are not normally made public.

Ministerial Task Force on Child Care

Mr. Burstow: To ask the Prime Minister what will be the long-term role of the Ministerial Task Force on Child Care. [17535]

The Prime Minister: In his statement in the House on 19 November 1997, *Official Report*, columns 327–29, my right hon. Friend the Secretary of State for Health announced that the first job of the Ministerial Task Force would be to prepare the full Government response to Sir William Utting's report. As part of that it will be asked to consider what, if any, its long-term role should be.

Carrington Moss (Planning Application)

Mr. Brady: To ask the Prime Minister (1) if he will list those organisations and individuals which have made representations to him *(a)* in favour of and *(b)* against Manchester United's planning application to build on green belt land at Carrington Moss; [17190]

(2) what representations he has received regarding Manchester United's application for planning permission to build on green belt land at Carrington Moss; [17191]

(3) what discussions he has had with directors of Manchester United regarding its application to build on green belt land at Carrington Moss; [17189]

(4) what representations he has received from employees of Manchester United regarding the club's planning application to build on green belt land at Carrington Moss. [17330]

The Prime Minister *[holding answer 21 November 1997]:* I refer the hon. Member to the answer given by my hon. Friend, the Minister for London and Construction on 21 November, *Official Report*, column 336.

UK Parliamentary Delegation

Mr. Terry Davis: To ask the Prime Minister if he will place in the Library the latest information bulletin on the activities of the United Kingdom delegation to the Parliamentary Assembly of the Council of Europe and the Assembly of Western European Union covering the period May to September 1997. [17545]

The Prime Minister: I have done so today.

Mr. Jonathan Powell

Mr. Ian Bruce: To ask the Prime Minister what steps were taken to ensure that no conflict of interest arises in respect of Mr. Jonathan Powell's role as Chief of Staff as a result of his knowledge of contributions to the Leader of the Opposition's office fund. [17562]

The Prime Minister: I have nothing further to add to the reply that I gave the hon. Member for Surrey Heath (Mr. Hawkins) on 26 June 1997, *Official Report*, column *611*.

Official Meetings

Mr. Ian Bruce: To ask the Prime Minister when he met *(a)* Lord Levy, *(b)* Lord Merlyn-Rees, *(c)* Baroness Dean of Thornton le Fylde, *(d)* Baroness Jay of Paddington, *(e)* Mr. John Mendleson, *(f)* Mr. Colin Lehmann, *(g)* Mr. David Goldman, *(h)* Mr. Gary Bond, *(i)* Mr. David Pitt-Watson, *(j)* Sir Emmanuel Kaye, *(k)* Sir Trevor Chinn, *(l)* Mr. Alex Bernstein, *(m)* Mr. Ashley Mitchell and *(n)* Mr. David Ward in an official capacity; and what was discussed. [17585]

The Prime Minister: I have regular meetings with Ministerial colleagues and others.

Anglo-French Summit

Mr. Tyrie: To ask the Prime Minister pursuant to his answer of 13 November 1997, *Official Report*, column *617*, who provided rooms in Canary Wharf free of charge, when he expects to have final figures for the cost of preparing and furnishing the rooms; and if he will place these figures in the Library. [17569]

The Prime Minister: Canary Wharf Limited provided rooms in Canary Wharf free of charge. We expect to have final figures for the cost of preparing and furnishing the rooms shortly. The figures will be placed in the Library.

British Film Industry

Mr. Heathcoat-Amory: To ask the Prime Minister who he met and what was discussed at his meeting with representatives from the British film industry held before the July budget. [17440]

The Prime Minister: I have discussed the British film industry with ministerial colleagues and others prior to and after the Budget.

HOUSE OF COMMONS

Bicycle Allowance

Mr. Brake: To ask the President of the Council if she will introduce travel allowances for hon. Members using their bicycles on Parliamentary business. [16844]

Mrs. Ann Taylor: I have asked the Senior Salaries Review Body to consider the merits of a cycling allowance for MPs in its next report. The report will, if appropriate, make recommendations on a possible mechanism for reimbursing the cost of using bicycles on official business—for Members of both Houses—and recommend an appropriate figure for any allowance. The SSRB's report is due to be published in the New Year.

AGRICULTURE, FISHERIES AND FOOD

Radioactive Waste

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food if he has received the National Radiological Protection Board's report on the radiological significance of past dumpings of radioactive waste at *(a)* Beaufort's Dyke and *(b)* elsewhere; and if he will make a statement. [17615]

Mr. Rooker: I have now received the results of the independent assessment which I asked the National Radiological Protection Board (NRPB) to undertake, and I have arranged for copies of NRPB's report to be placed in the Library of the House.

The report concludes that all the past dumpings which were identified during the searches of records would give rise to doses well within the International Commission on Radiological Protection's recommended dose limit for members of the public. Moreover, in all cases except one, the report states that the calculated doses were at a level considered trivial in radiological protection terms. Only in relation to the disposals in Liverpool Bay area were peak critical group doses estimated to have been above the 'trivial' level, and even these were well within the recommended dose limit. The NRPB conclude that, since estimated doses from the dispersion of radionuclides in marine waters are not significant in radiological protection terms, there is no need for additional environmental monitoring in connection with the disposals.

The NRPB consider that the only eventuality which could give rise to a significant calculated dose is if one of the two anti-static devices dumped off the Isle of Arran in 1958 were to be washed ashore or trawled up and handled by a member of the public. They conclude that the likelihood of this situation occurring is extremely low but advise that it may nevertheless be prudent to ensure that trawlermen and organisations responsible for dealing with material washed up on beaches are made aware of the possibility and advised to seek expert assistance if there is reason to suspect that one of these sources has appeared. In the light of this, my right hon. Friend the Secretary of State for Scotland and I are exploring with the NRPB how such advice can effectively be provided.

Quarantine Reform

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food if he will list the members of his Assessment Panel on Quarantine Reform indicating their qualifications. [16952]

Mr. Rooker: The members of the Advisory Group on Quarantine are:

Professor Ian Kennedy LL.D (Chairman), Professor of Health Law, Ethics and Policy at the School of Public Policy, University College London. He was previously president of the Centre for Medical Law and Ethics, Kings College London and chaired the Government's Advisory Group on the Ethics of Xenotransplantation in 1995–96.

Dr. Barbara Bannister MSc FRCP, Consultant in Infectious and Tropical Diseases at the Royal Free Hospital, London.

Mr. Paul deVile BVetMed, a small animal veterinary practitioner in Eastbourne. He is a past president of both the British Veterinary Association and the British Small Animals Veterinary Association.

Dr. Chris Dye who is on secondment from the London School of Hygiene and Tropical Medicines as Senior Epidemiologist at the World Health Organisation, Geneva.

Professor Os Jarrett, Professor of Comparative Virology at the University of Glasgow.

Professor Herbert Sewell, Head of Immunology at University Hospital Medical School, Queen's Medical Centre, Nottingham.

and

Sir Joseph Smith who is the retired head of the Public Health Laboratory Service. He is a former member of the Committee on the Safety of Medicines.

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food what are the terms of reference for the Assessment Panel on Quarantine Reform; when it will begin and finish its work; and how many officials at which grades will be assigned in support of the work of the panel. [16953]

Mr. Rooker: The terms of reference for the Advisory Group on Quarantine are as follows:

"To assess the risk of introduction of rabies into the United Kingdom under the current policy of quarantine for pet animals and under alternative policies, particularly the five set out below. The assessment should advise on, and take full account of the practical aspects of enforcement of the policies in determining the risk posed by each. The assessment should also consider and advise on the costs and benefits of each of the policies, and of the risk of introducing other animal diseases transmissible to humans.

The alternative policies to be assessed are:

Option (a): maintain the existing policy whereby imported animals are housed in secure quarantine facilities for six months;

Option (b): reduce the length of time animals are required to spend in quarantine;

Options (c) and (d): allow in animals for which reliable alternative assurances can be obtained, in particular those from EU Member States and certain rabies-free countries, through restrictions based on identification, vaccination, blood testing, certification and a system of checks after entry. In option (c) checks would be made at the point of entry, in option (d) these checks would be made away from the point of entry in approved reception centres. Where these assurances cannot be met, animals would be quarantined as now;

Options (e) and (f): give up quarantine altogether. Under option (e) imported animals only would be subject to pre-entry vaccination. Under option (f) all domestic cats and dogs would be vaccinated. Farm livestock and foxes in affected areas would be vaccinated were the disease to be introduced."

The Advisory Group is beginning its work now and aims to produce its report in the Spring of 1998.

One Grade 7, one Veterinary Adviser, one Higher Executive Officer and one Administrative Officer have been assigned to support the work of the Advisory Group. Other staff will be involved as necessary.

Flood Warnings (Somerset)

Mr. David Heath: To ask the Minister of Agriculture, Fisheries and Food what plans he has to improve floodplain zoning and flood warning systems in Somerset. [17071]

Mr. Morley: The Environment Agency is responsible for carrying out surveys in relation to its flood defence function and for arranging for flood warnings to be issued. It has recently undertaken a survey of all main-river floodplain in Somerset, under the provisions of Section 105(2) of the Water Resources Act 1991. In its latest Corporate Plan, the Agency has set out targets for its flood warning arrangements which will involve the development of new telemetry, forecasting and warning dissemination systems.

Bruton Flood Detention Dam

Mr. David Heath: To ask the Minister of Agriculture, Fisheries and Food what survey of the reservoir site was conducted prior to the construction of the Bruton flood detention dam. [17072]

Mr. Morley: The Environment Agency has advised that surveys, including topographic and ground site investigation, were undertaken by consulting engineers to satisfy the requirements of the Engineers appointed pursuant to the Reservoirs Act 1975.

Mr. David Heath: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the design standards of the Bruton flood detention dam. [17073]

Mr. Morley: The Environment Agency has advised that the design standard of the Bruton flood detention dam was established at the time of construction by the consulting engineers, in accordance with current legislation and best practice. A review was subsequently undertaken in 1995–96, by consulting engineers Babtie using the latest methodologies. This independent hydrological assessment indicates that the dam currently provides protection against floods in excess of the 1 in 100 year return period.

Regional Panels

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food pursuant to his answer of 7 November 1997, *Official Report*, columns *363–65*, on the former regional panels, if he will list the addresses of each of the individual panel members. [17348]

Mr. Rooker: No.

TRADE AND INDUSTRY

Biotechnological Invention

Dr. Gibson: To ask the President of the Board of Trade what assessment her Department has made of the impact of commercial monopoly rights over natural DNA sequences. [15341]

Mr. Battle: Under current United Kingdom law (the Patents Act 1977) it is possible to obtain patent rights for DNA sequences but only where they are isolated from the body, only where such sequences simultaneously meet the three general conditions for patentability: they are new, they are inventive and they are capable of industrial application. Discoveries, for example that a particular sequence exists in nature, are not patentable. This legislation provides for exceptions to patent rights for the benefit of those who wish to carry out research relating to protected DNA sequences.

Significant progress in genetic engineering and biotechnology in general has been made in the United Kingdom throughout the twenty years this legislation has been in place. No assessment has been made during that time to identify the precise impact on patent rights to such progress, and to disentangle their role in facilitating the recovery of the costs of research and development from that of other factors which influence decisions to invest in research and the marketing of biotechnoligical products.

However, the current uncertainty which exists in this area of law in Europe at present has the potential to act as a deterrent to investment in this industry. This Directive could play an important role in harmonising and clarifying national laws.

Mr. Livingstone: To ask the President of the Board of Trade what steps the Government took to ensure that members of the public were informed of a consultation on the proposed EU Directive on the Legal Protection of Biotechnological Inventions. [16736]

Mr. Battle: Information concerning the Commission's proposal was circulated widely, including by use of the internet. As a result, over 150 organisations have made their views known to me or my Department and have taken part in a consultation exercise, including a major meeting of interested parties held in London in October. Organisations should include those representing environmental interests, health and patient groups, animal welfare, the professions, industry, trade unions and religious groups.

Mr. Benn: To ask the President of the Board of Trade what assessment she has made of the impact of the proposed EU Directive on the Legal Protection of Biotechnological Inventions on *(a)* employment and *(b)* small biotech companies. [16751]

Mr. Battle: Since the European Commission's proposed Directive is substantially consistent with current United Kingdom legislation (The Patent Act 1977), no specific assessment has been made of the impact of the proposed Directive. The Patents Act has been in place throughout the development of the modern biotechnology industry in the United Kingdom, which already employs over 10,000 people, a figure forecast to rise to 14,000 over the next two years. A sound intellectual property regime is considered essential to financing support for small and medium biotechnology companies and to safeguard their contribution to improving the quality of life through developments in this technology.

Patents (Biological Materials)

Mr. McDonnell: To ask the President of the Board of Trade what research her Department has conducted into the benefits of granting patents on living biological materials. [16750]

Mr. Battle: Assuming general conditions for patentability are met, patent rights may be obtained for plant and animal materials under current United Kingdom legislation (The Patents Act 1977). This legislation has been in place throughout the development of the modern biotechnological industry in the United Kingdom.

No specific research has been conducted. However, the industry has made significant progress in enhancing quality of life with medical advances in treatments for conditions such as Asthma, Rheumatoid Arthritis and Hepatitis B.

Publicity and Advertising

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is her estimate of the total expenditure on all forms of publicity and advertising by *(a)* her Department, *(b)* its agencies and *(c)* non-departmental public bodies for (i) 1993–94, (ii) 1994–95, (iii) 1995–96, (iv) 1996–97, (v) the 1997–98 year to date, (vi) the 1997–98 full year estimate and (vii) the 1998–99 planned expenditure. [15213]

Mrs. Beckett *[holding answer 11 November 1997]:* Total Departmental expenditure on publicity is not held centrally and could be produced only at disproportionate cost. Expenditure on publicity, including advertising, from centrally-managed budgets is as follows:

	£000
1993–94	8,468
1994–95	8,112
1995–96	9,211
1996–97	9,216
April–October 1997	2,348

Planned spend for 1997–98 and 1998–99 is not available.

Chief Executives of the Department's Executive Agencies have been asked to respond direct.

Letter from Seton Bennett to Mr. Malcolm Bruce, dated 24 November 1997:

The President of the Board of Trade has asked me to reply on behalf of the National Weights and Measures Laboratory (NWML), a net running cost Agency, to your question about expenditure on publicity and advertising.

The figures for NWML are as follows:

Year	£000
1993–94	n/a
1994–95	9
1995–96	16
1996–97	28
1997–98 year to date	12
1997–98 full year estimate	25
1998–99 planned	25

n/a = not available.

Letter from John Holden to Mr. Malcolm Bruce, dated 24 November 1997:

I have been asked to respond to your question to the President of the Board of Trade regarding expenditure on all forms of publicity and advertising. The total for all forms for Companies House (shown in £000s) are:

	£000
1993–94	378
1994–95	448
1995–96	364
1996–97	289
1997–98 (to date)	49
1997–98 (estimated)	444
1998–99 (plan)	444

Letter from P. R. S. Hartnack to Mr. Malcolm Bruce, dated 24 November 1997:

I am replying for the Patent Office to your Parliamentary Question to the President of the Board of Trade about expenditure on publicity and advertising.

The figures in £'000 are as follows:

		£000
	Marketing	Recruitment advertising
1993–94	1,545	0
1994–95	887	7
1995–96	557	17
1996–97	546	48
1997–98 (end of October)	330	40
1997–98 (forecast)	650	60
1998–99 (forecast)	617	62

Letter from Ian Jones to Mr. Malcolm Bruce, dated 24 November 1997:

You tabled a Parliamentary Question to the President of the Board of Trade, for named day reply on 11 November, about expenditure by her Department, its agencies and non departmental bodies on all forms of advertising and publicity. I have been asked to reply in respect of the Employment Tribunals Service.

The Employment Tribunals Service was established as an executive agency on 1 April 1997. The Agency spent to 31 October 1997 £97,000 on publicity and advertising. We expect to spend £146,000 in the current financial year. This mainly covers the cost of explanatory leaflets for the public and, where appropriate, advertisements to locate parties who we are otherwise unable to trace. Plans for 1998/9 have not yet been finalised.

Letter from Peter Joyce to Mr. Malcolm Bruce, dated 24 November 1997:

The President of the Board of Trade has asked me to reply to your question about The Insolvency Service's expenditure on publicity and advertising for 1993–94 to 1996–97, 1997–98 to date and full year estimates,
and 1998–99 planned expenditure.

The Insolvency Service has a statutory obligation to advertise each compulsory corporate and personal insolvency in the London Gazette and one other newspaper. The costs are charged to the estate of the insolvent company/individual, and not directly to the Department.

Recruitment advertising is undertaken from time to time at both national and local level. Expenditure was devolved to the Agency from 1993–94, and the amounts expended have been:

	£
1993–94	14,900
1994–95	4,595
1995–96	4,060
1996–97	40,960
1997–98 to date	6,170
1997–98 full year estimate	20,000

It is not possible to provide an estimate of planned expenditure for 1998–99 at this stage as financial and manpower settlements have not yet been agreed.

In addition The Service incurred some £12,00 advertising costs during 1995–96 as part of the contracting out study taking place at that time.

The Service also publishes a range of guidance material designed to provide its users and the public with information about various aspects of insolvency as well as its Annual Report and Accounts each year. Expenditure on these publications totalled:

	£
1993–94	n/a
1994–95	29,670
1995–96	24,465
1996–97	50,210
1997–98 to date	21,140
1997–98 full year estimate	47,000

n/a = not available.

Again, it is not possible to provide an estimate of planned expenditure for 1998–99 at this stage as financial and manpower settlements have not yet been agreed.

Letter from Jim Norton to Mr. Malcolm Bruce, dated 24 November 1997:

The President of the Board of Trade, Mrs Margaret Beckett MP, has asked me to reply, on behalf of The Radiocommunications Agency, to your question concerning details in respect of expenditure on publicity activities undertaken from financial year 1993–94, including proposed expenditure for financial years 1997–98 and 1998–99.

The details are as follows:

Financial year	*Spend £*
1993–94	188,706
1994–95	211,634
1995–96	369,732
1996–97	304,049
1997–98 to date	366,000
1997–98 estimate	420,000
1998–99 budget	450,000

I hope that this is helpful.

Competition Bill

Mr. Redwood: To ask the President of the Board of Trade if she will exempt *(a)* newspaper distribution arrangements, *(b)* the arrangements between oil companies and filling stations and *(c)* the tie between brewers and pubs from the terms of the Competition Bill prohibitions. [15817]

Mrs. Beckett: Agreements which fulfil the criteria for exemption under European block exemption regulations, including those relating to beer tie agreements, petrol service station agreements and exclusive distribution will be automatically exempt from the Chapter 1 prohibition in the Competition Bill. There is no exemption from Chapter II prohibition in the Bill.

Export Licences

Mr. Redwood: To ask the President of the Board of Trade what is the average period for a company seeking an export licence from the Department of Trade and Industry, from its first contacts with the Department of Trade and Industry to seek information on how to apply, to the granting of the licence. [16143]

Mrs. Beckett *[holding answer 14 November 1997]:* The Export Control Organisation (ECO) of my department has a Helpline and other advisory facilities for exporters seeking to obtain export licences. Since individual circumstances are so varied, it is not possible to keep records relating the first date of inquiry to the received date of a formal application for an export licence (if indeed such an application is made). Inquiries are dealt with promptly—usually the same day.

In some 'pre-licence' inquiries, exporters request advice on the licensable status (or 'rating') of goods that may be exported. Targets for dealing with such applications, provided full information is received with the inquiry, are:

10 working days where circulation to other Government Departments is not required.

20 working days where circulation to other Government Departments is required.

For the last four week period for which statistics have been compiled (22 September to 17 October 1997) those targets have been met in 96 per cent. of non-circulated cases and 80 per cent. of circulated cases.

Once an export licence application is received by the ECO, performance targets are applied to the length of time it takes Government to process. The targets, provided full information is supplied with the application, are:

10 working days where circulation to other Government Departments is not required.

20 working days where circulation to other Government Departments is required.

For the last four week period for which statistics have been compiled (22 September to 17 October 1997), those targets have been met in 71 per cent. of non-circulated cases and 48 per cent. of circulated cases.

The ECO does not record the average length of time it takes for an export licence application to be issued.

Fossil Fuel Levy

Mr. Redwood: To ask the President of the Board of Trade how much revenue she plans to raise from non fossil fuel energy, in the first full year of the extended fossil fuel levy under the Fossil Fuel Levy Bill [*Lords*]. [16148]

Mrs. Beckett *[holding answer 14 November 1997]:* The amount to be raised from the Levy in 1998–99 is currently being estimated by the Levy Collector. I will announce their estimate when it becomes available. The Fossil Fuel Levy Bill will have no effect on the total amount of revenue raised. Levy is paid on electricity supplied by licensed electricity suppliers. It is not possible to plan how much Levy will be raised on electricity from specific sources as this will depend upon the volume of electricity supplied from those sources which is subject to a range of factors including the availability of plant and the commercial decisions of the companies involved.

Mr. Fallon: To ask the President of the Board of Trade if she will estimate *(a)* the total amount expected to be raised by the fossil fuel levy in 1998–99 and *(b)* the amount to be raised from (i) the nuclear industry, (ii) hydro-electric generation and (iii) other renewable sources of energy. [16057]

Mr. Battle *[holding answer 14 November 1997]:* The amount to be raised from the Levy in 1998–99 is currently being estimated by the Levy Collector. I will announce their estimate when it becomes available. The Fossil Fuel Levy Bill will have no effect on the total amount of revenue raised. Levy is paid on electricity supplied by licensed electricity suppliers. It is not possible to plan how much Levy will be raised on electricity from specific sources as this will depend upon the volume of electricity supplied from those sources which is subject to a range of factors including the availability of plant and the commercial decisions of the companies involved.

Business Opportunities

Mr. Waterson: To ask the President of the Board of Trade what new steps the Government are taking to enhance opportunities for business start-ups and small businesses seeking to compete in established industry sectors. [16503]

Mrs. Roche: The Government recognise the value of providing a climate within which those starting new enterprises and those running small businesses can compete and win. This is why I support the work of the Business Links, which provide access to high quality business services, and why I have taken steps to make them more effective. I launched the vision for enhancing Business Links on 7 October, and I am sure that the commitment to continuous improvement in service standards which is required will be of immense benefit to emerging businesses.

Electrical Retailing

Mr. Redwood: To ask the President of the Board of Trade what assessment she has made of the impact of implementing the recommendations contained in the Monopolies and Mergers Commission Report on electrical retailing on the numbers of electrical retailing businesses operating. [16523]

Mrs. Beckett: The MMC have found that, as a result of a number of entrenched practices by suppliers and dealers of domestic electrical goods, retail prices are higher than they would otherwise be, price competition in these markets is muted, new retailers have difficulty getting supplies, and innovation in retailing is discouraged.

My proposed remedies, announced on 30 July 1997, would stop suppliers and dealers from relying on recommended retail prices and help dealers who want to compete on price but have difficulty getting supplies. They would allow consumers to benefit from lower prices through stronger price competition and more choice of retail outlets.

During the consultation on my proposals small retailers have told me, as they did the MMC, that a number of them would close if the proposed remedies were implemented. I am considering these arguments.

Mr. Redwood: To ask the President of the Board of Trade how many representations against her electrical retailing proposals she has received. [16522]

Mrs. Beckett: By the close of 14 November, I had received around 140 representations raising one or more objections to the proposals I announced on 30 July 1997.

Mr. Redwood: To ask the President of the Board of Trade what estimate she has made of the impact on prices of her electrical retailing proposals. [16521]

Mrs. Beckett: The MMC found that a number of entrenched practices by suppliers and dealers of domestic electrical goods operated against the public interest by causing retail prices to be higher than they would otherwise be. I announced on 30 July 1997 my proposals to prohibit these practices, and that consumers would benefit from lower prices through stronger competition and more choice of retail outlets.

Recommended Retail Prices

Mr. Redwood: To ask the President of the Board of Trade if she will make a statement on the use of recommended retail prices in *(a)* electrical retailing and *(b)* newspaper distribution. [16576]

Mrs. Beckett: In relation to electrical retailing, the MMC found various practices which encouraged retailers to adhere to recommended retail prices, and concluded that the level of retail prices was influenced by recommended retail prices, and that tackling only the associated practices would be an insufficient remedy. They therefore recommended that recommended retail prices themselves be prohibited in these markets. I accepted their recommendation in my announcement of 30 July 1997.

In relation to newspaper distribution the MMC, in its 1993 report, made no adverse findings against the publishers' practice of displaying newspaper cover prices, which are in effect recommended retail prices.

Departmental Announcements

Mr. Baker: To ask the President of the Board of Trade under what circumstances it is her Department's policy to make announcements to the media prior to informing Parliament. [16966]

Mrs. Beckett: It is the Department's policy, as far as practicable, to inform Parliament of major policy decisions before making announcements to the media.

Some announcements are market sensitive, and there is a need to ensure that the information reaches the market in an orderly fashion. The contents of MMC monopoly and merger reports and my decisions on them are, for example, market sensitive. My normal practice is to announce my decision to the market at the same time as the report is published and laid in Parliament.

Stena and P&O Merger

Mr. Baker: To ask the President of the Board of Trade if she will investigate the report contained in *The Observer* newspaper of 16 November relating to the proposed merger of Stena and P&O with a view to identifying the source close to the authorities cited in the report. [16967]

Mrs. Beckett: I have seen the press report to which the hon. Member refers. The report was speculative, and inaccurate in a number of respects. It contained nothing which suggests that it was derived from a UK official source. Unless there is other evidence to suggest that it was derived from a UK official source, I do not intend to investigate the report further.

Mr. Redwood: To ask the President of the Board of Trade when she plans to publish her decision on the P & O and Stena ferries merger; and if she will make an oral statement. [17065]

Mrs. Beckett *[holding answer 21 November 1997]:* I published the Monopolies and Merger's report on the proposed joint venture between P & O and Stena on 19 November. Copies of the report have been laid before Parliament. As is usual in such cases, I also issued a Press Notice announcing my decision on the report, copies of which are available in the libraries of both Houses.

Plutonium

Mr. Llew Smith: To ask the President of the Board of Trade pursuant to her Answer to the hon. Member for South Down (Mr. McGrady) of 6 November 1997, *Official Report*, columns *296–97*, if she will set out the ways in which the Euratom Safeguards Office scrutinises the United Kingdom plutonium stocks. [16853]

Mrs. Beckett: All civil nuclear material in the UK, including plutonium, is subject to Euratom safeguards and to the terms of the tripartite UK/Euratom/IAEA safeguards agreement. These require the regular provision of information by nuclear operators to the Euratom Safeguards Directorate. The UK's plutonium stocks, along with other civil nuclear material in the UK, are also subject to inspection by safeguards inspectors. Details of the reporting and associated procedures are set out in Commission Regulation (Euratom) No. 3227/76. I have placed copies of the Regulation in the library of the House.

Coal Supplies

Mr. Grogan: To ask the President of the Board of Trade what are the DTI forecasts for coal burn in the electricity sector and for deepmines and opencast coal production in *(a)* 1997, *(b)* 1998 and *(c)* 2001. [17136]

Mr. Battle: UK deep-mined and opencast coal output in 1997 are likely to be about 31 million tonnes and 17 million tonnes respectively. The previous administration published energy projections for the UK as Energy Paper 65 in March 1995 which is available in the libraries of the House indicated that coal burn in 2000 was likely to fall within the range 14.6 to 23.7 million tonnes of oil equivalent.

My Department is working on a new set of projections which I intend to publish next year.

Low Pay Commission

Mr. Redwood: To ask the President of the Board of Trade if she will publish the revisions which she has made to her instructions to the Low Pay Commission in the last month. [17066]

Mrs. Beckett *[holding answer 21 November 1997]:* There have been no changes to the Low Pay Commission's terms of reference.

BP Power Station

Mr. Redwood: To ask the President of the Board of Trade which ministers *(a)* saw the relevant papers regarding, *(b)* discussed and *(c)* were involved in the decision concerning the approval for a new British Petroleum gas-fired power station. [17062]

Mrs. Beckett *[holding answer 21 November 1997]:* Departmental responsibility for applications for consent under section 36 of the Electricity Act 1989 rests with the Minister for Science, Energy and Industry and the Secretary of State for Trade and Industry and it is those Ministers who considered the papers on BP's Salt End power station project and who will come to consider the papers on BP's other proposed power station project at Baglan Bay.

Written Questions

Mr. Redwood: To ask the President of the Board of Trade what is the average time her Department has taken to give substantive answers to named day questions in the current parliamentary session. [17560]

Mrs. Beckett: Eighty-nine per cent. of the named day questions were answered within 5 sitting days and 71 per cent. within 2 days of the date for answer.

Fax and Telephone Installation Costs

Mr. Redwood: To ask the President of the Board of Trade what was the cost to public funds of installing *(a)* a fax and *(b)* a telephone at her mobile home. [17561]

Mrs. Beckett: None.

SCOTLAND

Departmental Information

Mr. Matthew Taylor: To ask the Secretary of State for Scotland if he will place in the Library a copy of the internal departmental guidance on the dissemination of information; and if he will make a statement. [16302]

Mr. Dewar: My Department disseminates information in a number of different ways. There is no central guidance held by my Department which covers all of the various means of issuing information.

Press Releases

Mr. Matthew Taylor: To ask the Secretary of State for Scotland what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16301]

Mr. Dewar: Scottish Office press releases are not faxed on the day of release to Opposition party spokesmen. Copies of the press releases are, however, mailed on the day of release to the Scottish headquarters of the four main political parties in Scotland. This was the position prior to 1 May and I have no plans to change these arrangements.

Student Funding

Mr. Ruane: To ask the Secretary of State for Scotland what was the average funding per student in further education in Scotland in each of the last five years. [16509]

Mr. Wilson: The average Government funding per full-time equivalent student in further education colleges in Scotland (in cash terms and rounded to the nearest £) over the last three years is shown in the list:

1995–96: £2,812

1994–95: £2,902

1993–94: £2,811.

The figures for 1992–93 and 1991–92 are not compatible with those above. They include expenditure on other vocational education and assistance, transport, residential accommodation and bursary support and cannot be disaggregated.

1992–93: £3,481

1991–92: £3,228.

Tuition Fees

Mr. Gorrie: To ask the Secretary of State for Scotland what estimate his Department has made of the total annual sum likely to be required of students from England, Wales and Northern Ireland to pay towards the fees for their fourth year at a Scottish university once the scheme is fully in operation. [16645]

Mr. Wilson: From academic year 1998–99 new full-time undergraduate students will be required to contribute up to a maximum of £1,000 a year in tuition fees, depending on their parents', spouses' or own income. The Scottish Office does not have responsibility for assessing the contribution towards fees for students domiciled in England, Wales or Northern Ireland, and no specific estimate of the likely average fee per student for those students from England, Wales and Northern Ireland studying in Scotland is available.

Quangos

Mr. Ernie Ross: To ask the Secretary of State for Scotland if he will list all the quangos in Scotland employing more than 20 employees, with the total level of employment and the respective employment levels in each of the quangos in *(a)* Glasgow, *(b)* Edinburgh, *(c)* Aberdeen, *(d)* Dundee, *(e)* Stirling and *(f)* Inverness. [16520]

Mr. Dewar: The information is set out in the following table.

Employment numbers (full-time equivalents)

Body	*Total*	*Glasgow*	*Edinburgh*	*Aberdeen*	*Dundee*	*Stirling*	*Inverness*
Executive NDPBs							
Accounts Commission for Scotland	157	20	77	9	—	—	11
Crofters' Commission	76	—	—	—	—	—	76
Highlands and Islands Enterprise[1]	350	—	—	—	—	—	174
National Board for Nursing, Midwifery and Health Visiting for Scotland	44	—	44	—	—	—	—
National Galleries of Scotland	164	—	164	—	—	—	—
National Library of Scotland	217	—	217	—	—	—	—
National Museums of Scotland	270	—	270	—	—	—	—
Royal Botanic Garden, Edinburgh	202	—	202	—	—	—	—
Royal Commission on the Ancient and Historical Monuments of Scotland	65	—	65	—	—	—	—
Scottish Agricultural and Biological Research Institutes:							
Hannah Research Institute	140	—	—	—	—	—	—
Macaulay Research Institute	260	—	—	260	—	—	—
Moredun Research Institute	156	—	156	—	—	—	—
Rowett Research Institute	276	—	—	276	—	—	—
Scottish Crop Research Institute	343	—	—	—	343	—	—
Scottish Arts Council	80	—	80	—	—	—	—
Scottish Children's Reporter Administration	327	66	22	17	18	38	16
Scottish Community Education Council	30	—	30	—	—	—	—
Scottish Council for Educational Technology	88	88	—	—	—	—	—
Scottish Enterprise[1]	1,714	694	114	94	91	79	—
Scottish Environment Protection Agency	637	12	91	64	—	101	—
Scottish Further Education Unit	28	—	—	—	—	28	—

Employment numbers (full-time equivalents)

Body	*Total*	*Glasgow*	*Edinburgh*	*Aberdeen*	*Dundee*	*Stirling*	*Inverness*
Scottish Higher Education Funding Council	60	—	60	—	—	—	—
Scottish Homes	837	218	310	8	48	—	17
Scottish Legal Aid Board	273	3	270	—	—	—	—
Executive NDPBs							
Scottish Natural Heritage	613	—	199	36	—	9	39
Scottish Qualifications Authority	350	350	—	—	—	—	—
Scottish Screen	38	38	—	—	—	—	—
Scottish Sports Council	150	—	150	—	—	—	—
Scottish Tourist Board	157	—	120	—	—	—	37
Water Authorities							
East of Scotland Water Authority	1,963	—	714	—	—	226	—
North of Scotland Water Authority	1,928	—	—	403	370	—	253
West of Scotland Water Authority	2,725	1,267	—	—	—	—	—

[1] Figures relate to the Highlands and Islands Enterprise and the Scottish Enterprise networks as a whole.

HEALTH

Abortion

Dr. Vis: To ask the Secretary of State for Health what is the average cost of a first trimester NHS abortion by vacuum aspiration in *(a)* Sheffield and *(b)* Newcastle. [15671]

Ms Jowell: Estimates of the costs information requested are shown in the table:

Estimates of the average cost of a first trimester National Health Service abortion by vacuum in Sheffield and Newcastle

Trust	*Estimate of average cost of first trimester NHS abortion by vacuum (£)*	
	Day case	*In-patient*
Central Sheffield Hospitals NHS Trust	443	443
Royal Victoria Infirmary and Associated Hospitals NHS Trust (Newcastle)	289	343

NHS Dentists Register

Mr. Simon Hughes: To ask the Secretary of State for Health what estimate he has made of the number of people expected to be removed from NHS dentists' registers because they have not made an appointment in the last 15 months. [16634]

Mr. Milburn: From 1 September 1996, the registration period for both adult continuing care and child capitation was harmonised to provide patients with a period of continuing dental care for 15 months following each course of treatment. The most recent estimate is that registration numbers may gradually fall by about 4 million as a result of this change. However, the actual effect on the number of patients registered with a dentist will depend on the response to the incentive for many patients to attend the dentist on a more regular basis.

Fluoridation

Mr. Martyn Jones: To ask the Secretary of State for Health if he will list those studies which his Department has *(a)* commissioned and *(b)* evaluated into the potential dangers and side effects of fluoridated water supplies; if he will list those dangers or side effects; and when he expects his Department to complete the current review of the fluoridation programme. [16501]

Ms Jowell: Evaluation of the safety and efficacy of fluoridation of water supplies rests not on the results of a few studies but on the assessments of the very extensive, relevant published scientific literature on the effects of fluoride (including human exposure to fluoride present naturally in drinking water), and on the results of more than half a century of fluoridation. No serious side effects have been identified from fluoridating water by one part of fluoride per million parts of water (the optimum level), but we continue to monitor and evaluate the progress of the programme.

We cannot at present predict when we will complete our review.

Tobacco Sponsorship

Mr. Maples: To ask the Secretary of State for Health when the decision was taken to exempt Formula 1 racing from the proposed ban on tobacco sponsorship of sport; what ministerial meetings took place on this subject between 16 October and 6 November; which Ministers attended these meetings; and if he will publish the minutes of these meetings. [16749]

Mr. Dobson: The issue was discussed in correspondence between Ministers which was brought to a close on 3 November when my hon. Friend the Minister for Public Health wrote to the presidency. It is not the Government's practice to disclose the nature or detailed records of inter-ministerial discussions on policy matters.

Mr. Maples: To ask the Secretary of State for Health what assessment his Department made of the *(a)* advantages and *(b)* disadvantages of exempting formula one from the ban on tobacco sponsorship. [16741]

Ms Jowell: After considering the issue of sponsorship in great depth, the Government have proposed excluding formula one from the scope of the proposed EU Directive on tobacco advertising and sponsorship which is currently being negotiated. The Government have always made it clear that it is pursuing twin objectives of reducing smoking and of safeguarding sport from any effects arising from the loss of tobacco sponsorship. The fact is that a blanket Europe-wide ban on formula one

sponsorship would mean not only fewer grand prix in Europe but, perversely, more tobacco advertising on our TV screens beamed in from events from outside the European Union.

General Practitioners (Correspondence)

Mr. Maples: To ask the Secretary of State for Health what factors underlay the decision of the Minister of State, the hon. Member for Darlington (Mr. Milburn), to send the letter of 21 October to general practitioners; to which doctors it was sent and what is the estimated cost of printing and mailing these letters. [16767]

Mr. Milburn: The purpose of the letter was to inform general practitioners about a number of policy developments which are of direct relevance to them and to underline the priority the Government attach to primary care. The cost of printing and mailing these letters including postage, was £14,000.

Trauma Centres

Mr. Lock: To ask the Secretary of State for Health what guidance his Department has issued to health authorities in respect of the development of major trauma centres following the report by Sheffield University on the clinical effectiveness of the trauma centre at Stoke on Trent; and if he will make a statement. [16955]

Mr. Boateng: A report, "The cost-effectiveness of the regional trauma system in the North-West Midlands" was published in March 1996. It was made available to health authorities and National Health Service trusts to help inform their decisions on the organisation of accident and emergency services. Copies are available in the Library.

Nursing and Residential Homes

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 17 November 1997, *Official Report*, column 59, what plans he has to change the arrangements for remunerating general practitioners for care of patients in nursing and residential homes. [17175]

Mr. Milburn: With effect from April 1998, health authorities will be able, under amendments to the National Health Service (General Medical Services) Regulations 1992, to give general practitioners financial incentives beyond those set out in the Statement of Fees and Allowances to enhance the provision of local general medical services. Subject to local priorities which the health authority will determine, this may include the provision of specified general medical services tailored to the needs of those living in nursing and residential homes.

At present, the Government have no further plans to change the arrangements for remunerating general practitioners for care of patients in nursing and residential homes.

Cancer

Mr. Simon Hughes: To ask the Secretary of State for Health what action his Department will be taking to address the differences in the incidence of cancers between the north and south of England. [16660]

Ms Jowell: There is no clear pattern in the overall incidence of cancers when comparing the north and south of England. Stomach, lung and cervical cancers are registered more frequently in the north of England than the south, but female breast cancer and malignant melanoma rates are lower in the north. Death rates from all cancers combined are higher in the north of England.

Sir Donald Acheson, former Chief Medical Officer, is carrying out an independent inquiry into inequalities in health which will report next summer. His recommendations, together with responses to the forthcoming Green Paper on the new public health strategy, will be used to develop next year's White Paper which will aim to reduce geographical health inequalities such as these.

The Government is also committed to implementation of the recommendations in the document "A Policy Framework for Commissioning Cancer Services" which sets out the need for high-quality cancer care wherever a patient may live.

Hospitals (Performance Indicators)

Mr. Simon Hughes: To ask the Secretary of State for Health what plans his Department has to introduce new clinical indicators of hospital performance; and what measures he plans to take against hospitals with low levels of performance. [16661]

Mr. Boateng: We are already consulting across the National Health Service and the clinical professions on a set of 15 provisional health authority and trust clinical indicators. These indicators may raise questions on aspects of the quality of clinical care for local investigations and are for use within the NHS. Decisions on taking them forward will be taken in light of the consultation process.

We are committed to improving levels of performance throughout the whole of the NHS. Our plans will be set out in an NHS White Paper which we intend to publish shortly.

Hospital Waiting Lists

Mr. Simon Hughes: To ask the Secretary of State for Health what plans he has to ensure waiting lists will not rise in the next 12 months in England. [16662]

Mr. Milburn: We inherited record numbers of patients waiting for treatment from the previous Government. We cannot expect to turn this round overnight. Our immediate priorities are to ensure that the National Health Service deals effectively with emergencies during the winter and that by the end of next March there are no patients waiting more than 18 months for admission to hospital. We are determined to have shorter waiting lists by the end of this Parliament. The wide-ranging action plan for waiting lists and times announced by my right hon. Friend the Secretary of State on 18 November and the considerable extra resources we have made available to the NHS for this year and next will ensure that we begin to turn the tide.

Mr. Simon Hughes: To ask the Secretary of State for Health if he will estimate the proportion of waiting list initiative funding that has been spent in the private sector in the last three years; and what monitoring is

undertaken of clinical standards for the private sector in respect of patients being treated under the waiting list initiative. [17337]

Mr. Milburn: Central funding for the previous Government's waiting list initiative ran from 1987–88 to 1993–94 inclusive. Since then the money has been built into health authorities' recurrent revenue baselines and is no longer centrally earmarked for waiting list initiatives. It is for health authorities, as purchasers, to assess their population's needs and to target resources through contracts to ensure that those needs and national priorities such as waiting list and waiting time targets are met. It is also their responsibility to monitor the clinical standards and quality of care of any hospital with which they contract, whether this is an independent hospital or National Health Service trust.

Guidance to health authorities and general practitioner fundholders effective from April 1998 is that they should explore the scope to make maximum cost-effective use of local NHS capacity before thinking about use of private sector provision.

Mr. Simon Hughes: To ask the Secretary of State for Health how many patients have died while on waiting lists in each of the last 10 years; and if he will indicate the treatment for which they were waiting. [17343]

Mr. Milburn: Information is collected on removals from waiting lists but this does not differentiate between the various reasons, which include death. Patients may die from any one of a wide range of causes, in common with the rest of the population, while waiting for treatment and the cause may have nothing to do with the condition for which they were on a waiting list.

NHS Bureaucracy

Mr. Simon Hughes: To ask the Secretary of State for Health what criteria his Department will use to measure the savings achieved from the elimination of excess NHS bureaucracy; and by what date he expects to achieve his target for these savings. [16663]

Mr. Milburn: The Government are committed to reducing National Health Service bureaucracy. As a first step, we are tackling the worst features of the internal market and reducing NHS management costs in Great Britain by £100 million in 1997–98. The NHS Executive has set targets for 1997–98 with every health authority and trust in England to reduce their management costs.

The NHS Executive calculates the costs of managing the NHS using two measures: health authority costs; and trust management costs. Health authority costs are monitored quarterly through regional offices. Where there is significant deviation from plan, it is for the NHS Executive regional offices to negotiate recovery plans for those health authorities concerned. Trusts report their management costs in their annual accounts. It is for the regional offices to ensure that trusts are taking the necessary steps to deliver the savings by the end of the year. Current information indicates that both health authorities and trusts are on target to achieve their 1997–98 plans by the end of the year.

We will shortly be announcing further actions to reduce NHS bureaucracy linked to functional and structural change, as part of our plans to replace the internal market.

NHS Contracts

Mr. Simon Hughes: To ask the Secretary of State for Health how many contracts have been made between purchasers and providers in the NHS in each of the last five years; and how many GP fundholder contracts with providers have been made since fundholding began. [17341]

Mr. Milburn: Information on the number of contracts between purchasers and providers and on general practitioner fundholders' contracts is not collected centrally. Some data have been held at a regional level but this has not been collected or validated on a consistent basis.

Clinical Depression

Ms Julie Morgan: To ask the Secretary of State for Health what plans his Department has to include consideration of targets for the diagnosis of clinical depression in a future review of health policy. [17196]

Mr. Boateng: We have no such plans.

Ms Julie Morgan: To ask the Secretary of State for Health what estimate he has made of the cost of treating clinical depression, broken down into costs *(a)* of actual treatment, *(b)* associated with sickness benefit, *(c)* of working days lost to illness resulting in lost income revenue and *(d)* of community care. [17198]

Mr. Boateng: We have made no estimate of these costs.

Ms Julie Morgan: To ask the Secretary of State for Health when he last had meetings within the Department of Social Security, the Treasury and the Department for Education and Employment to discuss policy on the treatment of clinical depression. [17194]

Mr. Boateng: Treatment of clinical depression is a matter for the relevant bodies. We hold meetings with other Government departments as and when appropriate.

In recent months, officials have had discussions with colleagues at both the Department of Social Security and the Department for Education and Employment on the problems mentally ill people face on securing employment.

Ms Julie Morgan: To ask the Secretary of State for Health what plans he has to set up a task force to examine the diagnosis and treatment of clinical depression. [17195]

Mr. Boateng: We have no such plans. The Clinical Standards Advisory Group, a statutory body that advises United Kingdom Health Ministers on standards of clinical care, began work in March this year to review the clinical management of depression in primary and secondary care. We expect to receive its report early in 1998.

GP Fundholding

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list by *(a)* health authority and *(b)* region, the total savings made by general practitioners and the percentage of savings spent in each year since the inception of fundholding. [17334]

Mr. Milburn: Information held centrally on savings made on general practitioner fundholder budgets, and on spending from these savings (excluding savings voluntarily returned by fundholders to their health authorities), has been placed in the Library.

For 1991–92 and 1992–93, these are savings made at regional health authority level. From 1993–94 to 1995–96, data are available at family health services authority/health authority level on both savings made and spending from savings.

"Retained savings" are savings made on fundholders' budgets, excluding amounts voluntarily returned to the health authority, retained for spending in future years. "Accumulated savings available for spending" are all savings made since entry to fundholding less any savings spent.

In 1995–96, fundholders in England retained £84.8 million or 2.4 per cent. of their budgets in savings, and spent £47.6 million (32 per cent.) of their £150.9 million accumulated savings.

All data are taken from audited accounts, returned by National Health Service Executive Regional Offices. Information is not yet available from 1996–97 audited accounts.

Hospital Waiting Lists (Essex)

Mr. Burns: To ask the Secretary of State for Health how many people in the Mid-Essex Hospital Trust area had been waiting for treatment for more than *(a)* 24 months, *(b)* 18 months and *(c)* 12 months, (i) on 31 March and (ii) at the latest available date. [17029]

Mr. Milburn: Information on patients awaiting admission to Mid-Essex Hospital National Health Service Trust on 31 March 1997 and 30 September 1997 is given in the table.

Number waiting	*At 31 March 1997*	*At 30 September 1997*
For 12 months or more	104	441
For 18 months or more	0	3
For 24 months or more	0	0

Figure is final one and differs from provisional figure supplied in the reply given to the hon. Member for West Chelmsford on 11 June 1997 at column *479*.

Figures for 30 September 1997 are provisional.

Minister for Public Health

Mr. Maples: To ask the Secretary of State for Health when the Minister for Public Health informed him of her concerns over a potential conflict of interest arising out of her family links with the motor racing industry; and if he will publish *(a)* the advice he offered her and *(b)* the advice she received from the Permanent Secretary.[16747]

Mr. Dobson: My hon. Friend the Minister for Public Health first raised this issue with me when we discussed the division of responsibilities within the Ministerial team at the start of May.

Both the Permanent Secretary and I are fully satisfied that no conflict of interest arises for my hon. Friend the Minister for Public Health and that she has fully observed my right hon. Friend the Prime Minister's guidance to Ministers on conduct and procedures.

It is not the practice to publish internal advice on such matters.

Funding Formula

Mr. Burnett: To ask the Secretary of State for Health in what ways his Department's proposals to change the funding formula used to allocate National Health Service funds between health authorities reflects the sparsity of areas; and if he will make a statement. [17453]

Mr. Milburn: A geographical cost adjustment for emergency ambulance services was introduced into the national weighted capitation formula used to inform 1998–99 revenue allocations to health authorities. This includes a measure of rural sparsity.

Bed Blocking

Mr. Simon Hughes: To ask the Secretary of State for Health what estimate he has made of the numbers and cost of elderly patients blocking beds. [17335]

Mr. Boateng: I refer the hon. Member to the reply I gave the hon. Member for North Devon (Mr. Harvey) on 12 November 1997, *Official Report*, column *602*.

Specific information on the cost of delayed discharges is not collected centrally and we have no plans to change this. The Department is seeking to reduce the burden of data collection by the National Health Service and rationalise data flows within the NHS and between the NHS and the centre. The amount of information required to calculate the average cost of delayed discharge would not be in line with this policy.

NHS Trusts (Finances)

Mr. Simon Hughes: To ask the Secretary of State for Health how many trusts have been assessed by his Department in respect of their long-term financial viability; and what has been the outcome in each case. [17333]

Mr. Milburn: The financial viability of all trusts is assessed as a part of each trust's annual business planning cycle. The financial monitoring process and independent auditing of accounts are also elements in the assessment framework. The outcome in the vast majority of cases has been the continued existence of the trusts as they were established.

Trusts are merged or reconfigured for a number of operational reasons. The majority of reconfigurations are to improve local service provision although a small number have resulted principally from concerns over their long term financial viability. These are:

the merger of West Dorset Community Health NHS Trust with West Dorset Mental Health NHS Trust to form the Dorset Community NHS Trust on 1 April 1994;

the merger of Royal Liverpool University NHS Trust and Broadgreen NHS Trust to form Royal Liverpool University and Broadgreen NHS Trust on 1 April 1995;

the merger of Louth and District Healthcare NHS Trust and Lincoln Hospitals NHS Trust to form Lincoln and Louth NHS Trust on 1 April 1996;

the merger of Royal Free NHS Trust and the Royal National Throat, Nose and Ear Hospital NHS Trust on 1 April 1996;

the dissolution of Anglian Harbours NHS Trust on 30 September 1997.

HOME DEPARTMENT

Criminal Anti-social Behaviour

15. **Mr. Efford:** To ask the Secretary of State for the Home Department what plans he has to deal with criminal anti-social behaviour in neighbourhoods. [15791]

Mr. Michael: Anti-social behaviour which harasses or intimidates neighbours, or disturbs a community in general, is unacceptable and the Government intend to tackle it directly. The Crime and Disorder Bill will contain provisions to enable the police or a local authority to apply for a court order prohibiting an individual from behaving in this way. Breach of the Order will be a criminal offence.

Juveniles

16. **Mr. Hinchliffe:** To ask the Secretary of State for the Home Department what steps he is taking to reduce the number of juveniles held within the prison system. [15793]

Ms Quin: Our aim is a faster, more efficient youth justice system with a clear emphasis on early and effective intervention to prevent young people offending. We will be bringing forward legislation to strengthen the scope for dealing effectively with young people in the community.

We will shortly announce new custodial sentencing arrangements for young people. We are also reviewing the whole range of secure accommodation for remanded and sentenced young people.

Our aim is to find ways of making better and more effective use of the accommodation and to ensure positive and constructive regimes which safeguard young people's welfare and tackle offending behaviour.

Parole

17. **Mr. Gordon Marsden:** To ask the Secretary of State for the Home Department what consideration he has given to improving the system whereby the Parole Board takes fully into account representations from victims or their families. [15794]

Ms. Quin: The Parole Board considers any representations submitted to it from or on behalf of victims when considering the conditions to be contained in the licence of an offender to be released from custody to supervision by the Probation Service. Under the Victims Charter and the Probation Service National Standards, probation services are required to make contact with victims of violent or sexual offences, or the victims of any offence for which the offender was sentenced to four years or more, to enable them to express any concerns they want to be taken into account when the Parole Board is considering the conditions to be attached to release licences.

Victim Support

18. **Helen Jackson:** To ask the Secretary of State for the Home Department if he will make a statement on the Government's plans to provide greater support for victims of crime. [15795]

Mr. Straw: I refer to the oral answer the Minister of State, Home Department, my hon. Friend the Member for Gateshead, East and Washington (Ms Quin) West gave to my hon. Friend the Member for Reading West (Mr Salter) earlier today.

Criminal Justice System (Delays)

19. **Ms Kelly:** To ask the Secretary of State for the Home Department what plans he has to tackle delays in the criminal justice system. [15796]

Mr. Michael: The Government are committed to tackling delay throughout the criminal justice system especially in the youth justice system and have pledged to halve the time taken to deal with persistent young offenders. The Crime and Disorder Bill will contain the necessary measures and, will make provision for statutory time limits which will be tougher for young offenders than for adults, and tougher still for persistent young offenders.

Prison Officers

20. **Mr. Malins:** To ask the Secretary of State for the Home Department when he next plans to meet representatives of prison officers to discuss prison matters. [15797]

Ms Quin: I visited Prison Officer Association staff at their headquarters in London on 24 July and have had several other formal meetings with their representatives, which will continue, although no precise date has been arranged for the next meeting.

Metropolitan Police Recruitment

21. **Sir Sydney Chapman:** To ask the Secretary of State for the Home Department if he will make a statement on Metropolitan police recruitment. [15799]

Mr. Michael: I understand from the Commissioner of Police of the Metropolis that he has recruited 811 officers this financial year. He plans four further intakes, bringing the total for 1997–98 to 1,210.

Criminal Injuries Compensation Scheme

22. **Mr. Dismore:** To ask the Secretary of State for the Home Department if he will make a statement concerning the Criminal Injuries Compensation Scheme. [15800]

Mr. Michael: The Great Britain criminal injuries compensation scheme is one of the most generous in the world. In 1996–97 it paid out over £210 million to some 47,000 victims of crime. We are currently looking at expenditure on victims of crime, including expenditure on the scheme, as part of the Government's comprehensive spending review initiated earlier this year. We shall consider whether any changes should be made to the scheme in the light of the findings that emerge from the review.

Police (Resources)

23. **Mr. Jenkins:** To ask the Secretary of State for the Home Department what assessment he makes of the needs of the police force when allocating resources within his departmental budget. [15801]

Mr. Michael: The Government's overall aim is to ensure that the police have adequate resources to play their key part in cutting and preventing crime. In assessing the spending needs of the police we take into account, amongst other considerations, the budget pressures identified by the Association of Chief Police Officers and the Association of Police Authorities.

Members of Parliament (Bribery)

24. **Dr. Gibson:** To ask the Secretary of State for the Home Department what plans he has to make bribery of hon. Members an offence. [15802]

Mr. Michael: The Government are committed to tackling all forms of corruption, including bribery of hon. Members. My right hon. Friend expects to make a statement on the reform of the law in this area early next year, taking account of the results of the consultation exercise which he launched in June and of proposals which the Law Commission are preparing. He will also take account of any further recommendations which the Committee on Standards in Public Life might make and of the views of the Joint Committee on Parliamentary Privilege.

European Elections (Electoral Arrangements)

25. **Mr. Mackinlay:** To ask the Secretary of State for the Home Department if he will make a statement on the electoral arrangements proposed for the next European elections. [15803]

Mr. George Howarth: The European Parliamentary Elections Bill, which is to have its Second Reading tomorrow, provides for elections to the European Parliament to be conducted using a proportionally-based regional list system.

Restorative Justice

26. **Mr. Baldry:** To ask the Secretary of State for the Home Department what assessment he has made of projects under evaluation by his Department relating to restorative justice. [15804]

Mr. Michael: Restorative justice is one way of fulfilling this Government's intention to confront offenders—especially young offenders—with the consequences of their actions.

Restraint Methods

27. **Mr. Timms:** To ask the Secretary of State for the Home Department what guidance he has issued to police forces on methods of restraint, with particular reference to positional asphyxia. [15806]

Mr. Michael: The Association of Chief Police Officers has issued detailed guidance to all police self-defence trainers on this subject. This deals with the circumstances in which positional asphyxia is most likely to occur, risk factors, and how to recognise the symptoms and give first aid. The recent HMIC report of Officer Safety also made particular reference to the need for Police officers to have training in first aid and the care of individuals who have been restrained.

Young Offenders (Parents)

28. **Mr. Edwards:** To ask the Secretary of State for the Home Department what steps he will take to ensure that support and guidance is given to parents of young offenders. [15807]

Mr. Michael: Reform of the youth justice system is one of the Government's *key* priorities. As part of our radical shift in priorities we will introduce a new Parenting Order which encourages parents to accept their responsibilities for the behaviour of their children. There will be an element which allows the courts to direct that parents exercise control over their children and an element which allows the court to impose a requirement on parents to attend training and guidance sessions. We intend to include proposals for the Parenting Order and the establishment of Youth Offender Teams in the forthcoming Crime and Disorder Bill.

Prison and Probation Services

29. **Mr. Pike:** To ask the Secretary of State for the Home Department what plans he has to ensure integration and co-operation between the Prison Service and the probation service. [15808]

Ms Quin: As my right hon. Friend the Home Secretary announced in July, I am leading the work of a review into the efficiency and effectiveness of the ways in which the two services work together. There is no predetermined outcome to the review. We shall be considering options for improving their performance next year with a view to consulting widely about the future of both services in due course.

Anti-social Neighbours

30. **Mr. Blizzard:** To ask the Secretary of State for the Home Department what progress has been made in respect of his policy to tackle anti-social neighbours. [15809]

Mr. Michael: In September we published a consultation paper outlining proposals for a new court order which would prohibit an individual who had engaged in anti-social behaviour from continuing to behave in that way. The responses received have been generally positive, and we will introduce appropriate provisions in the Crime and Disorder Bill shortly.

Alcopops

31. **Mr. Touhig:** To ask the Secretary of State for the Home Department what assessment his Department has made of the report by the Office for National Statistics on alcopops; and if he will make a statement. [15810]

Mr. George Howarth: The findings of the Office for National Statistics' (ONS) report "Young teenagers and alcohol in 1996" support those of other surveys and research, which indicate worrying levels of alcohol misuse by young people. The Government's announcement on 17 July made clear our concern about this problem and set out the action which we expected all concerned, including the industry itself, to take.

Sex Offenders

32. **Mr. Loughton:** To ask the Secretary of State for the Home Department what plans he has to protect the public from serious sex offenders released early from non-life sentences. [15811]

Mr. Michael: The Sex Offenders Act 1997 requires offenders who have been convicted of sex offences against children and other serious sex offences to notify the police of their name and address and any changes to these details. The police will work with the Probation Service and other agencies to use this information to protect children and vulnerable people by alerting agencies and individuals of the presence of an offender in their area when appropriate. The Crime and Disorder Bill will also introduce provisions to allow for the extended supervision of sex offenders. This will enable probation services to ensure that offenders complete treatment programmes.

Human Rights

33. **Mr. Rooney:** To ask the Secretary of State for the Home Department what measures he intends to introduce to safeguard the rights of British citizens under the European Convention on Human Rights. [15812]

Mr. Mike O'Brien: We introduced the Human Rights Bill in another place last month. The Bill gives further effect in domestic law to the rights and freedoms set out in the Convention, and will significantly improve the ability of people in the United Kingdom to rely on their Convention rights before our own courts.

Drugs and Crime

34. **Gillian Merron:** To ask the Secretary of State for the Home Department what plans he has to tackle the link between drugs and crime. [15813]

Mr. Stephen Twigg: To ask the Secretary of State for the Home Department what plans he has to tackle the link between drugs and crime. [15815]

Mr. George Howarth: The Home Office has a research programme designed to shed further light on the links between drugs and crime. In addition, a Home Office Drugs Prevention Initiative study is testing the impact of drug treatment interventions in the criminal justice system—from arrest through sentence and beyond—to refer people with drug problems to drug treatment programmes.

A new testing and treatment order will be introduced to give courts the powers to require drug misusing offenders to undergo treatment. The new order will be rigorously enforced and include the use of drug testing to ensure those in treatment are staying off illegal drugs.

The new United Kingdom Anti-Drugs Co-ordinator Keith Hellawell, has been appointed and will be supported by a Deputy, Michael Trace. The immediate priorities for the Co-ordinator will include reviewing existing action against drug misuse and submitting proposals to Ministers for a new strategy as quickly as possible, aimed at tackling drug problems through effective enforcement, treatment and education.

Youth Crime

35. **Mrs. Fiona Jones:** To ask the Secretary of State for the Home Department what response he has received to his proposals to tackle youth crime. [15814]

Mr. Michael: The Government's formal proposals for tackling youth crime were set out in the three consultation documents and the consultation periods for these documents closed recently. Several hundred responses were received, and these are currently being assessed. The intention is to provide Parliament with a report on these consultation exercises as soon as practicable. More generally we have received an enthusiastic response from the police, the public and most other organisations in the field.

Prison Service

37. **Mr. Yeo:** To ask the Secretary of State for the Home Department what recent representations he has received regarding the use of private contractors in the management of the Prison Service. [15816]

Ms Quin: Since 1 May, my right hon. Friend has received representations from hon. Members, the Prison Service Trade Unions, members of staff, representatives of contractors and other members of the public. The subjects covered include: the building and running of new prisons under the private finance initiative; the involvement of the private sector in Prison Service administration under the Quantum project; and the contractual management of industries at Coldingley prison.

Figures are available for Parliamentary Questions and Ministers' cases and are listed in the table:

Representations received on private sector involvement in prison service management

Subject	Parliamentary Questions	Ministers cases
Quantum	6	2
PFI and Prisons	3	—
Prisons and Private sector	4	10
Totals	13	12

Police Officers

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department how many police officers there are per head of population in *(a)* England as a whole and *(b)* the Devon and Cornwall constabulary. [15789]

Mr. Michael: The average ratio for England is one police officer: 414 people. In the Devon and Cornwall Constabulary the ratio is one police officer: 538 people. This is based on police numbers at March 1997, and the latest population figures which are for June 1996.

Bus Lanes

Mr. Brake: To ask the Secretary of State for the Home Department if he will raise the penalty for illegal use of bus lanes. [16839]

Mr. Michael: Illegal use of a bus lane is an offence under section 36 of the Road Traffic Act 1988 and carries a maximum fine of £1,000. An offence can be dealt with under the fixed penalty procedure, in which case the penalty is currently £20.

We have no plans to increase the maximum penalty which may be imposed by the courts, but we are reviewing the current level of the fixed penalty.

Departmental Reviews

Mr. Beith: To ask the Secretary of State for the Home Department if he will list the reviews being undertaken by his Department, indicating the consultation documents issued in relation to each review and the expected completion date for each. [16539]

Mr. Straw: The information requested about reviews is set out in the table.

Review	*Consultation*	*Expected completion date*
Joint review with Northern Ireland Office to consider permanent United Kingdom wide counter terrorism legislation	Consultation document to be published early 1998	Autumn 1998
Review of the law relating to bribery and corruption. "Prevention of Corruption—Consolidation and Amendment of the Prevention of Corruption Act 1889–1916: A Government Statement"—issued June 1997	Discussion paper: "Clarification of the Law relating to Bribery of an MP"—issued December 1996	Early 1998
Strategic Review of National Police Training	No formal consultation paper	Early 1998
Inter-Departmental Review of Police Pensions	Consultation document still to be issued	To be decided
Review of Firefighters' Pension Scheme	Consultation document still to be issued	To be decided
Review of Community Fire Safety	Consultation document on the strategy proposed in the report of the Community Fire Safety Task Force published November 1997	To be decided
Review of Prison Nursing Services	Consultation document issued 21 October 1997	February 1998
Review of long-term future of organisation of Prison Service Health Care	Joint Prison Service/Department of Health Working Group. Consultation document not yet issued	Mid 1998
Review of Prison Service Drug Strategy	No consultation document issued	March 1998
Review of Prisons Investigations Strategy	No consultation document issued	First stage completion April 1998
Review of the operation of release of prisoners on temporary licence	No consultation document issued, but consultation with Police/Probation Service and other interested parties to be carried out by the end of 1997	Mid 1998
Review of Government proposals on reform of Youth Justice System	Three consultation papers: "Tackling Youth Crime"—September 1997, "New National and Local Focus on Youth Crime"—October 1997 "Tackling Delays in Youth Justice System"—October 1997	Results of review to be reflected in Crime and Disorder Bill
Review of measures to deal with anti-social behaviour	Consultation document on community safety orders published 9 September 1997	Results of review to be reflected in Crime and Disorder Bill

Review	*Consultation*	*Expected completion date*
Review of measures to deal with the protection of communities from known sex offenders who pose a continuing risk	Consultation document on community protection orders issued 5 November 1997	Results of review to be reflected in Crime and Disorder Bill
Review of measures on Community Safety	Consultation paper: "Getting to Grips with Crime"—issued September 1997	Results of review to be reflected in Crime and Disorder Bill

In addition, my Department is carrying out a Comprehensive Spending Review, and contributing to cross-Departmental reviews of the criminal justice system and of illegal drugs, in accordance with my right hon. Friend the Chief Secretary's statement of 11 June 1997, *Official Report*, columns *1143-44*. The statement said that these reviews were expected to take 12 months to complete. My Department is also carrying out a review of those non-Departmental Public Bodies (NDPBs) for which the Home Office is the sponsoring Department. This review is part of a Government-wide exercise which is referred to in the Government's public consultation paper "Opening Up Quangos" issued in November 1997.

Huntingdon Life Sciences (Dog Breeding)

Mr. Hancock: To ask the Secretary of State for the Home Department when Huntingdon Life Sciences was granted a licence to breed dogs at their laboratory at Occold; and to what extent his Department's inquiry into Huntingdon Life Sciences' treatment of dogs was taken into account in allowing the licence. [16726]

Mr. George Howarth: The Certificate of Designation was amended on 23 May to allow the breeding of dogs.

Careful consideration was given to the suitability of allowing Huntingdon Life Sciences to breed dogs in the light of the allegations made in the Channel 4 programme. The emerging findings from the Chief Inspector's investigation showed, however, that the problems uncovered by the broadcast were limited to the Huntingdon site.

The Chief Inspector had specifically assessed conditions at Occold. The housing conditions for the dogs and the adequacy of the staffing arrangements to ensure the welfare of the animals were therefore checked before the Certificate of Designation was amended.

Illegal Entrants

Mr. Vaz: To ask the Secretary of State for the Home Department (1) what has been the total cost to public funds of the removal of illegal entrants between 1 May and 30 September; [16768]

(2) how many illegal entrants have been removed from the constituency of Leicester, East since 1 May; and what has been the cost to pubic funds. [16769]

Mr. Mike O'Brien: Statistics and costings in relation to the removal of overseas nationals as illegal entrants are not available on the basis of Parliamentary constituencies. Details of the costs of removing illegal entrants are not maintained separately from those of overseas nationals removed by the deportation process and the information requested could only be provided at disproportionate cost.

Breath Testing

Miss McIntosh: To ask the Secretary of State for the Home Department what plans the Government has to introduce random breath testing for alcohol. [16898]

Mr. Michael: The law already provides the police with wide powers to test drivers for drinking and driving: they may administer a test in the event of an accident or a moving traffic offence; of if they have cause to suspect a driver has alcohol in his body. These powers are used extensively. In England and Wales in 1996, it has been calculated that some 781,000 roadside breath tests were carried out, the highest number ever.

My noble Friend the Minister for Roads is currently considering a number of options for improving road safety, including possible measures on drinking and driving.

Electronic Tagging

Mr. Clappison: To ask the Secretary of State for the Home Department what plans he has to use electronic tagging as a substitute for part of a custodial sentence so as to bring about the early release of convicted prisoners. [17158]

Ms Quin: I refer the hon. Member to the statement my right hon. Friend the Home Secretary made on 20 November 1997, *Official Report*, column 453.

Mr. Beith: To ask the Secretary of State for the Home Department if he will list all foreign visits *(a)* Ministers and *(b)* officials from his Department have undertaken since 2 May separately identifying those examining the operation of electronic tagging systems; and if he will make a statement. [16582]

Mr. Straw *[holding answer 20 November 1997]:* I refer the right hon. Member to the reply I gave to the hon. Member for Gordon (Mr. Bruce) on 13 November 1997, *Official Report*, column *642*. Of the foreign visits listed in that reply, only the one on 4–6 November involved study of electronic monitoring. That visit was undertaken by one Minister accompanied by three officials. No other foreign visits by officials on this subject have been undertaken since 2 May. The right hon. Member may, however, be interested to note that I looked at the operation of electronic tagging in one city in the United States of America while on a visit there in 1995.

Asylum Seekers

Mr. McCabe: To ask the Secretary of State for the Home Department if he will assess the *(a)* advantages and *(b)* disadvantages of requiring asylum seekers to live in reception centres; and if he will make a statement. [17407]

Mr. Mike O'Brien: The interdepartmental study of the asylum process is looking at reception centres as one of a wide range of different options in the course of its examination of the arrangements for providing support and accommodation to asylum seekers. The study team will report to Ministers in the new year.

WPC Fletcher

Mr. Dalyell: To ask the Secretary of State for the Home Department what has been the result of the interview between the hon. Member for Linlithgow and Commander David Venness in July 1997 on further investigations into the death of WPC Fletcher. [15887]

Mr. Straw: I understand from the Commissioner of Police of the Metropolis that the investigation into the murder of Woman Police Constable Fletcher is continuing. The investigation is taking account of all the circumstances of the case, including those raised by my hon. Friend.

Telecommunications (Interception)

Ann Clwyd: To ask the Secretary of State for the Home Department if he will extend the law to protect calls on mobile and cordless telephones from intrusive interception. [15792]

Mr. Straw: It is already an offence intentionally to intercept a communication in the course of its transmission over a public telecommunications system. I shall, in due course, introduce legislation to bring interception on private networks into the statutory framework.

Private Security Industry

Mr. Healey: To ask the Secretary of State for the Home Department what representations he has received about regulation of the private security industry. [15798]

Mr. Michael: We have received over 60 responses to our recent consultation exercise with the industry and others on the best way to provide a comprehensive, effective and streamlined system for regulation of the private security industry. We shall be making recommendations for action once we have analysed all the responses.

Right to Silence

Mr. Bercow: To ask the Secretary of State for the Home Department what assessment he has made of the operation of recent reforms relating to the right to silence; and if he will make a statement. [15805]

Mr. Michael: The Home Office Research and Statistics Directorate has been monitoring the effects of the 1994 right to silence legislation since its introduction. The findings of the research will be published in two parts: the first, due at the end of this year, will cover the changes in the frequency of the suspect's use of right to silence in police interviews; and the second, due early next year, will look at the wider impact of the provisions on the criminal justice system.

SOCIAL SECURITY

Child Support Agency

Mr. Ennis: To ask the Secretary of State for Social Security how many clients have appealed against their assessment since the establishment of the CSA; and what percentage of appellants have been successful in winning their appeal. [14545]

Mr. Keith Bradley: We expect the Child Support Agency to provide an efficient and effective service to all its clients throughout the child support assessment process. We are looking for substantial and sustained operational improvements from the Agency, in particular on getting more maintenance paid, reducing the backlog and improving customer service.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Jeff Ennis, dated 21 November 1997:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about appeals to the Child Support Agency.

I am unable to give you precisely the information that you have requested, so I have provided as much information as is available. Although appeals were received during the first year of operation, reliable information on this area of performance has only been collected since April 1994. From that date to 30 September 1997, 25,754 appeals have been received by the Agency.

Not all appeals sent to the Agency are sent to the Independent Tribunal Service and not all of those sent to Independent Tribunal Service are heard by a tribunal. Some will be withdrawn by the appellant, others may lapse or be ruled as outside the jurisdiction of the tribunal before they are allocated a hearing.

From April 1994 to September 1997 26,280 cases have been lodged with the Independent Tribunal Service (during the same period the agency has completed or in some way reviewed approximately 1.1 million assessments). More cases have been lodged with Independent Tribunal Services than have been recorded as received by the Agency, as this includes some cases which were received by the Agency in 1993–94. Of those cases lodged with Independent Tribunal Services 17,091 have been cleared by a hearing, 12,990 of which have been returned to the Agency for reassessment; the reassessment requested can be linked to the reason for the appeal, or may be a result of other factors which have come to light during the appeal process. This represents 49 per cent. of cases lodged with the Independent Tribunal or approximately 1 per cent. of assessments completed or reviewed during this period.

I hope this reply is helpful.

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is her estimate of the expenditure by *(a)* her Department, *(b)* its agencies and *(c)* its non-departmental public bodies on official hospitality for (i) 1980-81, (ii) 1987–88, (iii) 1990—91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997. [15222]

Mr. Field *[holding answer 11 November 1997]:* The information is not available in the format requested. Such information as is available is set out in the following table.

£000

	1987–88	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96	1996–97	1 May to 30 September 1997
Department of Social Security Headquarters	1,582,930	75,778	54,036	78,833	38,525	40,493	15,885	7,160	5,149
Resettlement Agency	—	—	231	136	0	0	—	—	—
Information Technology Services Agency	—	—	13,376	24,026	17,544	7,229	416	0	0
Benefits Agency	—	—	24,224	60,429	82,799	62,064	71,567	22,331	3,433
Contributions Agency	—	—	67	1,040	3,637	6,021	3,434	7,066	423
Child Support Agency	—	—	—	11,437	20,439	5,992	3,6002	4,622	0
War Pensions Agency	—	—	—	—	1,517	5,340	2,215	2,007	506
Independent Statutory Bodies	—	—	—	—	—	—	2,810	3,010	2,171

1. Expenditure information for 1980–81 is not available.
2. The Department's Non-Departmental Public Bodies are funded on-Vote and, as such, their expenditure prior to 1995–96 is subsumed within DSS HQ.
3. The Resettlement Agency was disbanded in 1995–96.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is her estimate of the expenditure by *(a)* her Department, *(b)* its agencies and *(c)* its non-departmental public bodies on overseas travel for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997; and if she will provide a breakdown to show (1) air fares and (2) other expenditure relating to overseas travel. [15223]

Mr. Field *[holding answer 11 November 1997]:* The information is not available in the format requested. Such information as is available is set out in the table.

£000

	1987–88	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96	1996–97	1 May to 30 September 1997
Department of Social Security	788,683	213,231	205,482	202,253	158,66	200,154	160,672	79,629	21,713
Information technology Services Agency	—	38,014	121,084	174,274	53,119	56,364	48,139	44,704	4,700
Benefits Agency	—	—	102,447	62,517	57,346	113,266	172,120	185,752	16,258
Contributions Agency	—	—	—	12,960	31,838	15,040	21,356	—	—
Child Support Agency	—	—	—	8,988	NIL	9,584	8,080	7,046	—
War Pensions Agency	—	—	—	—	47,198	3,975	2,134	2,899	874
Non Departmental Public Bodies	—	—	—	—	—	—	1,850	199	488

1. A breakdown of air fares and other expenditure relating to overseas travel is not available.
2. Figures for the 1980–81 financial year are not available.
3. Figures include the amounts paid for subsistence.
4. The Department's NDPBs are funded on-Vote and, as such, their expenditure prior to 1995–96 is subsumed within DSS HQ.

Publicity and Advertising

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is her estimate of the total expenditure on all forms of publicity and advertising by *(a)* her Department, *(b)* its agencies and *(c)* non-departmental public bodies for (i) 1993–94, (ii) 1994–95, (iii) 1995–96, (iv) 1996–97, (v) the 1997–98, year to date, (vi) the 1997–98, full year estimate and (vii) the 1998–99 planned expenditure. [15225]

Mr. Field *[holding answer 11 November 1997]:* The information is set out in the table.

	£
1993–94	18,333,603
1994–95	20,054,914
1995–96	20,085,672
1996–97	17,724,255
1997–98[1]	3,464,040
1997–98[2]	12,937,210
1998–99[3]	11,399,000

[1]Figures as at September 1997.
[2]Full year Estimate.
[3]Planned Expenditure.

Benefit Recipients (Income Tax)

Mr. Lilley: To ask the Secretary of State for Social Security if she will estimate the number of people receiving *(a)* income support, *(b)* housing benefit, *(c)* council tax benefit and *(d)* family credit who are also liable to pay income tax. [17568]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is as follows.

As at May 1997, the latest date for which information is available, it is estimated that there were 424,000 Family Credit recipients who were paying income tax at the time the award began. This represents 57 per cent. of the Family Credit caseload.

Information on the number of people receiving Income Support, Housing Benefit and Council Tax Benefit who are also liable to pay income tax is not available.

Note:

Number is rounded to the nearest thousand. Percentage is given to the nearest full per cent.

Source:

5 per cent. sample of Family Credit awards as at 31 May 1997.

Mr. Gibb: To ask the Secretary of State for Social Security how many recipients of family credit paid income tax in 1996–97. [17347]

Mr. Keith Bradley: As at May 1997, the latest date for which information is available, it is estimated that there were 424,000 Family Credit recipients who were paying income tax at the time the award began. This represents 57 per cent. of the Family Credit caseload.

Note:

Number is rounded to the nearest thousand. Percentage is given to the nearest full per cent.

Source:

5 per cent. sample of Family Credit awards as at 31 May 1997.

Health Action Zones

Mr. Hinchliffe: To ask the Secretary of State for social Security what proposals she has to encourage the involvement of local Benefits Agency officers in the development of health action zones. [17227]

Mr. Keith Bradley: The Department is working closely with the Department of Health to consider what role Social Security, and the Benefits Agency, might play in the development of health action zones. My right hon. Friend the Secretary of State has no specific proposals at this time.

Lone Parents

Mr. Webb: To ask the Secretary of State for Social Security what is the average amount of which the 433 lone parents who were helped to obtain jobs by the New Deal pilot scheme were better off in work. [17559]

Mr. Keith Bradley: The information is not yet available.

The evaluation of the New Deal for Lone Parents includes a quantitative survey of a sample of participants in all eight areas of the scheme which will collect information from lone parents on how much better off they are in work.

Housing Benefit

Mr. Burnett: To ask the Secretary of State for Social Security what was the average eligible rent for housing benefit and the average housing benefit awarded to single people under 25 years under *(a)* previous scheme rules, *(b)* the local reference rent and *(c)* the single room rent, for the quarters ending February 1997 and May 1997. [17409]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is set out in the tables.

Estimated eligible rent for single people aged under 25 claiming housing benefit for accommodation in the private sector (excluding Housing Associations)—Great Britain—provisional

	February 1997 £
Assessed under previous scheme rules	55.60
Assessed under local reference rent scheme	49.10
Assessed under single room rent scheme	43.00

Note:

Comparable figures for May 1997 are not yet available.

Source: Returns from a representative sample of local authorities.

Eligible rent and housing benefit for single people aged under 25 claiming housing benefit for accommodation in the private sector (excluding Housing Associations) and assessed under single room rent scheme—Great Britain

	May 1997 £
Eligible rent	40.30
Average housing benefit	37.80

Notes:

1. Comparable figures for February 1997 are not available.
2. Average housing benefit figures for single people under 25 and assessed under other schemes are not routinely collected.

Source: Quarterly 100 per cent. counts.

INTERNATIONAL DEVELOPMENT

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for International Development what is her estimate of the expenditure by *(a)* her Department, *(b)* its agencies and *(c)* its non-departmental public bodies on overseas travel for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997; and if she will provide a breakdown to show (1) air fares and (2) other expenditure relating to overseas travel. [15263]

Clare Short *[holding answer 12 November 1997]:* Expenditure on overseas travel made by the Department for International Development and its agency, the Natural Resources Institute (NRI), for the years requested is as follows:

£000

	DFID	*NRI*	*Total*
1991–92	1,066	166	1,232
1992–93	1,249	170	1,419
1993–94	1,375	178	1,553
1994–95	1,374	112	1,486
1995–96	1,514	179	1,693
1996–97	1,471	—	1,471
1997–98 to 30 September	531	—	—

NRI was transferred to private ownership in 1996–97.

Figures for years prior to 1991–92 and the breakdown between air fares and other expenditure cannot be provided without incurring disproportionate costs.

World Bank

Mr. Allan: To ask the Secretary of State for International Development what steps she intends to take to use her position as a Governor of the World Bank to ensure that promises made to parliamentarians by the World Bank President in his letter of January 1996 are being kept. [17033]

Clare Short: The UK will use its influence in the World Bank to strengthen its poverty focus and encourage it to set quantifiable targets for poverty reduction and to measure progress towards these.

The World Bank is a key partner in our efforts to pursue the international development targets, which are based on agreements reached at a series of UN Summits. The President of the World Bank, Mr. James Wolfensohn, has already made a clear commitment to the targets, which I very much welcome. We will encourage the Bank to devote more attention to monitoring and evaluating the output and the impact of its activities, and to integrate gender considerations and environmental and social sustainability into its projects including enhanced support for activities which help the poorest, such as education, health and clean water.

We will pursue these objectives through regular discussions with the President of the Bank and with senior management; through the extensive contacts which exist between professional advisers and programme managers in the Bank and my department; through our regular contacts with non-governmental organisations to discuss policy issues and specific Bank-funded projects; and through the interventions in formal Board proceedings made by our Director at the Bank and his team in the UK Delegation.

El Salvador

Mr. Fitzpatrick: To ask the Secretary of State for International Development if she will list current British aid projects in El Salvador. [16910]

Mr. Foulkes: In addition to a £100,000 British Partnership Scheme, administered by the British Embassy in San Salvador, which enables support to be provided for small local development projects, we are currently supporting the following projects through the Department for International Development (DFID) Joint Funding Scheme.

Organisation	*Project title*	*DFID contribution (£)*
Health Unlimited	Relief and training programme	257,000
International Co-operation for Development	Institutional strengthening of NGOs	67,827

It is likely that additional projects in El Salvador will be supported this year through the block grant arrangement of the Joint Funding Scheme, which operates on the basis of claims in arrears. Twenty-eight CAFOD, Christian Aid and Oxfam projects in El Salvador were supported in this way last year.

Iraq

Sir Teddy Taylor: To ask the Secretary of State for International Development if she will make a statement on the 1997 proposals for demining to be administered by the European Community Humanitarian Office in Northern Iraq. [16979]

Mr. Foulkes: The European Community Humanitarian Office (ECHO) does not itself administer projects. It works in partnership with NGOs, UN and other international agencies that are themselves responsible for project administration.

In 1997 the only ECHO funded partner for demining in Iraq was the British NGO Mines Advisory Group (MAG). MAG has a contract for £680,000 primarily to supply mine detectors and other equipment such as protection jackets, helmets etc. ECHO has also provided £1.5 million for medical support for land mine victims. Britain contributes about a seventh of the cost of the ECHO programme.

Aid and Trade Provision

Sir Alastair Goodlad: To ask the Secretary of State for International Development what finances are budgeted for *(a)* 1997–98 and *(b)* 1998–99 for mixed credits in place of ATP for each agreed country programme. [17446]

Clare Short: There will be no separate budget allocation for mixed credit projects. In announcing the closure of the ATP scheme the White Paper on International Development also made it clear that any new mixed credit projects will be managed within agreed country programmes.

Sir Alastair Goodlad: To ask the Secretary of State for International Development if she will list *(a)* the countries to which ATP assistance has been given and *(b)* the amounts involved in each of the last five years. [17443]

Clare Short: The countries and amounts involved for all ATP agreements concluded in each of the last five years are as follows (figures in £ million):

£ million

Country	*1993*	*1994*	*1995*	*1996*	*1997*
Chile	0.0	0.8	0.0	0.0	0.0
China	2.0	4.2	12.3	3.8	27.2
Ghana	0.0	0.0	0.0	8.7	7.8
India	1.4	0.0	0.0	0.0	0.0
Indonesia	0.0	0.0	29.7	9.5	0.0
Lesotho	0.0	4.8	0.0	0.0	0.0
Malaysia	1.0	0.0	0.0	0.0	0.0
Morocco	10.9	0.0	0.0	0.0	0.0
Pakistan	0.0	0.0	2.5	0.0	0.0
Philippines	0.0	0.0	4.2	9.2	0.0
Sri Lanka	0.0	0.1	0.0	0.0	0.0
Thailand	0.0	4.1	0.0	0.0	0.0
Turkey	6.6	0.0	0.0	0.0	0.0
Zimbabwe	4.3	0.0	1.4	0.0	0.0
Total	26.2	14.0	50.1	31.2	35.0

Commonwealth Development Corporation

Sir Alastair Goodlad: To ask the Secretary of State for International Development when she intends to bring forward legislation on the Commonwealth Development Corporation. [17449]

Clare Short: We shall be seeking to bring forward legislation to enable the creation of a new public/private partnership for the Commonwealth Development Corporation as soon as Parliamentary time permits.

Zimbabwe and Zambia

Sir Alastair Goodlad: To ask the Secretary of State for International Development what assistance her Department is currently giving for the maintenance of order in rural areas in Zimbabwe. [17448]

Clare Short: DFID is supporting a programme of reforms by the Zimbabwe Republic Police to introduce community policing, including in the rural areas.

Sir Alastair Goodlad: To ask the Secretary of State for International Development what plans she has to give development assistance to *(a)* Zambia and *(b)* Zimbabwe; and if she will make a statement. [17451]

Clare Short: We have substantial development programmes in both countries. These are being refocused in line with the recent White Paper (Cm. 3789).

Sir Alastair Goodlad: To ask the Secretary of State for International Development what discussions her Department has had with the Government of Zimbabwe on assistance with compensation in connection with land redistribution; and if she will make a statement. [17444]

Clare Short: The issue has been discussed with the Government of Zimbabwe by British Ministers and officials. We have told the Government of Zimbabwe that we cannot support the rapid programme of land acquisition that they seem to envisage. We would be willing to support a properly prepared programme of land reform as part of a partnership to eliminate poverty.

Sir Alastair Goodlad: To ask the Secretary of State for International Development what representations she has made to the Government of Zambia on *(a)* human rights and *(b)* good government; and if she will make a statement. [17445]

Clare Short: I raised these issues with the Government of Zambia earlier this year. Officials have pursued them frequently since.

Somalia

Sir Alastair Goodlad: To ask the Secretary of State for International Development what assistance her Department is currently giving for disaster relief in Somalia. [17450]

Clare Short: I refer the right hon. Member to the answer I gave to my hon. Friend the Member for Sutherland, South (Mr. Mullin) on 19 November 1997, *Official Report*, column *178*. Since then, I have provided a further £0.5 million bilaterally to help—$0.25 million for UNICEF, which is co-ordinating the logistical operation and £0.25 million for the International Committee of the Red Cross.

Written Answers to Questions

Tuesday 25 November 1997

HOME DEPARTMENT

Manslaughter (Custodial Sentences)

Mr. Swinney: To ask the Secretary of State for the Home Department what has been the average custodial sentence applied for manslaughter in England in each year since 1990; and if he will make a statement. [17087]

Mr. Michael: Information for 1990 to 1996 is given in the following table:

Average sentence length[1] given at the Crown Court for offences of manslaughter 1990 to 1996

England

Offence/year	*People sentenced to immediate custody*	*Average sentence length[1] (months)*	*Number of life sentences*
Manslaughter (Common Law and Offences Against the Person Act 1861, sections 5, 9 and 10)			
1990	128	56.6	9
1991	145	53.9	10
1992	200	58.9	10
1993	167	63.3	8
1994	160	60.0	5
1995	166	58.5	6
1996	196	61.3	13
Manslaughter due to diminished responsibility (Homicide Act 1957, section 2)			
1990	8	51.0	2
1991	12	64.0	6
1992	6	72.0	3
1993	11	57.3	2
1994	9	51.0	3
1995	13	55.5	5
1996	7	61.0	1

[1] Excludes life sentences.

Apart from the requirement under the Crime (Sentences) Act 1997 for the courts to give automatic life sentences for people convicted of manslaughter for a second time, and within the statutory limits set by Parliament, sentences in individual cases are a matter for the courts.

Prison Service (Medical and Health Care Research)

Helen Jones: To ask the Secretary of State for the Home Department if he will make a statement on the nature of the *(a)* medical and *(b)* health care research currently being undertaken within the Prison Service. [17623]

Ms Quin: Current medical or health care research being undertaken within the Prison Service has centred on epidemiological studies of hepatitis B and C, and HIV/AIDS, and the psychiatric morbidity of male sentenced prisoners. In addition, work is also being carried out to evaluate drug detoxification and treatment programmes, and the impact of Mandatory Drugs Testing on the pattern of drug abuse within prisons. Other work involves studies into the management and throughcare of mentally disordered offenders.

Prisons (Disability Officers)

Helen Jones: To ask the Secretary of State for the Home Department how many prison establishments in England and Wales currently have a disability officer; and if he will make a statement on proposals to increase this number. [17622]

Ms Quin: All Prison Service establishments have a nominated equal opportunities officer whose role includes having responsibility for disability. However, in some prisons the Governor has in addition nominated a disability officer.

Police Manpower

Mr. Barnes: To ask the Secretary of State for the Home Department if he will list *(a)* the establishments and *(b)* the current strength of each constabulary in England and Wales. [17199]

Mr. Michael: The Police and Magistrates' Courts Act 1994 removed the power for the Home Secretary to set police establishments. It was left to individual chief officers of police to determine the number of officers in their force. The strength of each force at 30 September 1997 is set out in the table.

Police force numbers for England and Wales (provisional)
As at 30 September 1997

Force	*Number of police officers*
Avon and Somerset	2,973
Bedfordshire	1,081
Cambridgeshire	1,228
Cheshire	2,029
City of London	836
Cleveland	1,481
Cumbria	1,162
Derbyshire	1,757
Devon and Cornwall	2,910
Dorset	1,279
Durham	1,479
Dyfed-Powys	1,008
Essex	2,944
Gloucestershire	1,107
Greater Manchester	6,908
Gwent	1,229
Hampshire	3,481
Herfordshire	1,738
Humberside	2,030
Kent	3,301
Lancashire	3,281
Leicestershire	1,958
Lincolnshire	1,189
Merseyside	4,222
Metropolitan Police	26,391
Norfolk	1,440
Northamptonshire	1,181
Northumbria	3,685
North Wales	1,370
North Yorkshire	1,383
Nottinghamshire	2,317
South Wales	2,990
South Yorkshire	3,158
Staffordshire	2,230

Police force numbers for England and Wales (provisional)
As at 30 September 1997

Force	*Number of police officers*
Suffolk	1,198
Surrey	1,608
Sussex	3,040
Thames Valley	3,705
Warwickshire	914
West Mercia	2,031
West Midlands	7,079
West Yorkshire	5,250
Wiltshire	1,167
Total	124,751

Europol

Mr. Beith: To ask the Secretary of State for the Home Department, pursuant to his answer of 12 November 1997, *Official Report*, column *558*, what guidance will be issued to the Director of Europol on the requirement to waive the immunity of staff members of Europol where the immunity would impede the course of justice; if such guidance will be published; and if he will make a statement. [17769]

Mr. Michael: The need for, and content of, any such guidance will be for consideration once the Europol Convention has entered into force and Europol has taken up its activities. The Director will be accountable to the Management Board in the performance of his duties and it will be open to the Board to consider any difficulties that may arise in this area.

Article 12 provides that the privileges and immunities granted under the provisions of the Protocol are conferred

"in the interests of Europol and not for the benefit of the individuals themselves"

and also that

"Europol shall co-operate at all times with the appropriate authorities of member states to facilitate the proper administration of justice".

Article 13 of the Protocol also provides that any disputes on a refusal to waive an immunity shall be referred to the Council of Ministers; if they are unable to reach a settlement, they shall decide on the modalities according to which they will be settled.

Prisons (Private Finance Initiative)

Mr. Beith: To ask the Secretary of State for the Home Department, pursuant to his answer of 14 November 1997, *Official Report*, column *692*, what criteria are used to assess quality and confidence in deliverability in relation to the awarding of contracts to the private sector to *(a)* manage and *(b)* design, construct, manage and finance prisons; and if he will make a statement. [17771]

Ms Quin: The Prison Service must satisfy itself that bidders are capable of building the prison to the required standards, opening it by the required date and operating it safely and securely with the required level of service in terms of prisoner regime or, in the case of management-only contracts, of operating it safely, securely and with the specified prisoner regime. Bids which satisfy these criteria are assessed on the basis of value for money. The methodology for evaluating bids for the first two design, construct, manage and finance prisons at Bridgend and Fazakerley, is described at paragraphs 2.7 to 2.11 and Appendix 5 of the recent Report by the Comptroller and Auditor General on those contract awards (HC 253 Session 1997–98).

Laser Pens

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many prosecutions have been brought in the past 12 months for assault involving a laser pen. [16970]

Mr. Michael: People carrying laser pens with intent to cause injury may be liable to prosecution under section 1 of the Prevention of Crime Act 1953, as amended by the Offensive Weapons Act 1996 section 2(1).

Court proceedings data collected centrally, under this legislation, do not record the type of weapon or article used.

Gaol Sentences

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department with what frequency he publishes changes in the weekly rate at which people are convicted of criminal offences carrying a possible gaol sentence of six months or more. [17577]

Mr. Michael: Almost all indictable offences carry a possible custodial sentence of six months or more. It is normal practice to prepare data on the numbers of people convicted of an indictable offence quarterly and to publish figures annually.

Departmental Information

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the internal departmental guidance on the dissemination of information; and if he will make a statement. [16290]

Mr. Straw: A copy of the Home Office Departmental Procedures on the application of the Code of Practice on Access to Government Information has been placed in the Library.

Vehicle Examinations

Mrs. Dunwoody: To ask the Secretary of State for the Home Department if he will encourage chief constables to ensure that police forces involve trading standards officers in the examination of vehicles. [17157]

Mr. Michael: The extent to which police forces develop links with trading standards officers for law enforcement purposes is an operational matter for individual chief officers. There are no plans to issue any specific Home office guidance on the subject. However, a good level of co-operation exists across the country as a whole. Trading standards officers assist the police and other agencies at multi-agency vehicle checks, for example by checking wheel and axle weights and looking for goods with counterfeit trade marks. They are also frequently involved, in conjunction with the police, in examining cars and other vehicles of uncertain origin and condition, with the aim of detecting offences under the Trades Descriptions Act 1968.

Youth Crime

Mr. Bob Russell: To ask the Secretary of State for the Home Department what discussions he has had with the Secretary of State for Defence about involving the Army Cadets, Sea Cadets and Air Cadets in his policies to tackle youth crime. [17140]

Mr. Michael: The Home Office operates a small grant scheme to cover the additional costs incurred when local Cadet Forces provide activities for children thought to be at risk of becoming involved in youth crime or who have already been involved in offending. This scheme was set up in 1995 to provide a variety of activities including providing positive alternatives to offending. I will shortly meet colleagues from the Ministry of Defence and the Department for Education and Employment to discuss the scheme and the role of the Cadet Forces in tackling youth crime.

CULTURE, MEDIA AND SPORT

Sports Broadcasting

Mr. Bayley: To ask the Secretary of State for Culture, Media and Sport what progress he has made in his review of the sports events listed under Part IV of the Broadcasting Act 1996; and if he will make a statement. [17935]

Mr. Chris Smith: I have consulted interested parties about the principles which should guide the listing process, and I am today publishing criteria which I hope will make the process more transparent. I have also appointed an advisory group of individuals with knowledge of the sporting, broadcasting and public policy issues involved. The members of the group are:

Lord Gordon of Strathblane (chairman)
Mr. Alastair Burt
Mr. Jack Charlton
Mr. Steve Cram
Kate Hoey, MP
Mr. Michael Parkinson
Mr. Clive Sherling
Professor David Wallace

I have invited this group to consider the issues against these published criteria:

(a) whether events or parts of events should be removed from the list; and

(b) whether other major sporting events should be added to the list.

As an initial step in the process of reviewing the list, the rights holders for the events currently listed and a number of other major sports events are being formally consulted, as the 1996 Act requires. The submissions received from them will be made available to the advisory group.

The rights holders for the following events are to be consulted:

Events currently listed:
The Olympic games
The FIFA World Cup Finals
The FA Cup Final
The Scottish FA Cup Final (listed only in Scotland)
Cricket Test matches involving England
Wimbledon Tennis Tournament (finals weekend only currently listed)
The Grand National
The Derby
Other major sports events:
The Cricket World Cup
The Rugby World Cup
The European Football Championships
The Commonwealth Games
The World Athletics Championships
The British Grand Prix
The Five Nations Rugby Tournament
The Open (golf)
The Ryder Cup

The group may request that other events be included in the review and the rights holders for these events will be consulted.

The group will begin its work immediately and I expect it to make its recommendations to me before Easter. I shall then decide what changes, if any, to make to the current list.

Dance and Drama

Mr. Luff: To ask the Secretary of State for Culture, Media and Sport (1) what assessment he has made of the effectiveness of the interim schemes for the funding of dance and drama in *(a)* England and *(b)* Wales; and what factors account for the differences; [15597]

(2) what assessment he has made of the impact of the Arts Council for England interim scheme on increasing access to training for students of dance and drama; and if he will make a statement; [15600]

(3) what assessment he has made of the benefits of using any surplus in the allocation for the interim scheme for funding students of dance and drama to relieve hardship among students on accredited courses in dance and drama colleges; [15596]

(4) what proportion of English dance and drama students on accredited courses in the current academic year are receiving support from the Arts Council interim scheme. [15598]

Mr. Fisher: The operation of the interim scheme is a matter for the Arts Council of England. I understand that full information is not yet available, but I have asked the Arts Council for a report on the effectiveness of the interim scheme and I will reply in full to the hon. Member as soon as I have it.

New Opportunities Fund

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what are the management and distribution arrangements for the money currently being channelled to the New Opportunities Fund. [17595]

Mr. Chris Smith: Shadow accounting arrangements have been in place since 14 October 1997 whereby 13¼ per cent. of the proceeds for good causes from the National Lottery, and any interest earned on that sum,

accrue to the New Opportunities Fund. Subject to Parliament's approval of the legislation I shall be introducing shortly, funds being held for the New Opportunities Fund will be formally transferred to it after Royal Assent. Initial funding for the National Endowment for Science, Technology and the Arts will be met from the sum allocated to the New Opportunities Fund. These arrangements will be fully reflected in the accounts of the National Lottery Distribution Fund and the Distributing Bodies.

Blackhill Control Centre

Ms Roseanna Cunningham: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the impact on monitoring and maintenance of terrestrial television and radio transmission in Scotland of the closure of Blackhill Control Centre. [16699]

Mr. Fisher *[holding answer 20 November 1997]:* The Independent Television Commission and the Radio Authority set the technical standards for the transmission of commercial terrestrial television and radio services respectively. It is for the Commission and the Authority to monitor the compliance of broadcasters and service providers with those standards.

National Transcommunications Ltd.

Ms Roseanna Cunningham: To ask the Secretary of State for Culture, Media and Sport what powers he has to supervise the activities and service provided by National Transcommunications Ltd. [16698]

Mr. Fisher *[holding answer 20 November 1997]:* National Transcommunications Ltd. (NTL) provides a range of services in the telecommunications and broadcasting fields. It has to comply with the conditions and requirements set out in the licences granted to it by the Radiocommunications Agency under the provisions of the Wireless Telegraphy Act 1949 (as amended); by the Department of Trade and Industry under the provisions of the Telecommunications Act 1984 and by the Independent Television Commission (ITC) under the terms of the Broadcasting Acts 1990 and 1996. It is for the Agency, the Office of Telecommunications and the ITC to ensure that NTL complies with the terms of these licences. NTL is also under contract to a number of broadcasters who are licensed by the ITC under the Broadcasting Acts and who are required to fulfil certain transmission obligations.

Local Television Channels

Mr. Ben Chapman: To ask the Secretary of State for Culture, Media and Sport what data his Department collates on the availability of local television channels in particular areas. [16715]

Mr. Fisher: The BBC and the Independent Television Commission (ITC) are responsible for planning the use of frequencies for television services and hold data on the coverage of all national and regional terrestrial television services. This information is shared with my Department and with the Department of Trade and Industry's Radiocommunications Agency, which is responsible for ensuring that frequency plans for all terrestrial television services do not interfere with other spectrum users' services.

Departmental Information

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport if he will place in the Library a copy of the internal departmental guidance on the dissemination of information; and if he will make a statement. [16308]

Mr. Chris Smith: The Department for Culture, Media and Sport treats all request for information in accordance with the Code of Practice on Access to Government Information. The Code was revised earlier this year and copies of the Second Edition of the Code and the accompanying Guidance on Interpretation are available in the Libraries of the House.

ATTORNEY-GENERAL

Mr. Philip Dale

Mr. Swinney: To ask the Attorney-General for what reasons he refused to overturn the sentence for manslaughter given to Mr. Philip Dale at Winchester Crown Court on 3 September 1997 on grounds of undue leniency; and if he will make a statement. [17203]

The Attorney-General: I declined to apply to the Court of Appeal for leave to refer to the Court for review the sentence imposed upon Mr. Philip Dale at Winchester Crown Court on 3 September 1997 on the grounds that the sentence was not unduly lenient. An unduly lenient sentence is one which falls outside the range of sentences which a judge, applying his mind to all of the relevant factors, could reasonably consider appropriate.

Manslaughter Sentences

Mr. Swinney: To ask the Attorney-General on how many occasions he has attempted to increase the length of a sentence applied for manslaughter; and on how many occasions and in what proportion of manslaughter cases he has increased the length of sentence since 1990. [17086]

The Attorney-General: In 1991, application was made for leave to refer three sentences imposed for manslaughter to the Court of Appeal. One application was refused and the remaining two applications were withdrawn.

In 1992, one sentence was referred to the Court of Appeal and was increased. In 1993, four sentences were referred to the Court of Appeal. Two sentences were increased and two were unchanged. In 1994, three applications for leave were made. Leave was refused in two cases. In the other case, the sentence was increased. In 1995, five applications for leave were made. One was subsequently withdrawn. Two sentences were increased and two unchanged. In 1996, three applications for leave were made to the Court. Each sentence was unchanged by the Court of Appeal.

So far this year, there have been three applications for leave. One sentence has been increased; one remained unchanged; and the third application is outstanding.

PRIME MINISTER

Ministerial Meetings

Sir Brian Mawhinney: To ask the Prime Minister which representatives of business he has met at No. 10 Downing Street since 1 November 1997, excluding those attending social functions, to discuss the impact of the Government's economic and monetary policy on large businesses. [17656]

The Prime Minister: Since the election, I have met a large number of people from business and discussed a wide range of topics.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Hereford By-pass

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions when a decision will be taken on the proposed Hereford by-pass; and if he will make a statement. [15964]

Ms Glenda Jackson: We are currently in the process of a Strategic Roads Review. The proposed Hereford Bypass is being considered within the context of that Review, the results of which we hope to announce next year. This scheme is in any event still subject to the completion of statutory procedures.

Conservation Directive

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what requirements Article 6(3) of the EU Directive on the conservation of natural habitats and of wild fauna and flora (92/43/EEC) places on water undertakers in respect of projects which are likely to have a significant effect on a European site. [16674]

Angela Eagle: Where the consent of a water undertaker is required to any such plan or project, they should, as competent authorities under the Conservation (Natural Habitats, etc.) Regulations 1994, apply the provisions of Article 6(3) of the Directive. This requires an appropriate assessment to be undertaken in view of the site's conservation objectives. They should agree to the plan or project only if the assessment shows that it will not have an effect on the integrity of the European site. Public consultation may be appropriate.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he is required to comply with Article 6 of the EU Directive on the conservation of natural habitats and of wild fauna and flora (92/43/EEC) when granting an application for a drought order which is likely to have a significant effect on a European site. [16665]

Angela Eagle: Yes. The Secretary of State is a competent authority under the Conservation (Natural Habitats, etc.) Regulations 1994, which transpose the requirements of the Habitats Directive.

Green-belt Land

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions how many acres of green-belt land have been built on in the last two years in *(a)* England, *(b)* the South East of England and *(c)* the North West of England. [16793]

Mr. Raynsford: The information is not currently available. Estimates under preparation, using the Department's Land Use Change Statistics, will show the number of hectares of previously undeveloped land in adopted green belt which is developed, by calendar year. I shall write to the hon. Member when these estimates are available.

Public Appointments

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions how many public appointments he has made since 1 May; and how many and what percentage of these *(a)* receive remuneration and *(b)* are of (i) Afro-Caribbean and (ii) Asian origin. [16770]

Angela Eagle: My right hon. Friend the Secretary of State has made the following appointments to NDPBs and nationalised industries sponsored by the Department since 1 May:

		Posts remunerated	*Percentage*
NDPBs:			
Executive	43	40	93
Advisory	31	18	58
Tribunals	59	7	12
Nationalised Industries	2	2	100
Total	135	67	48

For part *(b)* of the question, I refer my hon. Friend to the answer given today by the Chancellor of the Duchy of Lancaster.

Railways (Rolling Stock)

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will ensure that a requirement to improve rolling stock is integral to the new franchise agreement when new franchises are let for rail services. [16854]

Ms Glenda Jackson: Current franchise agreements have between four and fourteen years still to run. We shall consider the terms on which franchises might be relet in the light of all the circumstances pertaining at the time.

Roads (A65)

Mr. Curry: To ask the Secretary of State for the Environment, Transport and the Regions pursuant to his answer of 31 July 1997, *Official Report*, column *534*, how much compensation must be paid in respect of the cancellation of the PFI Scheme for by-passes on the A65 road. [16932]

Ms Glenda Jackson: Claims for compensation from the four tenderers for the Cumbria-Bradford DBFO project are being considered currently. I cannot therefore say what compensation might be paid.

Planning Applications (Supermarkets)

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many planning applications for developments involving supermarkets he determined since 1 May; [16873]

(2) how many planning applications for developments involving supermarkets he has called in for determination. [16862]

Mr. Caborn: Since 1 May this year, 17 applications involving retail development have been called in and 25 called-in applications involving retail development have been determined.

House Building (Brown-field Sites)

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has *(a)* commissioned and *(b)* evaluated in respect of the availability of brown-field sites for the construction of new homes, separately identifying that conducted by local authorities. [16918]

Mr. Raynsford: The Department will be going out to tender shortly on research designed to assess the future supply and location of brownfield sites. Also, as part of the Government's overall consideration of the household growth debate, the Government have evaluated several independent studies about housing capacities and location from organisations such as the TCPA, the CPRE, and the Joseph Rowntree Foundation.

Most individual local authorities conduct their own studies of land availability for housing and other development as part of their plan preparation process. These are too numerous and varied in scope to list here. Additionally, a number of broader housing capacity and brownfield land studies have either been, or are being, commissioned by the Regional Planning Conferences to assist them in the process of drafting their Regional Planning Advice to the Secretary of State.

Rail Network

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will protect trackbeds used previously for freight and passenger rail services from development until the National Railways Authority has reviewed the strategic rail network. [16907]

Ms Glenda Jackson: The establishment of a new Railways Authority would require primary legislation. In the meantime, it is for Railtrack and those other organisations who own trackbed to consider each individual case separately.

Owners' powers of disposal are limited under the Railways Act 1993 which makes provisions for the closure of railway lines carrying passenger traffic. Railtrack operates non-statutory closure procedures before disposal for freight-only lines. These involve wide consultation and consideration of strategic needs.

Railtrack and British Rail are considering those lengths of former railway line still in BR's ownership which Railtrack might wish to acquire for future railways development.

Road Accidents

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will arrange for trading standards officers to obtain information on accidents from DVLA computers on-line. [17147]

Ms Glenda Jackson: DVLA does not hold a comprehensive record of accident-damaged vehicles. This information is available to trading standards officers from the Motor Insurers Anti Fraud and Theft Register (MIAFTR).

Bathing Beaches

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the beaches designated as bathing beaches for the purposes of European Union legislation on pollution in *(a)* 1987, *(b)* 1992 and *(c)* 1997. [17174]

Angela Eagle: There were 374,455 and 486 UK bathing waters identified within the scope of the Bathing Water Directive in 1987, 1992 and 1997 respectively. Lists are provided in the detailed summary of monitoring results which is placed in the Library each year. The summary for the 1997 season will be available early in the New Year.

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions what data he has collated on the level of pollution on beaches not designated as bathing beaches. [17173]

Angela Eagle: The Environment Agency collect information on a site-specific basis in connection with their wider responsibilities for water pollution control. The information is available on the Agency's Regional Water Pollution Registers.

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions what new steps are being taken to improve the quality of water at beaches in England and Wales. [17172]

Angela Eagle: In July this year, the Government endorsed Environment Agency proposals for new standards to protect bathing waters. Under the new policy, sewage treatment plants with outfalls near bathing waters will have to meet higher design standards that will contribute to more beaches meeting Bathing Water Directive "guideline" standards for cleanliness. Improvements will also result from completion of the remaining schemes in the bathing water improvement programme and implementation of the Urban Waste Water Treatment Directive. Priorities for additional investment by water companies on environmental improvements, including improved bathing water quality, will be considered next year as part of the current periodic review of water prices.

Agenda 21

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions what timetable and deadlines he is working to for co-ordinating the drawing up and adoption of Local Agenda 21s. [17296]

Angela Eagle: At the United Nations General Assembly Special Session in June 1997, the Prime Minister called on all UK authorities to adopt Local Agenda 21 strategies by the year 2000. The Deputy Prime Minister will be launching a Joint Document next January, produced in conjunction with the Local Government Association and the Local Government Management Board, giving clear, practical guidance to councils showing why Local Agenda 21 strategies are needed and how to put an effective local strategy in place, building on the good practice that is being developed across the country. The document will ask all local authorities to send a copy of their strategy to the Chairman of the Local Government Association by 15 December 2000.

Coastguard

Mr. Viggers: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list the documents which will incorporate the five year strategy for Her Majesty's Coastguard announced on 17 November 1997, *Official Report*, columns *9–10*; [17548]

(2) if he will list the consultative processes that preceded the five year strategy for Her Majesty's Coastguard; and what consultation he now proposes on the strategy. [17549]

Ms Glenda Jackson *[holding answers 24 November 1997]:* I refer the hon. Member to the reply I gave to the hon. Member for Orkney and Shetland (Mr. Wallace) on 21 November 1997, *Official Report*, columns *335–36*.

The development of the strategy was an internal matter for the Coastguard Agency. The Chief Coastguard consulted with his Regional Controllers in drawing up the details. The first closures of rescue centres are not scheduled to take place for more than 2 years which allows time to discuss fully the implications and implementation with staff and trade unions. Any personnel disruption will be kept to a minimum and it is intended to reduce staff through natural wastage and voluntary retirement.

Mr. Viggers: To ask the Secretary of State for the Environment, Transport and the Regions (1) whether, and at what cost, design consultants were employed in the preparation of the brochure "HM Coastguard: 5 Year Strategy"; [17603]

(2) on what date the design and detail of the brochure "H. M. Coastguard: 5 Year Strategy" was agreed; [17604]

(3) on what date the brochure "HM Coastguard: 5 Year Strategy" was sent to the printers; and on what date that print order was completed; [17605]

(4) if the two pages headed "Some Questions and Answer" were printed separately from the remainder of the publication, "HM Coastguard: 5 Year Strategy"; on what date the contents of those pages were *(a)* approved by Ministers and *(b)* despatched for printing; and on what date those two pages were printed. [17606]

Ms Glenda Jackson: On October 20 1997, the Coastguard Agency issued an information pack to provide journalists with background on the work of the Agency. Design consultants employed to advise the Agency on all its publications had some input into the provision of this press information pack, which did not contain any reference to the five year strategy. The cost of consultant advice on the press pack was around £140. The press information pack went to the printers on 7 October and the print order was returned on 15 October.

On 17 November 1997, *Official Report*, columns *9–10*, when I announced the 5 year strategy, the information pack was reissued with the addition of two pages headed "Some Questions and Answers". These were photocopied separately from the rest of the pack on 14 November at the Agency's office and added to the press information pack for issue on the day of the announcement. The contents of the added pages were approved by Ministers when we approved the announcement.

Local Government Finance

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish figures at the time of his announcement of the local government settlement for 1998–99 which reflect the impact of his grant and capping decisions on the actual financial position of each local authority. [17812]

Ms Armstrong: I shall publish and place in the Library of the House tables of figures showing my proposals, for each English local authority, for Standard Spending Assessment (SSA) in total and for each major service block; and for each authority's entitlement to business rates, revenue support grant and special grant in respect of SSA reductions. I shall also publish figures showing the provisional effect on each local authority of the capping guidelines that will be announced by my right hon. Friend the Deputy Prime Minister and Secretary of State for the Environment, Transport and the Regions. My officials will also send to each local authority an explanation of how their figures are derived. Subsequent decisions on budgets and local rates of council taxes are a matter for each local authority.

Kyoto Conference

Ms Southworth: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government are taking to ensure that the conference at Kyoto reaches effective conclusions. [16016]

Mr. Meacher: The UK has played a leading role in the negotiations to date, including through our position as part of the EU Presidency Troika in which role I and EU colleagues lobbied the US earlier this month. We are continuing to press for a successful outcome at Kyoto, which must include agreement to significant reductions in greenhouse gas emissions by all developed countries for the post-2000 period. To this end, my right hon. Friend the Secretary of State for the Environment, Transport and the Regions has recently chaired a meeting of key developed countries in Tokyo and is visiting India, Japan, Australia and New Zealand to explore their positions further.

Greater London Authority

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the reasons for the Government's intention not to provide a choice between options in the referendum on the government of London. [17813]

Mr. Raynsford: The Government are providing Londoners with a clear choice about the future government of their city. The Government were elected on a manifesto commitment that, following a referendum to confirm popular demand, they would establish a new Greater London Authority comprising an assembly and a mayor, each directly elected.

In accordance with that commitment, we will present the detail of our proposals to the people of London in a White Paper to be published in March next year. Londoners will then be given the opportunity to vote in a referendum on whether or not they consent to us implementing these proposals. In the event that they vote yes, the Government intend that legislation should be introduced next session to implement the White Paper proposals.

The Government are unconvinced by arguments for more than one question. The Mayor and the Assembly are not separable within the context of the Government's proposals. An authority without a directly elected Mayor would be a very different type of organisation. We do not believe that such an organisation would be capable of giving London the leadership it needs. A Mayor without an elected Assembly to hold him or her to account would be too powerful and unaccountable. Neither proposal would be in keeping with the clear manifesto commitment on which the Government were elected. It would not be responsible government to put unworkable options to the people of London.

The Government believe that the referendum should present clear and comprehensible proposition to the people of London. The result of the referendum should be capable of delivering an unambiguous mandate. Despite the time available to proponents of more than one question, no single alternative second question has been devised which meets the concerns of all parties. Additional questions so far proposed have been numerous and contradictory. None would provide a clear mandate.

The Government believe a single question on a well thought out package is the only fair and honest option. Voters will be able to study detailed proposals in the White Paper, make a considered judgment about the whole package on offer, and cast their vote. They will know exactly what they are voting for and what they will get. If they do not like it they can vote 'no.'

Genetically Modified Organisms

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions if he will list by name for each year for which figures are available the instances of horizontal transmission of genetic material from genetically modified organism approved for *(a)* field testing and *(b)* marketing. [17735]

Angela Eagle: There are no figures available for instances of horizontal gene transfer for each release of a GMO which has been carried out. To date, 313 consents have been granted for the experimental release of GMOs since the regulations came into force in March 1993. Previous research by both the Department and industry has shown that the frequency of horizontal transfer of any genes to wild species is very low. Monitoring is often a statutory condition of consents for experimental releases. However, no formal arrangement exists to monitor gene transfer because the consequences of horizonal gene transfer occurring are evaluated in advance when considering all applications for consent. Consent is granted only if the consequences of gene transfer would be negligible. The Department is continuing to fund research to monitor releases of GM oilseed rape carried out under a marketing consent. This includes monitoring for evidence of gene transfer to confirm that the risk assessment remains valid.

Driving Licences (GP Reports)

Mr. Blizzard: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to resolve the dispute between the DVLA and BMA regarding payment of GPs for medical reports required to obtain driving licences. [17601]

Ms Glenda Jackson: The fees being paid to doctors for supplying medical information do not meet with the approval of the British Medical Association. Only a small proportion of doctors are refusing to provide information however the majority are providing the medical information for the fee offered. DVLA is reviewing the position and will be seeking to reach agreement with the BMA.

TREASURY

Compliance Costs

Mr. Swinney: To ask the Chancellor of the Exchequer what estimates he has made of the future costs of compliance under the proposed Financial Services Authority relative to these presently applied. [17200]

Mrs. Liddell: The Government intend to publish a draft compliance cost assessment alongside a draft Bill when it is published for consultation in Summer 1998. It is intended that the Financial Services Authority should be efficient and economic and ensure that costs and restrictions on firms are proportionate to the benefits of regulation.

CAP (Fontainebleau Rebate)

Mr. Jack: To ask the Chancellor of the Exchequer pursuant to his answer of 18 November 1997, *Official Report*, column *115*, if he will calculate the effect of only one programme being underspent by £200 million and no other changes to other programmes or matters on the level of the Fontainebleau rebate in the following year. [17758]

Mrs. Liddell: On the assumption that the £200 million underspend took place entirely in the UK, and all other things being equal, our abatement would increase by around £110 million in the year following the underspend. This is however a hypothetical calculation. In practice numerous other factors would influence the outcome of the abatement.

Financial Services Authority

Mr. Swinney: To ask the Chancellor of the Exchequer what proposals he has for the relationship between the Financial Services Authority and the Scottish Parliament. [17202]

Mrs. Liddell: Financial regulation is reserved to the Westminster Parliament.

Mr. Swinney: To ask the Chancellor of the Exchequer what is the estimated cost of the proposed Financial Services Authority; what office accommodation has been secured for it; and at what cost to public funds. [17088]

Mrs. Liddell: The Financial Services Authority does not receive public funds. It is responsible for acquiring and meeting the costs of its own accommodation.

Mr. Swinney: To ask the Chancellor of the Exchequer if he will make a statement on the impact of the establishment of the Financial Services Authority on the role of professional bodies in Scotland with responsibility for monitoring the work of solicitors and accountants. [17201]

Mrs. Liddell: The Government intend to give the Financial Services Authority responsibility for the authorisation of all firms carrying an investment business, including those currently authorised by virtue of their certification by a Recognised Professional Body. The Government are considering enabling the Financial Services Authority to engage professional bodies to carry out specified functions on its behalf. The Financial Services Authority may also be able to refrain from making specified rules or categories of rules where it considers those of the relevant professional bodies to be adequate. The Financial Services Authority is currently consulting the professional bodies, including those in Scotland, on this matter.

Landfill Tax

Mr. Brake: To ask the Chancellor of the Exchequer how much money has been raised form the landfill tax since 1996. [16883]

Dawn Primarolo *[holding answer 20 November 1997]:* The amount of landfill tax collected to the end of October 1997 was £343 million.

Mr. Brake: To ask the Chancellor of the Exchequer how much money has been raised by the landfill tax from the deposition of waste taken from previously contaminated land. [16884]

Dawn Primarolo *[holding answer 20 November 1997]:* None. Subject to certain qualifying conditions, waste arising from the clearance of contaminated land and disposed of to landfill is exempt from landfill tax.

Newry VAT Registration Unit

Mr. Mallon: To ask the Chancellor of the Exchequer if he will list the *(a)* total agreed complement of (i) full-time permanent staff, (ii) casual fixed term staff and (iii) part-time staff and *(b)* total number of (1) casual staff recruited, (2) permanent staff recruited, (3) voluntary early retirements by permanent staff, (4) dismissals of permanent staff, (5) dismissals of casual staff, (6) dismissals of part-time staff, (7) contracts that expired, (8) contracts that were extended, (9) staff on long term sick leave, (10) staff on maternity leave, (11) compulsory early retirements and (12) fundamental early retirements under fundamental economic review for Newry VAT Registration Unit of HM Customs and Excise. [17061]

Dawn Primarolo *[holding answer 21 November 1997]: (a)* The current agreed resource allocation is:

(i) 91 full-time permanent staff

(ii) 10 fixed term and 5 casual staff

(iii) 11 part-time staff

(b) In the twelve months since November 1996:

(1) 7 casual staff have been recruited

(2) 17 fixed term appointees have been converted to permanent and 1 by direct recruitment

(3) Nil—voluntary early retirements

(4) Nil—dismissals of permanent staff

(5) Nil—dismissals of casual staff

(6) Nil—dismissals of part-time staff

(7) 3 "casual" contracts expired

(8) 6 Fixed Term Appointments were extended

(9) 5 staff are currently on long term sick leave (exceeding 25 days)

(10) 12 women have had periods of maternity leave

(11) & (12) Nil—early retirements

VAT (Passenger Transport)

Sir Teddy Taylor: To ask the Chancellor of the Exchequer what is his policy on value added tax levels on passenger transport fares. [16981]

Dawn Primarolo: It is the Government's policy to maintain the current zero rate on public passenger transport.

Income Tax

Mr. Gibb: To ask the Chancellor of the Exchequer if he will estimate how may people would have a marginal rate of income tax of 10p in the pound, assuming bands for this rate were the first *(a)* £500, *(b)* £1,000, *(c)* £1,500, *(d)* £2,000, *(e)* £2,500, *(f)* £3,000, *(g)* £4,000, *(h)* £5,000 and *(i)* £6,000 of taxable income. [16837]

Dawn Primarolo: Using the hon. Member's assumptions, the estimates for 1997–98 are given in the table.

New 10p starting rate on first[1] £	*Number of taxpayers who would face a marginal rate of 10 pence (millions)*
500	0.8
1,000	1.5
1,500	2.2
2,000	2.8
2,500	3.4
3,000	4.1
4,000	5.6
5,000	7.1
6,000	8.5

[1] Assuming that the new 10 pence rate band would apply to all taxable income, so that the rates for savings income would be 10 per cent., 20 per cent. and 40 per cent.

Scientific Research Associations (Taxation)

Mr. Jack: To ask the Chancellor of the Exchequer if he will amend the terms of the Income and Corporation Taxes Act 1988 in respect of the definitions used to determine the tax liabilities of scientific research associations. [17579]

Dawn Primarolo: My right hon. Friend the Secretary of State for Trade and Industry is responsible for certifying whether a body is a scientific research association (SRA). Her department is reassessing the criteria for qualification as an SRA.

Budget Measures (Environmental Impact)

Mr. Dafis: To ask the Chancellor of the Exchequer if he will include in his consultation document on the Budget, plans to publish an annual Green Book estimating the environmental impact of Budget measures. [17295]

Dawn Primarolo: I refer the hon. Member to the answer I gave on the hon. Member for South Suffolk (Mr. Yeo) on 10 July 1997, *Official Report*, column *1062*.

Indonesia

Dr. Tonge: To ask the Chancellor of the Exchequer what contribution Her Majesty's Government made to the IMF package for Indonesia. [17150]

Mrs. Liddell: There was no bilateral contribution made by the UK Government to the IMF package for Indonesia.

European Central Bank

Mr. Mitchell: To ask the Chancellor of the Exchequer under what procedures and with which participants the appointment of office holders of the *(a)* governing council and *(b)* governing board, of the proposed European Central Bank will be made; what will be the principal functions of *(a)* and *(b)*; and what factors determine who will be responsible for appointing office holders. [15310]

Mrs. Liddell: These arrangements are set out in Protocol No. 3 to the Maastricht Treaty (on the Statute of the European System of Central Banks and of the European Central Bank).

VAT (Building Conversion)

Mr. Brake: To ask the Chancellor of the Exchequer how much money was raised in each of the last five financial years from value added tax paid on goods and materials used in the conversion of old buildings to residential use. [16838]

Dawn Primarolo: The information requested is not available.

Somerset House

Ms Lawrence: To ask the Chancellor of the Exchequer what progress is being made with plans to open up Somerset House to wider public access. [17925]

Dawn Primarolo: A new trust, the Somerset House Trust, has been established, under the chairmanship of the right hon. Sir Timothy Sainsbury. The trust has its objective the care and stewardship of Somerset House, with a view to restoring it fully and turning part of the building into an improved centre for art and culture with increased public access and use.

The Government propose shortly to assign Somerset House to the trust on a 128 year lease. Under the terms of the lease, the trust will pay no rent to the Government for 5 years; after 5 years, it will pay 25 per cent. of the income receivable from its tenants; and after 10 years, 50 per cent. The Government will also make available to the trust an initial grant of up to £1 million a year for the first four years of its operation. Once the lease is signed, ownership of Somerset House will be transferred from the Inland Revenue to the Department for Culture, Media and Sport.

As regards occupancy, the Lord Chancellor's Department plan to vacate the South Wing of Somerset House next year; after necessary renovation and adaptation, part of the South Wing will house the Gilbert Collection of precious gold and silver objects and the trust will seek appropriate heritage uses for the remainder of the Wing. The Courtauld Institute will continue to occupy the North Wing, as tenants of the trust, and the Inland Revenue will continue to occupy the East, West and New Wings.

This is an important step towards the long term preservation of one of the London's finest heritage assets and its development for public enjoyment. The Gilbert Collection, generously donated by Mr. Arthur Gilbert, is the largest ever gift to the nation of works of art of this kind. I wish the new trust every success.

Abortions

Dr. Tonge: To ask the Chancellor of the Exchequer (1) how many legal abortions were performed in 1996 *(a)* with antiprogesterone and *(b)* without overnight stay in each (i) health region and (ii) district health authority; and how many in each case involved (1) National Health Service hospitals, (2) National Health Service agency arrangements and (3) other purchasers; [17143]

(2) how many legal abortions were performed in *(a)* 1995 and *(b)* 1996 on women in each quinary age group, in each (i) health region and (ii) district health authority as constituted on 1st April 1996. [17142]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Dr. Jenny Tonge, dated 25 November 1997:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics (ONS), to your recent questions on legal abortions.

The number of abortions performed in 1995 by quinary age-group in each health region and health authority as constituted on 1st April 1995 is published in the ONS publication 'Abortion Statistics 1995' series AB No. 22.

The number of abortions performed in 1995 could only be provided to the health authority boundaries as constituted in 1996 at disproportionate cost.

The number of abortions performed in 1996 by quinary age-groups in each health region and health authority as constituted on 1st April 1996 are being compiled at present and will be published in 'Abortion Statistics 1996' in December 1997.

Statistics for the number of legal abortions performed in 1996 with antiprogesterone and without overnight stay will also be published in the Abortion Statistics annual reference volume for 1996 (series AB No. 23).

DUCHY OF LANCASTER

Citizens Charters

Mr. Fabricant: To ask the Chancellor of the Duchy of Lancaster if he will list each citizens charter currently operating and its running cost in the last available year. [17320]

Mr. Kilfoyle: There are 40 main national Charters, which are as follows:

List of Charters

United Kingdom

Taxpayer's Charter (HM Customs & Excise)
Taypayer's Charter (Inland Revenue)
Traveller's Charter (HM Customs and Excise)

Great Britain

Benefits Agency Customer Charter
Child Support Agency Charter
Contributor's Charter
Employer's Charter
Jobseeker's Charter
Redundancy Payments Service Charter

England and Wales

Charter for Court Users
Victim's Charter

England only

Charter for Further Education
Charter for Higher Education
Council Tenant's Charter
London Bus Passenger's Charter
London Underground's Customer Charter
Parent's Charter
Patient's Charter
Road User's Charter

Scotland only

Further and Higher Education Charter in Scotland
Justice Charter for Scotland
Parent's Charter in Scotland
Patient's Charter
Tenant's Charter for Scotland

Wales only

Charter for Further Education
Charter for Higher Education
Charter for Council Tenants in Wales
Charter for Parents in Wales
Charter for Patients in Wales

Northern Ireland only

A Charter for Patients and Clients
Bus Passenger's Charter
Charter for Further Education in Northern Ireland
Child Support Agency (NI) Charter
Courts' Charter for Northern Ireland
Northern Ireland Housing Executive Tenant's Charter
Northern Ireland Railways Passenger's Charter
Parent's Charter
Royal Ulster Constabulary Charter
Social Security Agency Customer Charter
Training and Employment Agency Customer's Charter

In addition there are over 10,000 local charters, which are not centrally controlled.

Running Costs

The Citizens Charter Unit in my Department had a budget of £4.8 million in the last financial year (1996–97), of which £2.9 million was spent on the Charter Mark Awards Scheme.

Other departments are responsible for arrangements to oversee the running of their charters. These costs are not held centrally and could only be provided at disproportionate costs.

In June, we announced that we would relaunch the Charter programme. We began a consultation exercise on 16 September and will publish the results next year.

Special Advisers

Mr. Edward Davey: To ask the Chancellor of the Duchy of Lancaster what was the total paybill for all Special Advisers for 1996–97; what is the projected figure for *(a)* 1997–98 and *(b)* 1998–99; and if he will make a statement. [14103]

Dr. David Clark: The total paybill for 1996–97 was £1.8 million. The estimated paybill for 1997–98 is £2.6 million. The estimated total paybill for 1997–98 covers various posts, including the Standards and Effectiveness Adviser to the Department for Education and Employment, the UK anti-drugs co-ordinator and his deputy, which are not covered by the earlier paybill figure.

No projected figures are available for future years.

Political Advisers

Mr. Malcolm Bruce: To ask the Chancellor of the Duchy of Lancaster how many political advisers were employed in each Government department on 1 August, and what was the annual total salary cost of such advisers, for (i) 1992–93, (ii) 1993–94, (iii) 1994–95, (iv) 1995–96, (v) 1996–97 and (vi) 1997–98; what are the current salary scales on which they are paid; and if he will make a statement. [14806]

Dr. David Clark: At 1 August, Government departments employed the following numbers of paid Special Advisers:

Department	*Number employed*
Number 10 Downing Street	18
Ministry of Agriculture, Fisheries and Food	2
Cabinet Office (Office of Public Service)	1
Chief Whip's Office	2
Department for Culture, Media and Sport	2
Ministry of Defence	2
Department for Education and Employment	5
Department of the Environment, Transport and the Regions	3
Foreign and Commonwealth Office	2

Department	Number employed
Department of Health	2
Home Office	2
Department for International Development	2
Lord Privy Seal's Office	2
Northern Ireland Office	2
Privy Council Office	1
Scottish Office	2
Department of Social Security	2
Department of Trade and Industry	2
Her Majesty's Treasury	4
Welsh Office	2

[1] Of which two part-time.
[2] Of which one part-time.

The total salary cost for 1992–93 is not readily available. However, the paybill for those in post at September 1992 was £1.3 million.

The total salary costs for the years 1993–96 are given in the list below:

1 August 1993–31 July 1994: £1,133,590

1 August 1994–31 July 1995: £1,460,733

1 August 1995–31 July 1996: £1,512,622

The total paybill from 1 April 1996 to 31 March 1997 was £1.8 million. The estimated paybill for 1997–98 is £2.6 million. The estimated total paybill for 1997–98 covers various posts, including the Standards and Effectiveness Adviser to the Department for Education and Employment, the UK anti-drugs co-ordinator and his deputy, which are not covered by the earlier paybill figure.

No projected figures are available for future years.

The current salaries in bands of £10,000 are set out in the following table.

Salary band (£)	Number of Advisers
10,001—20,000	6
20,001—30,000	25
30,001—40,000	14
40,001—50,000	8
50,001—60,000	6
60,001—70,000	6
70,001—80,000	1
80,001—90,000	2
90,001—100,000	0
100,001—110,000	1

The table includes the nine Special Advisers appointed since 1 August.

CABINET OFFICE

Millennium Dome

Mr. Marshall-Andrews: To ask the Minister without Portfolio, pursuant to his answer of 11 November 1997, *Official Report*, column *534*, in relation to the procedures applied to the appointment of M. & C. Saatchi as contractors of the Millennium Dome Project, in accordance with which of the three criteria listed in the answer the contract was awarded to M.& C. Saatchi. [17452]

Mr. Mandelson *[holding answer 24 November 1997]:* The contract awarded to M. & C. Saatchi met all three of the criteria listed in my answer of 11 November. Further details about this contract are contained in my letter to my hon. Friend of 24 November which I have, with his consent, placed in the Libraries of the House.

HOUSE OF COMMONS

Bar Glasses

Mr. Barnes: To ask the Chairman of the Catering Committee if he will ensure that lined glasses are used in all the bars on the Parliamentary Estate. [17204]

Mr. Dennis Turner: As my hon. Friend will appreciate, my Committee has no responsibility for bars in the House of Lords or for the Sports and Social Club. However, all the glasses used in this House's Refreshment Department outlets conform with current trading standards. Should any future legislation be enacted which would require all glasses to be so lined, then I understand that the Refreshment Department would phase in such glasses accordingly.

FOREIGN AND COMMONWEALTH AFFAIRS

Mission Statement

3. **Mr. Burns:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the Government of Indonesia in respect of the Foreign Office mission statement. [15990]

Mr. Fatchett: None.

Nigeria

15. **Mr. Ian Bruce:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Nigeria in respect of the restoration of democracy. [16003]

Mr. Fatchett: We have contact with the Nigerian Government through our High Commissioner in Abuja. He regularly raises our concerns about the lack of progress towards the restoration of democracy and respect for human rights.

Kashmir

25. **Mr. Blunt:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement concerning his role in relation to Kashmir. [16014]

Mr. Fatchett: I refer the hon. Member to the replies I gave to my hon. Friends the Members for Peterborough (Mrs. Brinton) and for Luton, North (Mr. Hopkins) on 28 October 1997, *Official Report*, columns *795–96*. My right hon. Friend the Foreign Secretary made clear to the House on the same day that Britain continues to be willing to help find a solution, but that any offer of help must be acceptable to Pakistan and India.

Israeli Prime Minister

27. **Mr. Caplin:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent visit to the United Kingdom of the Prime Minister of Israel. [16017]

30. **Dr. Starkey:** To ask the Secretary of State For Foreign and Commonwealth Affairs what representations he made to the Israeli Prime Minister during his recent visit to London. [16020]

36. **Mr. Ivan Lewis:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his recent talks with the Prime Minister of Israel. [16026]

Mr. Fatchett: I refer my hon. Friends to the answer given to the House today by my right hon. Friend the Foreign Secretary to my hon. Friend the Member for Hendon (Mr. Dismore).

Mr. George Atkinson

28. **Mr. Swayne:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the case of Mr. George Atkinson, imprisoned in Dubai. [16018]

Mr. Fatchett: We have been told by the Government of Dubai that initial charges have been made against Mr. Atkinson. When investigations have been completed, final charges will be made and the case referred to the court or he will be released.

Iraq

29. **Mr. Hanson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the United Nations with regard to the situation in Iraq. [16019]

Mr. Fatchett: Following the UN Security Council's display of unanimity, I am pleased that Saddam Hussein has backed down unconditionally and allowed UNSCOM Inspection to return to Iraq. The Inspectors should now be permitted to get on with their job of uncovering and destroying Iraq's large stocks of weapons of mass destruction.

Human Rights

31. **Mr. Timms:** To ask the Secretary of State for Foreign and Commonwealth Affairs what will be the role of the European Union under the terms of the Amsterdam treaty in the protection of fundamental human rights. [16021]

Mr. Doug Henderson: Under Article F of the Treaty on European Union, the Union is already obliged to respect fundamental rights, as guaranteed by the European Convention on Human Rights (ECHR). The Amsterdam Treaty, by an amendment to Article L, confirms the European Court of Justice (ECJ) jurisdiction to ensure that acts of EU institutions are consistent with these rights. New Article F.1 allows for sanctions against a Member State found in "serious and persistent" breach of fundamental rights. The EU's role, therefore, complements—and does not replace—that of the European Court of Human Rights.

Mr. Rowlands: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries to which the European Union has made representations concerning the human rights and record of that country. [17316]

Mr. Fatchett: The European Union has made representations to a range of countries concerning their human rights records. A summary of European human rights activities is set out in the European Union's Annual Memorandum to the European Parliament. The most recent edition of the Memorandum was issued on 16 October 1997, and is available in the Libraries of the House.

Mr. Rowlands: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those posts which in their project work in the legal training of state officials provide human rights documentation for schools and support non-governmental organisations involved in human rights issues. [17322]

Mr. Fatchett: Many posts support local human rights projects. Those recently involved in legal training of state officials or provision of human rights educational material include Sofia, Peking, Prague, Islamabad, Colombo, Lusaka, Vilnius and Port Louis. Posts regularly work closely with the British Council and both UK-based and local NGOs.

Mr. Rowlands: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries to which representations have been made by Her Majesty's Government on the grounds of the human rights record of that country. [17314]

Mr. Fatchett: We make representations to many countries on their human rights records. We do so bilaterally or with EU partners, either directly or through multilateral fora. Where we consider it to be more effective, some representations are made privately.

Common Foreign and Security Policy

32. **Sir Sydney Chapman:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the United Kingdom contributions to the European Union budget activities on the Common foreign and security policy. [16022]

Mr. Doug Henderson: The 1997 EU budget for the common foreign and security policy makes provision for commitments of up to 30 Mecu (ie about £22.1 million). Britain's gross contribution is approximately 15 per cent. of expenditure, ie up to £3.32 million depending on the prevailing exchange rate.

Australia (Native Title)

33. **Mr. Connarty:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received on Australia's proposals on native title of their indigenous peoples. [16023]

Mr. Fatchett: We have received a small number of letters.

Maastricht Treaty

34. **Mr. Ruffley:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received on the provisions of the Maastricht treaty relating to political integration. [16024]

Mr. Doug Henderson: We have received a wide variety of representations on the Maastricht Treaty.

Export Promotion

35. **Mrs. Brinton:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department is taking to encourage export promotion to central and eastern Europe. [16025]

Mr. Doug Henderson: We provide a range of services to encourage trade with Central and Eastern Europe, including export promoters. A major campaign was launched in January 1997 to promote awareness among British businesses of the growing commercial opportunities in Central Europe.

European Union

37. **Mr. Pike:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with representatives of countries seeking entry into the European Union. [16027]

Mr. Doug Henderson: We are committed to enlargement of the EU and to ensuring that this is an all-inclusive process. Regular contacts—at all levels—with all countries that have applied for membership in the European Union are essential to this. My right hon. Friend the Foreign Secretary is visiting Hungary, the Czech Republic and Poland this week. I have travelled to Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovenia and Turkey this autumn. All this is in addition to the continuous dialogue conducted by officials and HM Ambassadors.

China

Mr. Paul Marsden: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of United Kingdom relations with China in respect of the handover of Hong Kong. [16000]

Mr. Fatchett: We have entered a new, more constructive phase in our relations with China. Provided China continues to fulfil its pledge to respect the Joint Declaration, we believe Hong Kong will remain a bridge between Britain and China. When my right hon. Friend the Foreign Secretary met his Chinese opposite number in New York in September, they agreed to work together on a whole range of bilateral and global issues.

Visa Applicants

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the case of Mr. Vaja of Leicester, Ref. R/97/3541, who has been refused a visa in Bombay. [16756]

Mr. Fatchett: We have asked our High commissioner in Bombay for a detailed account of the application and my noble Friend the Under-Secretary will write to my hon. Friend within one week of receiving that account.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the case of Mrs. Chauhan of 5 Rushey Close, Leicester, whose husband has been refused a visa in Bombay (Foreign Office ref. GV100/36904). [16846]

Mr. Fatchett: I understand that the Migration and Visa Correspondence Unit wrote to my hon. Friend on 18 November about this case. I hope the reply has addressed my hon. Friend's concerns.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the average waiting time for an interview in respect of an application to join *(a)* a husband and *(b)* a wife in (i) Pakistan, (ii) Sri Lanka, (iii) India and (iv) Bangladesh in the last year for which figures are available. [16972]

Mr. Fatchett: The average waiting times for interviews in respect of applications to join husband/wives in the last year for which figures are available (1996) are as follows (unless otherwise specified figures are the same for husbands and wives and refer to first time application):

	Waiting time
Islamabad	3.5 months, to join husband 4.5 months to join wife
Karachi	16 weeks
Colombo	10–12 weeks, depending on the conditions attached to the spouse's stay in the UK
New Delhi	2.75 months
Bombay	11 weeks
Madras	6 weeks
Calcutta	2 weeks
Dhaka	6.7 months

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* men and *(b)* women were waiting for an interview at British High Commission offices in (i) Pakistan, (ii) Sir Lanka, (iii) India and (iv) Bangladesh to join husbands or wives resident in the United Kingdom on 1 November. [16919]

Mr. Fatchett: On 1 November, the numbers of men and women waiting for an interview to join husbands or wives in the UK were as follows:

Post	*Men*	*Women*
Islamabad	610	665
Karachi	33	57
Colombo	1	121
New Delhi	33	73
Bombay	86	209
Madras	11	19
Calcutta	1	0
Dhaka	432	151

Entry Certificate Officers

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many entry certificate officers were employed in British High Commission offices in *(a)* Pakistan, *(b)* Sri Lanka, *(c)* India and *(d)* Bangladesh on 1 November. [16915]

Mr. Fatchett: The number of Entry Clearance Officers employed on 1 November is as follows:

	Officers
Islamabad	21
Karachi	4
Colombo	3
New Delhi	10
Bombay	8
Madras	2 + 50 per cent. of the time of a third officer
Calcutta	75 per cent. of the time of one officer
Dhaka	11

Migration and Visa Correspondence Unit

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what resources he will make available to deal with the backlog of cases at the Migration and Visa Correspondence Unit. [16757]

Mr. Fatchett: We have taken a variety of measures to deal with the backlog of cases, including the deployment of additional temporary staff and seven day working. We are currently making arrangements to appoint five extra permanent members of staff to the Unit. Three have already been selected and are in post. We aim to fill the remaining posts within two months.

Treaty of Rome

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish as a command paper a consolidated version of the Treaty of Rome, as amended by all subsequent treaties including the Treaty of Amsterdam, with all the protocols from all of the treaties. [17300]

Mr. Doug Henderson: A consolidated version of the Treaty of Rome (the Treaty Establishing the European Community), as amended by subsequent treaties including the Treaty of Amsterdam (not yet in force), was published in a Command Paper on 29 October 1997 (Cm 3780). All the protocols to the Treaty of Rome which will be in force when the Amsterdam Treaty enters into force are listed in the same Command Paper. The text of the protocols annexed to the Treaty of Rome or added by the Treaty on European Union are printed in Cm 455 (1988) and Cm 2485 (1994); and those to be added by the Treaty of Amsterdam are printed in Cm 3780 (1997).

Asia-Europe Meeting

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ensure that human rights are on the agenda at the forthcoming second Asia-Europe meeting. [16060]

Mr. Fatchett: The agenda for the second Asia-Europe Meeting (ASEM) is still under discussion. The Chairman's Statement after the first ASEM in Bangkok expressed commitment to strengthening political dialogue between Asia and Europe on the basis, among other things, of equality and the promotion of fundamental rights.

Dalai Lama

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding the succession of the Dalai Lama. [17309]

Mr. Fatchett: The succession of the Dalai Lama is a matter for the Tibetan people.

Turkey

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will raise Turkey's activities in Iraq in the Security Council. [17576]

Mr. Doug Henderson: We have no current plans to do so. We have urged the Turks to withdraw their forces from northern Iraq as soon as possible.

Torture Equipment

Mr. Rowlands: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate his Department has made of the value of torture equipment sold by United Kingdom companies since 1992; and if he will list those countries to which such equipment has been sold. [17323]

Mr. Fatchett: I refer my hon. Friend to the answer given by my hon. Friend the Minister for Small Firms, Trade and Industry to my hon. Friend the Member for Cynon Valley (Mrs. Clwyd) on 29 October 1997, *Official Report*, column *825*.

East Timor

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the arrangements to ensure that the proposed European Troika visit to East Timor is able to hold private meetings with persons *(a)* in Dili and *(b)* in rural areas. [15986]

Mr. Fatchett: We aim for the Troika Ambassadors to talk to a wide range of people to get as complete a picture as possible of the situation. Detailed arrangements will be worked out in conjunction with our EU partners.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Indonesian Government on the recommendation by the United Nations Human Rights Commission that the United Nations Rapporteur on Torture be invited to visit East Timor, in time for him to report to the meeting of the Commission in April 1998. [15987]

Mr. Fatchett: We continue to encourage the Indonesian Government to implement the resolution of the UN Commission on Human Rights 1997.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if the United Kingdom will support efforts by the United Nations High Commissioner for Human Rights to deploy an on-site human rights presence in East Timor. [16061]

Mr. Fatchett: There are no efforts by the United Nations High Commissioner for Human Rights to deploy an on-site human rights presence in East Timor.

EU Defence Co-operation

Mr. Pound: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his European Union Counterparts about future European defence co-operation. [16164]

Mr. Fatchett: The European Union itself is not responsible for defence co-operation. At the Amsterdam European Council, the UK and European Union partners agreed that the European Union would avail itself of the Western European Union to elaborate and implement decisions and actions of the Union which have defence implications. Arrangements for enhanced co-operation between the European Union and Western European Union have been discussed by the General Affairs Council of the European Union have been discussed by the General Affairs Council of the European Union and by the Council of the Western European Union.

Burma

Mrs. Fyfe: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the United Nations High Commissioner for Human Rights on conditions in the relocation camps within Karenni state, Burma. [17602]

Mr. Fatchett: My right hon. Friend the Foreign Secretary has made no specific representations on this subject to the UN High Commissioner for Human Rights. But, with strong UK support, the President of the European Council wrote to Mrs. Robinson on 6 October about the deplorable human rights situation in Burma, urging further UN actions to improve the situation and drawing attention to the EU Common Position.

The UK played a full role in ensuring that the plight of ethnic minorities in Burma was included in the UN Committee on Human Rights resolution in April. We are playing an equally active role in negotiations on the UN General Assembly Third Committee resolution on Burma, to be adopted in plenary in December.

Algeria

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he plans to take in respect of human rights in Algeria; and if he will make a statement. [16584]

Mr. Fatchett: In our regular contacts with the Algerian authorities, we express our serious concerns about reports of human rights abuses in Algeria. We plan to continue expressing these concerns and to encourage the Algerian Government to agree an early date for the visit they have already indicated they accept from the UN Special Rapporteur on Extrajudicial Killings.

Gibraltar

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he will take to ensure that Gibraltar is permitted to enjoy the rights concerning the free movement of goods, capital, services and people prescribed by membership of the European Union.[17811]

Mr. Doug Henderson: We take seriously our responsibilities for Gibraltar within the EU. We stand up firmly for Gibraltar's EU rights to exercise free movement of capital, services and people and shall continue to do so. Gibraltarians' right to free movement will not, for example, be affected by the Treaty of Amsterdam. Provisions on the free movement of goods do not apply in Gibraltar. Since Gibraltar is outside the Community Customs Territory and the Common Commercial policy, it is treated as a third country for imports into the Community.

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs what restrictions are placed on civilian aircraft using Gibraltar airport in respect of their use of airspace, at take-off and on final approach to landing. [17808]

Mr. Doug Henderson: Spain prohibits civilian aircraft movements to the North and West of Gibraltar in a way which affects approaches to. and departures from, Gibraltar.

Military Training Assistance

Mr. St. Aubyn: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects his Department's review of military training assistance to be completed. [17654]

Mr. Fatchett: My right hon. Friend the Foreign Secretary is examining this Department's Military Training Assistance Scheme as part of the Comprehensive Spending Review. The Review is likely to be completed in the Spring of 1998.

Tunisia

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to Tunisia on human rights violations; and if he will make a statement. [16583]

Mr. Fatchett: We are in regular contact with the Tunisian authorities on human rights issues.

Hong Kong

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he plans to take to monitor human rights and electoral procedures in Hong Kong. [15992]

Mr. Fatchett: We are committed to monitoring all aspects of the implementation of the Sino-British Joint Declaration on Hong Kong, including those parts relating to human rights and the legislature.

Contingency and Operational Procurement Exhibition

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the military, security and police officials invited to the 1997 contingency and operational procurement exhibition. [14405]

Mr. Spellar: I have been asked to reply as this matter falls within my area of responsibility.

COPEX 97 was a privately run exhibition which the Ministry of Defence played no part in organising. I am therefore unable to list any of the invitees.

NORTHERN IRELAND

Paramilitary Beatings

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many paramilitary beatings and shootings have occurred in 1997, indicating where possible the paramilitary organisation believed to be responsible. [16030]

Mr. Ingram: Between 1 January 1997 and 11 November 1997 the number of casualties as a result of paramilitary-style assaults and shootings was:

Casualties as a result of Paramilitary-style attacks 1 January to 11 November 1997

	Attributed to Loyalist	*Attributed to Republican*	*Total*
Casualties as a result of shootings	43	18	61
Casualties as a result of assaults	69	72	141
Total	112	90	202

Police Station, Coleraine

Mr. William Ross: To ask the Secretary of State for Northern Ireland what is the estimated cost of the new police station for Coleraine, County Londonderry. [17355]

Mr. Ingram: It is not possible to give an estimated cost of a new police station for Coleraine, County Londonderry as no decision has yet been taken on this project.

Requirements for police buildings are currently being assessed against policing needs and availability of funding.

Traffic Flows

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) what is the peak traffic capacity of the Castledawson bypass; how many vehicles used it when it was first opened; what has been the number each year since opening on a daily basis; and what are the peak hourly flows this year; [17352]

(2) how many vehicles pass over each of the bridges over the Lower Bann each day; in each case what is the hourly peak flow; and what were the figures five years ago; [17353]

(3) if she will list the daily number of vehicles and the peak hourly traffic flow *(a)* currently and *(b)* five years ago over (i) Swanns Bridge, (ii) Roe Bridge Limavady and (iii) Dungiven Bridge over the River Roe; [17354]

Mr. William Ross: To ask the Secretary of State for Northern Ireland what was the daily and hourly peak traffic flows along *(a)* Linen Hall Street and *(b)* Connell Street Limavady (i) were in each of the last five years and (ii) are at present. [17358]

Mr. Paul Murphy: Responsibility for these matters has been delegated to the Roads Service under its chief executive, Mr. W.S. McCoubrey. I have asked him to arrange for a reply to be given.

Letter from W. J. McCoubrey to Mr. William Ross, dated 24 November 1997:

The Secretary of State for Northern Ireland has asked me to respond to your recently tabled PQs about traffic volumes at various locations.

PQ 1213—TRAFFIC VOLUMES ON CASTLEDAWSON BY-PASS

The design capacity of the Castledawson By-pass, which opened in 1992, is 13,000 vehicles per day. Since then the average daily traffic volumes on the By-pass are as follows:

1992: 8,800

1993: 9,792

1994: 10,580

1995: 11,740

1996: 11,860

1997: 13,302

In 1997 the average peak hourly flows are: 1,040 (a.m), 1,169 (p.m).

PQs 1214, 1215, 1219

Whilst the precise information requested is not available, I have provided details in the attached tables.

I hope this information is helpful.

There are five road bridges over the Lower Bann river. The following table provides details, where available, on the average daily traffic volumes and average peak hourly flows (a.m and p.m) on each of the bridges as determined by:

(1) The most recent traffic survey carried out in each location; and

(2) 1992 traffic surveys (where carried out).

PQ 1214—Traffic Volumes on bridges across the Lower Bann River

Name of bridge	*(1) Most recent surveys*				*(2) 1992 surveys*		
	Year	*Average daily traffic volumes*	*Average peak hourly flows AM*	*PM*	*Average daily traffic volumes*	*Average peak hourly flows AM*	*PM*
Toome Bridge	1997	17,667	1,652	1,737	12,990	960	1,350
Agivey Bridge	1996	3,130	220	300	2,910	n/a	n/a
Bann Bridge, Portglenone	1997	8,500	663	696	n/a	n/a	n/a
Sandleford Bridge	1995	20,720	n/a	n/a	15,150	n/a	n/a
Kilrea Bridge	n/a	n/a	n/a	n/a	n/a	n/a	n/a

n/a = Not available.

The following table provides details, where available, on the average daily traffic volumes and average peak hourly flows (am and pm) on each of the bridges as determined by:

PQ 1215—Traffic flows—Swanns Bridge, Roe Bridge, and Dungiven Bridge

		(1) Most recent surveys			(2) 1992 surveys		
Name of bridge	*Year*	*Average daily traffic volumes*	*Average peak hourly flows AM*	*PM*	*Average daily traffic volumes*	*Average peak hourly flows AM*	*PM*
Roe Bridge	1996	16,180	1200	1380	15,030	No figures available	
Dungiven Bridge	1996	10,240	780	950	8,450	No figures available	
Swanns Bridge		No figures available			No figures available		

The most recent traffic data available in respect of Linenhall Street and Connell Street, Limavady are those of an 1991 traffic survey. Details, where available, are provided in the following table:

PQ 1219—Traffic flows—Linenhall Street, and Connell Street, Limavady

		Most recent survey		
Location	*Year*	*Average daily traffic volumes*	*Average hourly peak flows AM*	*PM*
Linenhall Street	1991	[1]8,874	933	951
Connell Street	1991	No figures available	748	1,065

[1] Based on a 10 hour count 1989.

Farmers and Farm-workers

Mr. William Ross: To ask the Secretary of State for Northern Ireland what studies she has *(a)* commissioned and *(b)* evaluated into the age structure of (i) full-time farmers and farm-workers and (ii) part-time farmers in Northern Ireland; how many (A) males and (B) females there are in each such category; and what were the figures (1) five, (2) 10 and (3) 15 years ago. [17356]

Mr. Paul Murphy: Information on the age structure of full and part-time farmers and farm-workers is collected in periodic EU Structure Surveys, the latest of which was carried out in 1997.

The numbers requested in part (II) of the question are:

	Full-time farmers and farm-workers		*Part-time farmers*	
Year	*Male*	*Female*	*Male*	*Female*
1997	20,835	1,487	12,693	1,886
1992	23,680	3,133	10,675	3,334
1987	26,774	3,632	9,517	3,029
1982	28,759	4,641	9,181	2,902

EDUCATION AND EMPLOYMENT

Remploy

Miss Melanie Johnson: To ask the Secretary of State for Education and Employment if he will make a statement on Remploy's performance against the targets set in its 1996–97 annual performance agreement. [17926]

Mr. Alan Howarth: Now that Remploy has published its Annual Report and Accounts for 1997 and audited figures are available, I am, on behalf of my right hon. Friend the Secretary of State for Education and Employment, delighted to confirm that Remploy has exceeded its 1996–97 targets. The targets and achievements are listed in the following table. Copies of Remploy's 1997 Annual Report and Accounts are available in the Library.

	Target	*Achievement*
The average number of disabled people employed by Remploy:	At least 9,400	9,662
Average number of disabled people employed under the Interwork scheme:	At least 2,400	2,704
The number of disabled employees to move from Remploy factories to Interwork having been employed there for at least 1 year, or from Interwork or factories to open employment:	At least 175	182
Remploy will keep within a unit cost target (operating deficit per disabled worker) of:	£10,170	£9,967
The unit cost of Interwork to be no more than:	£4,540	£4,230
Remploy to keep within an operating deficit (including reorganisation costs) of:	£99 million	£98.9 million

EU Education Council

Ms Buck: To ask the Secretary of State for Education and Employment what were the outcomes of the Council of EC Education Ministers held on 20 November. [17927]

Mr. Andrew Smith: The Council of Education Ministers, at which my noble Friend the Minister of State, Department for Education and Employment and my hon. Friend the Minister for Education and Industry, Scottish Office represented the UK, made a declaration on respect for diversity and the fight against racism and xenophobia. The Council agreed in principle the texts of a resolution on the early learning of the languages of the European Union; of conclusions on the evaluation of the quality of school education; and, subject to a UK Parliamentary scrutiny reservation, of a common position on a draft recommendation on European co-operation in higher education quality assurance. The Council gave a second reading to a European Commission proposal to increase the budget of the SOCRATES education programme. In

this it restated its view that the programme budget should be increased from 850 million ecu[1] to 875 million ecu[2] over five years.

The Council heard European Commission presentations on the communication "Towards a Europe of Knowledge" and the EURYDICE publication "Key Data on Education in the European Union 1997".

After the Council, European Union Education Ministers held a meeting with Education Ministers of the associated countries of Central and Eastern Europe to discuss matters of mutual interest.

The Council minutes will be placed in the Library as soon as they became available.

[1]£580 million at £1 = 0.6.825 ecu.

[2]£597 million at £1 = 0.6.825 ecu.

Higher and Further Education (Top-up Fees)

Ms Stuart: To ask the Secretary of State for Education and Employment if he will take steps to prohibit the charging of top-up fees by institutions of higher and further education. [17600]

Dr. Howells: My right hon. Friend has made it clear that top-up fees play no part in the Government's plans for higher education and that no university or college should proceed on the basis of introducing such additional fees. We are considering whether or not it is necessary to seek legislation on this issue.

Education Authority Spending

Mr. Laurence Robertson: To ask the Secretary of State for Education and Employment if he will list for each local education authority in England for the three most recent years *(a)* actual expenditure on service strategy and regulation, *(b)* actual expenditure within the general schools budget on education, management and administration, *(c)* the outturn expenditure within the general schools budget, *(d)* the outturn expenditure within the potential schools budget, *(e)* the outturn expenditure within the aggregate schools budget and *(f)* the number of pupils in primary and secondary schools. [16058]

Mr. Byers *[holding answer 17 November 1997]:* Tables containing the information requested have been placed in the Library. These are derived from *(a)* the revenue outturn form RO1 return collected by the Department of the Environment, Transport and the Regions, for the financial years 1993–94, 1994–95 and 1995–96; *(b)* to *(e)* the outturn statements produced by local education authorities under section 42 of the Education Reform Act 1988, for the financial years 1993–94, 1994–95 and 1995–96; *(f)* returns made by schools to the Department in January 1995, 1996 and 1997 (Annual Schools Census–Form 7).

Employment Service

Mr. Kidney: To ask the Secretary of State for Education and Employment what exception there are to his policy of compelling employees of the Employment Service to retire at 60 years of age; and if he will make a statement. [17164]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. David Kidney, dated 25 November 1997:

The Secretary of State has asked me to reply to your question asking what exceptions there are to the policy of retiring employees of the Employment Service at 60 years of age. This is something which falls within the responsibilities delegated to me as Chief Executive.

Age retirement policy is common across the whole of the Department for Education and Employment, including the Employment Service. The background to the policy is that, following the merger of the former Departments for Employment and Education in 1995, there was a need to ensure a common retirement policy across the new Department.

There had, for a number of years, been a policy that staff working in the former Employment Department Group, including the Employment Service, were retained beyond their 60th birthday only where there was an operational need and the person concerned was fully fit and efficient. This same policy was adopted across the Department for Education and Employment and is a common policy across most Civil Service departments.

If, when an individual reaches age 60, there is no ongoing need for their service they will be retired. Where, however, there is an operational need for the individual to remain in employment they are invited to do so. The criteria for retaining individuals beyond their 60th birthday are that:

a clear operational need exists;

the individual is carrying out their duties effectively;

they have no known health problems;

their retention will not lead to serious promotion blockages;

there are no suitable surplus staff in the individual's grade/pay band or location who could be redeployed into that post.

In addition, where there are temporary employees filling posts which could instead be filled by retaining permanent staff beyond age 60, the contracts of temporary employees will be terminated in favour of retaining permanent members of staff.

These criteria are published in the "ES and You", the Employment Service's staff terms and conditions handbook. Since December 1996, the Employment Service has in fact retained more staff beyond age 60 than were retired at that age.

I hope this information clarifies the circumstances in which people are invited to remain in employment beyond their 60th birthday within the Employment Service.

New Deal

Mr. Pickthall: To ask the Secretary of State for Education and Employment what criteria were used for choosing West Lancashire as an area where the lead role in delivery of the New Deal would be offered to the private sector. [16864]

Mr. Andrew Smith: We have invited the private sector to lead the organisation and delivery of New Deal in a total of ten locations. The competition to identify private sector lead organisations in the two pathfinder areas of Hackney and City and South Humber is complete. The additional eight areas were selected on the basis of a judgment as to where a private sector led partnership would have most to contribute.

Mr. Rowlands: To ask the Secretary of State for Education and Employment (1) if he will list for each employment district in *(a)* Wales and *(b)* England in which he intends to contract out the management of the

welfare to work programme those contracts which will be the subject of public tender or invitation to tender; and which companies have been invited to tender; [16951]

(2) if he will list those employment districts in *(a)* Wales and *(b)* England in which he proposes to contract out the management of the welfare to work programmes; and what is the estimated value of each contract. [16950]

Mr. Andrew Smith *[holding answer 20 November 1997]:* The essence of New Deal delivery is partnership between a wide range of public and private sector organisations to provide opportunities to meet the needs of the local client group. Effective local partnerships have an invaluable contribution to make, whatever the lead responsibilities for delivery. Detailed delivery plans for each New Deal unit of delivery will be available in the public domain once approved. Plans for 12 pathfinder districts are in the process of being made available now, and those for the bulk of remaining districts will be available during December.

We have specifically invited the private sector to lead the organisation and delivery of New Deal in a total of 10 locations. The competition in the first two pathfinder areas (Hackney and City and South Humber) is now complete. Advertisements seeking expressions of interest have been published for the other eight, with a view to announcing the remaining lead organisations to work with the Employment Service by the end of February 1998. In Wales, the private sector will lead in Bridgend and Glamorgan Valleys. In England, the locations are West Lancashire, Leicestershire, Solihull, Colchester, Tyneside North and Exeter and East Devon.

We cannot say at this stage which specific organisations will compete for contracts or their potential value because these depend on responses to the various competitions, the delivery arrangements proposed and the number of young people who will participate within the New Deal.

Mr. Alasdair Morgan: To ask the Secretary of State for Education and Employment (1) for what reasons bidding for the contract to lead the organisation and delivery of New Deal to 18 to 24 year olds in Scotland, England and Wales is restricted to private sector organisations; [17349]

(2) if the bidding process will allow for the management of New Deal in Scotland to be carried out separately, and by a different organisation, from that in England and Wales. [17350]

Mr. Andrew Smith: New Deal will be organised through a wide variety of arrangements, designed to reflect the diversity of local circumstances and the expertise of those who can help in its delivery. This means different options for the management of New Deal are welcome.

The private sector has offered an impressive range of innovative proposals for helping young people back to work. The Government are keen to harness this creativity to provide quality opportunities through which young people can improve their employability. We have therefore invited bids from the private sector, under contract to the Employment Service (ES), to lead the delivery of New Deal in a total of 10 locations where it is judged that a private sector led partnership would have most to contribute. I would expect the private sector organisations selected to work closely with local public and private sector bodies to make a success of the New Deal.

The bidding process allows for the management arrangements to be separated, and for separate organisations to be involved, in each of the private sector lead locations, including in Scotland. It does not, however, require it as the bids for each area will be assessed on their merits.

In other areas, private sector or public sector consortia may also emerge as a result of discussions amongst prospective partners at a local level. In these cases, responsibility for the overall management of New Deal in that locality may rest with any member/members of the consortium under contract to the ES. A third option is that the ES directly manages New Deal Delivery.

In all cases, the ES remains accountable for the delivery of New Deal.

Secondary Schools (Selection Process)

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the secondary schools which are partially selective, indicating those which band their intake; and if he will make a statement. [17762]

Ms Estelle Morris: The Department does not hold comprehensive information on partially selective schools or those which band their intake. Information is available only on those schools which since 1989 have had statutory proposals approved to introduce partial selection and those grant maintained schools which received approval to select up to 10 per cent. of their pupils on the basis of ability or aptitude in certain specified subjects between January 1989 and August 1996. This is provided in the following tables.

Proposals to Introduce Partial Selection Approved since 1989

LEA area	*School name*	*Type of selection*
Grant maintained		
Barnet	Mill Hill County High School	30 per cent. by aptitude for technology
Bromley	Hayes GM Secondary School	25 per cent. selection by ability
Berkshire	Southlands School	One selective form of entry (18 per cent.)
Dorset	Budmouth GM School	10 per cent. selection by ability
Hammersmith and Fulham	London Oratory School	20 boys at age 7 on musical and general ability
Hertfordshire	Watford Grammar School for Girls	50 per cent. selection by ability
Hertfordshire	Watford Grammar School for Boys	50 per cent. selection by ability
Hertfordshire	Parmiters School	50 per cent. selection by ability
Hertfordshire	Rickmansworth School	50 per cent. selection by ability
Hertfordshire	Chancellors School	10 per cent. partial selection
Kent	Homewood School	20 per cent. selection by ability
Kingston	Holy Cross School	15 per cent. selection by ability
Lambeth	Archbishop Tenison's GM School	banding including 40 per cent. of above average ability
Lambeth	St. Martin in the Fields High School	
Lambeth	Dunraven GM School	

Proposals to Introduce Partial Selection Approved since 1989

LEA area	*School name*	*Type of selection*
Surrey	Roseberry GM Girls's School	30 per cent. selection on academic ability and 10 places on aptitude for music
Wandsworth	Graveney GM School	50 per cent. selection by ability
Wandsworth	Burntwood School	50 per cent. selection by ability
County		
Wandsworth	Ernest Bevin School	Partial Selection
Wandsworth	Chestnut Grove School	Partial Selection
Wandsworth	Battersea Technology College	Partial Selection

Grant maintained schools introducing selection of up to 10 per cent. of their intake between July 1989 to August 1996

LEA	*School*	*Nature of change*
Havering	Abbs Cross School	10 per cent. Music
Bromley	Beaverwood Girls School	10 per cent. Performing Arts (Music and Dance)
Kingston Upon Thames	Beverley School	10 per cent. Art or Music
Hertfordshire	Bishop's Stortford School	10 per cent. Music, Sport or Drama
Kent	Canterbury High School	10 per cent. Music
Kensington and Chelsea	Cardinal Vaughan Memorial School	10 per cent. Music
Hertfordshire	Chancellors School	10 per cent. Music, Drama or Sport
Kent	Charles Dickens High School	10 per cent. Music
Kent	Chatham Grammar School for Girls	10 per cent. Music, Sport or Drama
Norfolk	Cliff Park High School	10 per cent. Music
Bromley	Cooper's School	10 per cent. Music, Drama, Dance or Sport
Hampshire	Crofton School	Five places Music
Hertfordshire	Dame Alice Owen School	10 per cent. Music or Sport
Kent	Dane Court Grammar School	10 per cent. Music, Sport, Drama or any unusual talent
Cambridgeshire	Deacons School	10 per cent. Technology
Lambeth	Dunraven School	10 per cent. Music
Enfield	Enfield Grammar School	10 per cent. Music or Sport
Hertfordshire	Goffs School	10 per cent. Music, Drama, Sport or Languages
Surrey	Heathside School	10 per cent. Music or Sport
Barnet	Hendon School	10 per cent. Music
Hertfordshire	Hertfordshire and Essex High School	10 per cent Music, Sport or Drama
Surrey	Hinchley Wood School	10 per cent. Music
Bromley	Kemnal Manor School	10 per cent. Technology
Essex	King Edward VI Grammar School	Three places for Choristers
Cambridgeshire	Kings' School	10 per cent. Music and Choristers
Lambeth	La Retraite School	10 per cent. Music
Camden	La Sainte Union Convent School	10 per cent. Music
Kent	Langley Park School for Boys	10 per cent. Music or Sport
Hertfordshire	Leventhorpe School	10 per cent. Music
Lincolnshire	Lincoln Christ's Hospital School	10 per cent. Music
Barnet	Mill Hill County School	10 per cent. Music
Hertfordshire	Queen's School	10 per cent. Music, Art or Sport
Kent	Rainham Mark Grammar School	10 per cent. Music, Sport, Drama or any unusual talent
Essex	Ramsford High School	10 per cent. Music or Drama
Kent	Robert Naipier School	10 per cent. Music, Sport, Drama or any unusual talent
Kent	St. George's CE School	10 per cent. Music
Surrey	Thamesmead School	10 per cent. Music
Essex	Ursuline Convent School	10 per cent. Music
Kent	Westland High School	10 per cent. Music
Surrey	Winston Churchill School	six per cent. Music
Norfolk	Wymondham College	10 per cent. Music

Grammar Schools (Admissions)

Mr. Don Foster: To ask the Secretary of State for Education and Employment (1) how many consultation letters on the future admission arrangements for grammar schools were sent out; how many responses were received; what assessment he has made of the consultation from these answers; and if he will make a statement; [17759]

(2) how many responses to the consultation letter on future admission arrangements for grammar schools were received from *(a)* grammar schools, *(b)* non-selective secondary schools, *(c)* primary schools, *(d)* local education authorities with grammar schools and *(e)* local education authorities without grammar schools; and if he will make a statement. [17760]

Mr. Byers: The Department issued the consultation letter initially to the 164 schools which we had identified as grammar schools and to the 37 local education authorities which currently have or will have grammar schools in their areas from next April. Many LEAs circulated the letter to schools in their area. Thereafter copies of the letter were made available on request. We estimate that around 200 additional copies of the letter were issued.

Some 1,100 responses were received. Of these:

176 were from the headteacher and/or chair of governors of a grammar school

30 were from other secondary schools

16 were from primary schools

25 were from LEAs (including shadow authorities) with grammar schools

3 were from LEAs without grammar schools

over 800 were from others

We are currently considering the responses as a basis for deciding the best way of taking forward the framework we have proposed.

School Tests (Costs)

Mr. Don Foster: To ask the Secretary of State for Education and Employment what was the cost of the National Testing System for seven year olds, (i) in total and (ii) broken down into costs for *(a)* printing, *(b)* postage of the test papers, *(c)* payments to external markers and *(d)* fees charged by the company which processes the results in the last year for which figures are available; and if he will make a statement. [17761]

Ms Estelle Morris: The estimated overall costs of implementing the 1997 tests for seven year olds in English and mathematics was some £22 million. This included: *(a)* printing costs of around £900,000; *(b)* distribution costs of around £300,000; and *(c)* external marking costs of around £3,000. There are no estimates for the cost of data collection; the Key Stage 1 results for maintained schools are collated by LEAs (or by an accredited agency for GM schools) for reporting to the Department.

The Government are committed to raising standards and the National Curriculum tests for seven year olds play an important part in this.

INTERNATIONAL DEVELOPMENT

Bosnia and Herzegovina

Sir Alastair Goodlad: To ask the Secretary of State for International Development if she will list the aid currently being given by her Department to entities in Bosnia and Herzegovina. [17754]

Clare Short: In the current financial year my Department is providing £18.75 million to Bosnia and Herzegovina, made up of £17 million in reconstruction and humanitarian assistance, and £1.75 million through the Know How Fund. Spending benefits both entities in broadly equal proportions.

Land Mines

Sir Alastair Goodlad: To ask the Secretary of State for International Development what assistance her Department is giving to demining operations in (i) Angola, (ii) Laos, (iii) Cambodia and (iv) the Falkland Islands. [17750]

Clare Short: Since 1991, some £9.6 million has been spent bilaterally in supporting demining activities in Angola, Cambodia and Laos.

My Department is currently supporting trials of an anti-personnel land mine detector in Angola. a composite programme of data gathering, clearance and community awareness of unexploded ordnance in Laos and several programmes in Cambodia, including support to develop national capacity in demining and projects on clearance, community awareness and assistance to mine victims. My Department has not allocated resources for demining in the Falkland Islands.

Our projects are co-ordinated with the substantial resources allocated by the European Community, which are partly attributed to my Department.

Technology Foresight

Dr. Starkey: To ask the Secretary of State for International Development in what way the Department's research priorities have been modified in response to Technology Foresight. [17462]

Clare Short: The first phase of the Technology Foresight Programme did not address development issues to any significant extent. I have asked that the next phase be relevant to growing markets in the developing world. I hope that Foresight will broaden its agenda to accommodate the principles of the White Paper on International Development.

Dr. Starkey: To ask the Secretary of State for International Development what Technology Foresight priorities are being taken into account in the forward planning of her Department's scientific research programme. [17469]

Clare Short: My Department is working closely with the Office of Science and Technology to ensure that the principles espoused in the Government's White Paper on International Development (Cm 3789) are accommodated in the Technology Foresight programme. My hon. Friend the Under Secretary of State for International Development will be a member of the recently announced Ministerial group which will co-ordinate the Foresight programme.

Sierra Leone

Mr. Hesford: To ask the Secretary of State for International Development if she will make a statement on the timetable for the Government's release of funds for overseas aid projects through non-governmental agencies for projects within Sierra Leone. [17410]

Clare Short: The time scale for resumption of normal aid to Sierra Leone, provided through non-governmental agencies, will depend on progress in establishing peace and the return of the democratically elected government of President Kabbah.

Principles and guidelines for the provision of humanitarian aid have been established by the Office of the United Nations Humanitarian Co-ordinator for Sierra Leone. Funding is being provided through the European Community Humanitarian Office and my Department is also considering bilateral support through the International Committee of the Red Cross.

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for International Development what is her estimate of the expenditure by *(a)* her Department, *(b)* its agencies and *(c)* its non-departmental public bodies on official hospitality for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997. [15262]

Clare Short *[holding answer 12 November 1997]:* Expenditure on hospitality made by the Department for International Development and its agency, the Natural Resources Institute (NRI), for the years requested is as follows:

	DFID	*NRI*	*Total (£s)*
1991–92	12,375	4,813	17,188
1992–93	12,203	4,914	17,117
1993–94	12,137	4,914	17,089
1994–95	21,246	2,566	23,812
1995–96	22,742	3,260	26,002
1996–97	24,122	—	24,122
1997 to 30 September 1998	8,827	—	—

NRI was transferred to private ownership in 1996–97.

Figures for years prior to 1991–92 cannot be provided without incurring disproportionate costs.

Former Yugoslavia

Mr. Bruce George: To ask the Secretary of State for International Development what was the level of spending on small community-based projects organised by IFOR and SFOR troops in former Yugoslavia in each of the last two financial years; what is the projected spending on these programmes in the current and next financial year; and if she will make a statement. [16230]

Clare Short: In 1996–97, the first year of operating such projects, my Department spent £7 million. This financial year the budget is £2.5 million. We are currently considering the scope for a further programme next year, redesigned to focus more on support for refugee return and reconciliation.

Aid (Human Rights)

Mr. Rowlands: To ask the Secretary of State for International Development if she will list those countries to which development assistance has been *(a)* curtailed and *(b)* suspended on grounds of the human rights record of the government of that state. [17317]

Clare Short: Since May 1997, aid from my Department's budget to Sierra Leone has been suspended, although we continue to assist the elected government which is now in exile. Aid also remains suspended through the governments of countries such as Burma, Nigeria and Sudan. In these cases, the regimes' records on human rights were one of the factors taken into account in our decisions. I have announced the outcome of my review of aid to Indonesia. In Belarus, in accordance with EU policy, we will not work through state organisations in future and will provide only humanitarian or regional support or support which directly promotes the process of democratisation. In countries where aid through central official channels has been suspended, we retain our aim of helping to eliminate poverty and will pursue this by working through NGOs and local government. We thereby also show our solidarity with oppressed peoples.

Where we retain official aid, we may also wish to modify the pattern of aid, including possibly curtailing aid, in response to a number of short or longer term factors, including human rights. This is a continuous and general process and it is often difficult to draw out any one factor as critical to the outcome.

Indonesia

Dr. Tonge: To ask the Secretary of State for International Development what assessment she has made of the implications of the US $23 billion IMF package for Indonesia for the human rights situation in that country. [16045]

Mrs. Liddell: I have been asked to reply.

Indonesia's tough programme of reform marks an important step in the process of restoring confidence in financial markets in South-East Asia. It commits the Suharto government to a tight financial framework, together with a number of measures to tackle structural economic weaknesses and open the economy. We fully support these measures, which will lead to improved quality of governance and transparency in policy implementation. This should allow Indonesia to maintain its high rate of economic growth, and contribute to the benefits of growth being widely shared in all sectors of the population.

The programme will be supported by loans of $18 billion–$10 billion from the IMF $4½ billion from the World Bank and $3½ billion from the Asian Development Bank. The remaining part of the projected $23 billion financing need will involve use of Indonesia's own external assets. We support this exceptional access to IMF resources, particularly in view of the prudent macroeconomic policies which Indonesia has pursued over a long period of time.

DEFENCE

Contingency and Operational Procurement Exhibition

Ann Clwyd: To ask the Secretary of State for Defence if the MOD inspectors who investigated the recent COPEX were provided with an attendance list of military, security and police officials and delegations; which of these delegations were from countries whose military, security and police units have records of human rights violations; and if he will make this attendance list available. [14370]

Mr. Spellar: MOD inspectors were not provided with an attendance list.

Gulf War Syndrome

Mr. Llew Smith: To ask the Secretary of State for Defence, pursuant to the oral answer of 3 November 1997, *Official Report*, column 14, to the hon. Member for South Derbyshire (Mr. Todd), if he will place in the Library copies of *(a)* the minutes of the meeting with the joint inter-agencies on Gulf War syndrome and *(b)* all documents provided to his Department from the United States authorities on Gulf War syndrome. [14714]

Dr. Reid: The Government are committed to co-operating very closely with the US authorities on this issue and regularly exchange information with our US colleagues. We are equally committed to being open in the dealings with Gulf veterans, and have pledged to make all relevant information available. A wide range of documentation issued by the US authorities is already publicly available. However, information contained within documents received in confidence from a foreign Government is covered by exemption 1 of the Code of Practice on Access to Government Information.

Mr. Llew Smith: To ask the Secretary of State for Defence if, as part of his Department's investigation of Gulf War illness, he will examine the research conducted by Dr. Robert Davies at Taunton Hospital into the contribution made by exposure to organophosphate pesticide. [16848]

Dr. Reid: My Department will continue to take account of all research published in appropriately peer-reviewed medical and scientific journals which may be relevant in taking forward our work to address the health concerns of Gulf veterans. We have not yet seen the results of Dr. Davies' research and await its publication with interest.

Commander John Brookes

Mr. Alan Johnson: To ask the Secretary of State for Defence if he will make a statement about the MOD role of Commander John Brookes in Hull. [16689]

Dr. Reid: It is my Department's policy to prevent the disclosure of information about any person (including a deceased person) or any other disclosure which could constitute or could facilitate an unwarranted invasion of

privacy. I am, accordingly, withholding the information requested under exemption 14 of the Code of Practice on Access to Government Information.

Chatham Dockyard

Mr. Shaw: To ask the Secretary of State for Defence what were the numbers of *(a)* individuals, nationally and *(b)* ex-employees of Chatham Dockyard who (i) registered under the counselling scheme he announced on 4 June, (ii) required, initially, a copy of their past dose record, (iii) elected for counselling directly, (iv) having required a copy of their past dose record, have been advised that no dose records can be found and (v) having required a copy of their past dose record have subsequently elected for counselling. [17422]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Battledress

Mr. Bruce George: To ask the Secretary of State for Defence (1) what are the fire retardant standards of the standard issue battledress issued to serving troops in each of the services; [16222]

(2) what tests were undertaken of the fire retardant standards of materials used to make the current standard issue battledress issued to serving troops; [16223]

(3) what representations he has received as to the quality of items of the standard issue battledress issued to troops in each service; and if he will make a statement; [16224]

(4) what estimate he has made of the cost of issuing battledress with higher fire-retardant standards. [16225]

Dr. Reid: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Stabilisation Force

Mr. Bruce George: To ask the Secretary of State for Defence what provision is made for troops serving with SFOR to phone the United Kingdom. [16219]

Dr. Reid: A Welfare Telephone Allowance, currently £22 per month, is paid to troops as a contribution towards the cost of their telephone calls. A very few troops in isolated locations where it is not commercially viable to install public telephones, do not receive an allowance, but use the Military MENTOR Satellite System to telephone home.

Those troops based at Gorni-Vakuf have access to the BT Satellite Ground Terminal which has a telephone facility incorporated. The remainder make use of the service provided by Terralink Europa under a supported PFI agreement.

The Croatian PTT is also available in Split, but it is more expensive than Terralink Europa.

Mr. Bruce George: To ask the Secretary of State for Defence what allowance is paid to United Kingdom troops serving with SFOR for phone calls; and what data he has collated on allowances paid to troops from other nations for this purpose. [16220]

Dr. Reid: A Welfare Telephone Allowance, currently £22 per month, is paid to troops as a contribution towards the cost of their telephones calls. A very few troops in isolated locations where it is not commercially viable to install public telephone, do not receive an allowance, but instead have access to Military MENTOR Satellite System to telephone home.

Data have not been collated on allowances paid to troops of other nations for this purpose, but pay and general allowances have been researched in the past. Because of differing Terms of Service and different economic factors between nations, it would not be meaningful to compare individual elements of the allowances package such as the telephone allowance.

Mr. Bruce George: To ask the Secretary of State for Defence what is the *(a)* average cost and *(b)* range of costs per minute of phone calls to the United Kingdom made by troops stationed in Multi-national Division (South West) of SFOR. [16221]

Dr. Reid: The average cost of a telephone call from MND SW to the United Kingdom is approximately 87p a minute.

The range of costs are as follows:

(a) Terralink Europa—60p a minute.

(b) British Telecom—90p per minute.

(c) PTT (Public Telephone)—95p per minute.

Mr. Bruce George: To ask the Secretary of State for Defence what the average case load is of consultant-level surgeons and physicians serving with SFOR. [16226]

Dr. Reid: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Mr. Bruce George: To ask the Secretary of State for Defence if he will make a statement on the average number of nights out of bed experienced by troops serving with SFOR. [16228]

Dr. Reid: Every night that an individual does not spend at his or her unit's permanent station is classified as a night out of bed. Technically, therefore, personnel serving in former Yugoslavia spend nights out of bed for the duration of their deployment.

The average number of nights which troops currently serving in former Yugoslavia have spent away from their base in that country is 1.38 per week. Such absences occur for a variety of reasons, most notably the requirement to patrol.

Mr. Bruce George: To ask the Secretary of State for Defence how many chaplains are serving with United Kingdom troops in SFOR; if this represents a normal full complement; and if he will make a statement. [16391]

Dr. Reid: There are currently eight Army chaplains serving alongside United Kingdom troops in the NATO-led stabilisation force in Bosnia. This represents a normal complement in relation to the number of major units and soldiers deployed there. In addition, Royal Air Force (RAF) chaplains make regular visits to RAF personnel thereby providing them with full pastoral support; and Royal Navy chaplains accompany ships and Royal Marine units when they are deployed in theatre.

Fox Hunting

Mr. Corbett: To ask the Secretary of State for Defence how many times in each of the last five years the hunting of foxes with hounds has taken place in each named location forming part of his Department's estate. [17732]

Mr. Spellar: This information is not held centrally and could be provided only at disproportionate cost. The Salisbury Plain Training Area and the Otterburn Training Area are, however, the most frequently hunted parts of the Defence Estate.

Mr. Corbett: To ask the Secretary of State for Defence by what means fox numbers on his Department's estate are reduced other than by hunting with hounds. [17731]

Mr. Spellar: In addition to hunting with hounds, fox numbers are reduced on the Defence Estate through licensed individuals and organisations, generally through shooting.

Mr. Corbett: To ask the Secretary of State for Defence if he will list those parts of his Department's estate by name where most foxes have been killed by hounds in each of the last five years, giving the number of foxes so killed in each case. [17734]

Mr. Spellar: Although this information is not held centrally and could be provided only at disproportionate cost, we believe that a large proportion of the foxes killed by hounds on the Defence Estate are taken on the Salisbury Plain Training Area and the Otterburn Training Area.

Mr. Corbett: To ask the Secretary of State for Defence if he will estimate the number of foxes killed *(a)* by hounds and *(b)* by other means on his Department's estate in each of the past five years. [17733]

Mr. Spellar: The information requested is not held centrally and could be provided only at disproportionate cost. We estimate, however, that some 350-400 foxes are killed on the Defence Estate each year by hunting with hounds, and that approximately three times this number are accounted for by other means.

Strategic Defence Review

Mr. Bruce George: To ask the Secretary of State for Defence if he will make a statement on the projected timetable for stages of the Strategic Defence Review. [16229]

Mr. George Robertson: In my speech to the House on 27 October 1997, *Official Report*, columns 609–20, I outlined the emerging conclusions of the first phase of the Review, which looked at the foreign and security policy framework. The Review now is looking at missions of our forces, military tasks, future force structures and capabilities, procurement, and a wide range of efficiency-related issues. Once all work on the Review has been considered by Ministers we will publish a White Paper setting out our overall conclusions. I envisage that this White Paper will be published in the first part of next year.

Porton Down

Mr. Livingstone: To ask the Secretary of State for Defence for what reasons the number of animal experiments at the chemical and biological defence establishment, Porton Down, has increased since 1993. [14306]

Mr. Spellar: This is a matter for the Chief Executive of the Chemical and Biological Defence Sector at Porton Down. I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Ken Livingstone, dated 25 November 1997:

I have been asked to respond to your question on animal experiments as Chief Executive of the Defence Evaluation and Research Agency which has responsibility for the Chemical and Biological Defence Sector at Porton Down.

In the years up to 1993 there has been, in general, a downward trend in the number of animal experiments conducted at CBD. However, the number of experiments conducted each year depends o the requirements of the MOD programme, and since 1993 there has been an increase in the numbers of animals used.

This increase does not represent any change in the policy of CBD which is committed to reducing animal experimentation wherever possible. The increase has resulted from the identification during the Gulf conflict of a heightened biological and chemical threat to UK forces, and the need to develop new and improved medical countermeasures to strengthen UK defence capabilities.

The majority of the results arising from this work will be published in the open literature.

UK Hydrographic Office

Mr. Kidney: To ask the Secretary of State for Defence what key targets have been set for the United Kingdom Hydrographic Office defence agency for 1997–98. [17934]

Mr. Spellar: The key targets set for the UK Hydrographic Office in 1997–98 are as follows:

1. To process and promulgate priority safety information within stated time scales from receipt of data.
2. To achieve 100 per cent. of the endorsed and funded Defence Programme to cost, quality and timeliness targets as defined in Tasking Authorisation Forms (TAFs).
3. To meet short-notice Defence operational requirements within agreed time scales.
4. To meet market requirements for products by maintaining availability levels for charts at 98 per cent. for civil customers and 100 per cent. for defence customers.
5. To break even taking one year with another.
6. To achieve an average Return on Capital Employed (ROCE) during the Plan period of 7.5 per cent.
7. To achieve efficiency savings of 13.5 per cent. of controllable costs (based on controllable costs for FY 1995–96) by 31 March 2001.

SCOTLAND

European Union

Mrs. Gorman: To ask the Secretary of State for Scotland what is his policy on the establishment of direct Scottish representation to the European Union institutions; and if he will make a statement. [16986]

Mr. Dewar: The Government's policy on the establishment of a Scottish Executive representative office in Brussels is set out in Chapter 5.10 of the White Paper, "Scotland's Parliament".

Road Accident Reports

Mr. Wallace: To ask the Secretary of State for Scotland what information he has collated on the number of outstanding road accident reports requiring to be considered by each local authority in Scotland under section 39(3)(a) of the Road Traffic Act 1988, as at 1 November. [16487]

Mr. Dewar: This information is not collected centrally.

Health Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will estimate the total real level of his Department's planned expenditure on health in 1995–96 prices in *(a)* 1997–98 and *(b)* 1998–99; and what such figures were for (i) 1997–98 and (ii) 1998–99, following the November 1996 Budget on the basis of the estimates of the GDP deflator contained in that Budget. [17564]

Mr. Galbraith: The figures requested for expenditure on health within the Control Total are as follows: *(a)* £4,160.9 million, *(b)* 4,222.5 million, (i) 4,184.4 million and (ii) 4,194.6 million.

Substance Abuse

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland how many convictions there have been in each of the past five years for the common law offence of supplying volatile substances in the knowledge that they would be abused. [17288]

Mr. McLeish *[holding answer 24 November 1997]:* Over the period concerned no one has been recorded as having a charge proved where the "reckless supply of solvents" was the main offence. The table below provides information on the number of persons with a charge proved where the main offence was "reckless conduct" and "culpable and reckless conduct", which are common law offences under which the supply of volatile substances in the knowledge that they would be abused may also be charged. It is not known how many, if any, of these figures involved solvents.

Number of persons with a charge proved in Scottish courts where the main charge is "reckless conduct" or "culpable and reckless conduct", 1991–1995

1991 : 72
1992 : 104
1993 : 104
1994 : 100
1995 : 124.

Manslaughter

Mr. Swinney: To ask the Secretary of State for Scotland what has been the average custodial sentence applied for manslaughter in Scotland in each year since 1990; and if he will make a statement. [17085]

Mr. McLeish: There is no offence of manslaughter in Scotland. The corresponding offence in Scotland is the common law offence of culpable homicide. The available information is given in the table.

Average sentence length where the main offence was the common law offence of culpable homicide, Scotland, 1990 to 1995

Year	Number of persons given non custodial sentences	Number of persons sentenced to custody	Average sentence length for those given determinate custodial sentences (months)	Number of persons given life sentences
1990	13	30	60.0	—
1991	13	29	90.7	1
1992	9	41	80.6	3
1993	8	39	68.7	—
1994	7	33	85.8	—
1995	5	37	69.4	2

WALES

Farm Incomes

Mr. John Smith: To ask the Secretary of State for Wales what plans the Government has to compensate farmers for the effects of currency fluctuations. [17047]

Mr. Win Griffiths: Paying the compensation aid for currency fluctuations would have significant implications for UK public expenditure. We are currently keeping the case for payment under review, but on the evidence currently available, have concluded that the case for payment is, at present, not proven.

Cattle Prices

Mr. John Smith: To ask the Secretary of State for Wales what action he proposes to take to address the recent reductions in cull cow prices. [17046]

Mr. Win Griffiths: The majority of cull cows go through the Over Thirty Months Scheme (OTMS). The Government will spend more than £300 million this year on OTMS compensation and disposal.

Compensation rates, and the scheme in general, are kept under review in the light of new scientific advice, market movements and costs.

Health Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Wales if he will estimate the total real level of his Department's planned expenditure on health in 1995–96 prices in *(a)* 1997–98 and *(b)* 1998–99; and what such figures were for (i) 1997–98 and (ii) 1998–99, following the November 1996 Budget on the basis of the estimates of the GDP deflator contained in that Budget. [17565]

Mr. Win Griffiths: The figures requested on spending plans for the NHS are as follows.

Current planned spending on the NHS total at 1995–96 prices on the basis of the current Treasury deflator for 1997–98 and 1998–99 is *(a)* £2,227 million and *(b)* £2,262 million.

Planned spending at November 1996 at 1995–96 prices and the deflator in use then was (i) £2,240 million for 1997–98 and (ii) £2,245 million for 1998–99.

Further Education

Mr. Evans: To ask the Secretary of State for Wales what is his estimate of the number of whole time equivalent students in *(a)* higher and *(b)* further education in 2000. [17307]

Mr. Hain: Targets for the number of student places to be funded through the Welsh Funding councils in 2000–01 will be set in the light of future resource decisions taken by the Department and the Welsh Assembly. Further places will be funded by students themselves and through Government initiatives such as the New Deal.

European Union

Mrs. Gorman: To ask the Secretary of State for Wales what is his Department's policy on the establishment of direct Welsh representation to European Union institutions; and if he will make a statement. [16960]

Mr. Ron Davies: The Government's policy on the extent to which the Welsh Assembly would be represented in European Union institutions is set out in paragraphs 3.51, 3.52 and 3.53 of the White Paper "A Voice for Wales".

Secondary Schools

Mr. Evans: To ask the Secretary of State for Wales if he will list for each secondary school in Conwy County Borough the indication admission number as calculated using the more open enrolment capacity formula. [16643]

Mr. Hain: The information requested is in the following table.

School	*Number on roll*	*More open enrolment number*	*Standard (approved) admission number*	*Comment*
Ysgol John Bright, Llandudno	1,019	1,008	180	—
Ysgol Aberconwy, Conwy.	849	817	153	—
Ysgol Duffryn Conwy, Llanwrst	706	733	200	bi-lingual school
Ysgol Y Creuddyn, Llandudno	623	678	120	Welsh medium
Eirias High School GM, Colwyn Bay	1,326	1,300 (1,450 on completion of building works)	200	Six classrooms presently closed because of extensive building work. Physical capacity of school temporarily reduced
Emrys Ap Iwan GM School, Abergele	1,520	1,367	220	—
Ysgol Bryn Elian GM Colwyn Bay	867	907	161	—

1. Both the LEA Standard Admission Number and the Approved Admission Number (the equivalent for grant-maintained schools) are intended to ensure that schools admit up to the physical capacity of the school. Admission authorities may decide to admit above the number in any particular year.
2. More Open Enrolment Numbers provide an indication only of the capacity of the school.

Welfare-to-work Programme

Mr. Martyn Jones: To ask the Secretary of State for Wales what arrangements have been made to involve the voluntary sector in the welfare-to-work programme in *(a)* Clwyd, South, *(b)* North Wales, *(c)* South Wales, *(d)* West Wales and *(e)* Wales; and if he will make a statement. [16502]

Mr. Hain: Within the Government's welfare-to-work programme, activity in Wales has concentrated on:-

1. New Deal for 18-24 year olds;
2. New Deal for lone parents;
3. Employment Zones

1. *New Deal for 18–24 year olds*

The voluntary sector has played an active role in the design and planning of the New Deal for 18-24 year olds in Wales.

Wales

The Wales New Deal Task Force includes six representatives from the voluntary sector amongst its membership. It has also established a working group specifically on the Voluntary Sector Option of the New Deal for 18-24 year olds and this has enabled a broad range of voluntary sector interests to be engaged in advising on New Deal policy design and delivery.

Representatives from voluntary sector organisations are involved in the strategic partnerships which are developing plans for the implementation of the New Deal in all of the Employment Service Districts in Wales. And events specifically targeted at the voluntary sector have been organised throughout Wales.

Clwyd South

Representatives from the two County Voluntary Councils covering the Clwyd, South constituency, the Association of Voluntary Organisations, Wrexham

(AVOW) and the Denbighshire Voluntary Services Council, are members of the New Deal strategic partnerships.

North Wales

Six local New Deal events have been held, involving 58 voluntary sector organisations, in the Employment Service Districts of North West Wales, North Wales Coast and North East Wales.

South Wales

Eleven local New Deal events have been held, involving 60 voluntary sector organisations, in the Employment Service Districts of Newport, Monmouth and Torfaen, Cardiff and the Vale, Heads of the Valleys and Caerphilly, and Bridgend and the Glamorgan Valleys.

West Wales

Seven local New Deal events have been held, involving 41 voluntary sector organisations, in the Pathfinder area of South West Wales and in Ceredigion, which forms part of the Mid Wales Employment Service District.

2. *New Deal for lone parents*

This is being piloted in South Wales (in the Employment Service District of Cardiff and Vale). Seven voluntary sector organisations participated in the launch of the New Deal for lone parents. The Employment Service is maintaining contact with 20 voluntary sector organisations as the New Deal for lone parents is developed.

3. *Employment Zones*

There is a bid to run a proto-type Employment Zone in North West Wales (covering the Employment Service Districts of North West Wales and the North Wales Coast). 31 voluntary sector organisations were consulted in the production of the bid and 3 voluntary sector organisations are members of the Employment Zone Partnership.

Student Funding

Mr. Öpik: To ask the Secretary of State for Wales if he will make a statement on the yearly level of university funding per student in Wales relative to England, Scotland and Northern Ireland between the financial years 1994–95 and 1998–99. [16931]

Mr. Hain : The information requested is as follows:

Financial years	*Wales*[1]	*England*[1]	*Northern Ireland* £
1994–95	4,984	4,973	5,471
1995–96	4,825	4,976	5,178
1996–97	4,854	4,803	5,002
1997–98	4,699	4,858	4,899

[1]Including dual support transfer to the Office of Science and Technology.

We do not have detailed figures for Scotland. According to the Garrick Report, public expenditure on teaching per full-time and sandwich HE student per year in higher education institutions is approximately 10 per cent. higher in Scotland than in England.

For all countries concerned, the level of funding per student in 1998–99 will depend upon the allocation for higher education within the various Departments' expenditure plans for next year which will be announced in the coming months.

Welsh Assembly

Mr. Rhodri Morgan: To ask the Secretary of State for Wales if the Welsh Assembly will have a cabinet or a committee structure; and if he will make a statement. [17522]

Mr. Ron Davies: Subject to the provisions of the Government of Wales Bill, the Assembly's internal organisation will be a matter for its standing orders. The White Paper made clear that the Assembly will have both subject committees and an executive committee, but the roles of the executive committee, the Assembly leader, subject committees, and subject committee leaders will be a matter for standing orders. I will be appointing Commissioners to prepare the Assembly's first standing orders but the Assembly will be free subsequently to amend these; in so doing, and subject to the requirements of the Government of Wales Bill, it will be free to adopt such forms of internal organisation as it considers appropriate.

Ministerial Meetings

Mr. Ancram: To ask the Secretary of State for Wales how many individuals or organisations, corporate or otherwise, he and his Ministers have met in their official capacities since 2 May who have or had donated £5,000 or more to the Labour Party in the last two years; and if he will list them. [17730]

Mr. Ron Davies: The Labour Party's policy on disclosure is to declare the identity of any individual or organisation which, in the course of any one calendar year, makes donations in the aggregate in excess of £5,000. Donations made during 1997 will be declared in 1998. Therefore, the following information refers to qualifying donors in 1995 and 1996.

I have had meetings with representatives of Unison, the GMB and the TGWU; the Under-Secretary, my hon. Friend the Member for Neath (Mr. Hain) has had meetings with representatives of Unison and the CWU and the Under-Secretary, my hon. Friend the Member for Bridgend (Mr. Griffiths) has had meetings with representatives of Unison.

My hon. Friends and I have met my hon. Friend the Paymaster General routinely in meetings of Cabinet Committees.

TRADE AND INDUSTRY

EU Research Council

Mr. Timms: To ask the President of the Board of Trade if she will make a statement on the outcome of the European Union Research Council on 10 November 1997. [18056]

Mr. Battle: I represented the UK at the meeting of the EU Research Council on 10 November 1997.

The meeting made useful progress in resolving outstanding issues in the negotiations on the Fifth Framework Programme for Research and Technological Development. Agreement has now been reached on most issues of scientific and technological content.

The Council agreed conclusions on the management of FP5 which I warmly welcome. Besides outlining the role and functions of programme management committees through which Member States oversee the implementation fo the programme, the conclusions provide for the establishment of advisory groups users of research who will advise on the detailed content of the programme and monitor it strategically as it progresses. It has been a high UK priority to involve users in order to improve the targeting and responsiveness of the programme. The conclusions also welcome the Commission's intention to set time targets for the various steps in the management process, notably proposed evaluation, contract negotiations and payments, which should provide a valuable stimulus to more efficient and streamlined administration.

The Council discussed the question of programme structure. A large number of Member States favour five thematic programmes, on lines proposed by the UK, but consensus on this issue has yet to emerge.

The Council considered the five options for pursuing nuclear fusion research in FP5 put forward by the Netherlands Presidency at the Council's last meeting on 15 May. Broad support emerged for further consideration to be based on the third of these options, under which EU research effort retains the goal of eventual development of a fusion reactor, with a view to the Council reaching a decision on the Commission's proposals at its next meeting in February.

The Council gave final formal agreement to the proposal to increase funding for the Fourth Framework Programme by 115 mecu.

In responding to a presentation by the chair of Eureka (Portugal) on recent progress, I made clear the importance of coordination between European organisations involved in research and drew particular attention to the importance of links between the Community and the European Space Agency.

Foreshadowing the UK presidency, which will begin in January, I urged the Council to make the strongest efforts possible to reach a common position on the Framework decision at its next meeting on 12 February 1998 under my chairmanship. I made clear that the overriding task for the UK presidency in the research area is to make the maximum progress possible with the FP5 negotiations and keep the tight timetable for introducing it on track.

Renewable Energy

Ms Keeble: To ask the President of the Board of Trade if she will make a statement on the outline arrangements for the fifth round of bidding for electricity from renewable sources of energy. [18055]

Mr. Battle: Following consultation earlier this year with the renewable energy trade bodies, and, through the Renewables Working Group, the Office of Electricity Regulation (OFFER) and the Regional Electricity Companies (RECs), I can now announce my outline policy proposals for the fifth Non-Fossil Fuel Obligation for renewables in England and Wales, NFFO-5.

Government policy is to secure additional generating capacity from renewables in order to help them enter the commercial generating market. I am currently carrying out a review of what would be necessary and practicable to achieve 10 per cent. of the UK's electricity needs from renewables by the year 2010. NFFO-5 will therefore become the first step in our new and strong drive for renewables and I expect NFFO-5 will contribute substantially to reducing greenhouse gases and encouraging internationally competitive industries.

I have considered the representations made to my Department on the proposed fifth Order, NFFO-5. Renewable Energy Bulletin No. 7 summarises the submissions which have been made. In the light of these representations, I propose to make a fifth renewables Order (NFFO-5) in the late 1998 in respect of the 12 RECs in England and Wales in their capacity as Public Electricity Supply Licencees. I understand that the RECs expect to initiate the competitive tendering process for NFFO-5 shortly.

For the NFFO-5 Order, I am considering separate bands for new generating capacity from:

Landfill Gas from existing licensed sites where tipping was being carried out prior to 25 November 1997;

Municipal and Industrial Waste, including the use of non-gaseous sewage matter (up to 10 per cent. on a dry-weight basis);

Municipal and Industrial Waste using combined heat and power (CHP), including the use of non-gaseous sewage matter (up to 10 per cent. on a dry-weight basis);

Small Scale Hydro from stations with a total capacity of less than 5 MW DNC;

On-shore Wind Energy, which may be split into separate bands for:

(a) small-clusters/single-machines, with the split-point at 1.0 MW DNC or less, and,

(b) other windfarms not included above.

In setting the size of the Order I will take into account the cost and quality of the proposals received. This new competition is expected to stimulate further reductions in the electricity prices contracted under NFFO but I do not expect such a rapid rate of fall in prices as has happened to date. However, I may decide to omit a band if the cost or quality of proposals received does not justify its inclusion.

I expect projects to demonstrate high standards of environmental performance. This will require developers to consult widely on their project proposals so that their projects meet the concerns of the community likely to be affected.

For example, I expect energy from waste projects to encourage an integrated approach to waste management and so demonstrate that they provide environmental benefits beyond those available from alternative methods of waste management. Award of a NFFO contract does not confer any special privilege in the planning approval process which must be carried out in the normal way.

In order to promote diversity among developers of renewable energy projects, I reserve the right to limit the number of projects or the total capacity for which any particular developer can gain contracts in this round of bidding or limit the capacity of individual projects or adopt a combination of these measures.

My intention is that the Order should run for 15–20 years. This would enable the RECs to offer generators contracts for premium payments for up to 15 years. The difference between the NFFO contract price and the pool price is financed through the Fossil Fuel Levy paid by licensed electricity suppliers and reflected in electricity bills. I understand that the RECs expect to select projects through a competitive tendering process and that contracts will be offered to successful bidders at their bid price.

I have discussed prospective arrangements with the Director General of Electricity Supply and the RECs, to whom I am providing further guidance about my proposals in respect of the proposed NFFO-5 Order. The details of that further guidance will be published in 'Renewable Energy Bulletin No. 7' (REB-7).

Those project developers who have not already put their name on the mailing list for REB-7 should contact:

Renewable Energy Enquiries Bureau,
ETSU, Harwell,
Oxfordshire OX11 ORA
(tel: 01235 432450 or 433601, fax: 01235 433066).

In addition those project developers who have already done so should also register their interest in NFFO-5, by letter or fax, to:

Non-Fossil Purchasing Agency Ltd.
4th Floor, Block D, Portland House,
New Bridge Street,
Newcastle upon Tyne, NE1 8AN
(fax: 0191 210 2888).

Generators with existing NFFO contracts need not register with the Non-Fossil Fuel Purchasing Agency (NFPA), as they will automatically be sent a copy of the Information Notes which explain the tender process.

OFFER has considered what site-specific evidence of the extent of the renewable energy resource it will require from developers when making their technical submissions for NFFO-5. It is understood that OFFER has decided that:

developers of landfill gas projects will be required to submit data from on-site pumping trials over a period of not less than 30 days of continual measurement;

developers of waste-fired projects will be required to submit data about the real and timely availability of waste, and where contracts for the fuel supply have not been agreed should provide information about the timing of any tender process, together with confirmation that the applicant will be eligible to take part in that tender process;

developers of waste-fired combined heat and power projects will be required, in addition to the foregoing, to submit data on conditional contracts to supply heat (such contracts to be conditional upon their projects being awarded NFFO contracts and going forward to commissioning);

developers of hydro projects will be required to submit data concerning site hydro capacity based on:

(i) the mean flow data for the water course covering a period of at least 15 years, available from the Institute of Hydrology; or

(ii) 15-years rainfall data from a given catchment area, making due allowance for absorption, runoff and evaporation rates, to calculate the river flow at the off-take point for the generating station; or

(iii) on-site data over a period of two years, normalised to the mean average rainfall over a period of at least ten years;

developers of wind energy projects will be required to submit data on site wind resource over a minimum period of 12 months, which must include at least 13 weeks continual measurement on site which shall include measurements made over a winter period.

The Government are currently reviewing their policy for new and renewable sources of energy. From work undertaken so far, it seems that the achievement of 10 per cent. of the UK's electricity from renewables by 2010 would almost certainly require bringing forward technologies in addition to those proposed to be supported under NFFO-5, including offshore wind energy and energy crops. Whilst I cannot anticipate the outcome of the renewables review, I expect to announce the outcome next year.

Coal Mining Museum

Mr. Hinchliffe: To ask the President of the Board of Trade what progress has been made on resolving the minewater problems that have threatened the National Coal Mining Museum for England. [18057]

Mr. Battle: My hon. Friend will be aware that there has been widespread concern about the future of the Museum. I have made clear that I share that concern, and that I wish to do all I could to resolve the Museum's problems. I am pleased to say that agreement has now been reached between all those concerned on a programme of work that should, if successful, secure the Museum's underground section from the risk of flooding, and allow it to reopen in the coming months.

Parliamentary Question

Mr. Prior: To ask the President of the Board of Trade when she expects to answer the question from the hon. Member for North Norfolk of 6 November relating to electricity production from coal. [17728]

Mr. Battle: I refer the hon. Member to the answer I gave him on 21 November 1997, *Official Report*, column *345*.

Single Market

Mr. Mitchell: To ask the President of the Board of Trade pursuant to the oral statement of 27 October 1997, *Official Report*, column 587, relating to completion of the Single European Market, what matters still require legislation; and what representations, and from whom, have been made in respect of each. [17436]

Mrs. Beckett: Legislation is required in particular on gas liberalisation, road and rail passenger transport, measuring instruments, and on certain aspects of electronic commerce. We also wish to see simplification of existing legislation. There are, of course, other non-legislative priorities for work in the area of the Single Market.

On all of these items, representations have been made by relevant trade and business associations.

Private Finance Initiative

Mr. Cotter: To ask the President of the Board of Trade how many contracts have been awarded under the private finance initiative in her Department; and if she will list *(a)* the names of the successful bidders, *(b)* the time limits and cost of the contract and *(c)* the criteria used to award the contract. [16530]

Mrs. Beckett: One contact has been awarded under the Private Finance Initiative within my Department's area of responsibility. In January 1997, the Coal Authority awarded an £11 million eight year contact with Cap Gemini to design, build and operate a computer system for providing mining information. The successful bidder's tender was assessed as being economically the most advantageous taking into account technical ability, quality and technical assistance.

Export Credits

Mr. Flynn: To ask the President of the Board of Trade what are the proportions of ECGD money spent on promoting and underwriting the sales of British *(a)* high tech products, *(b)* pharmaceuticals and *(c)* defence and defence-related products. [15979]

Mrs. Beckett *[holding answer 14 November 1997]:* Since the privatisation of its short-term operation in 1991, direct ECGD support for new export business has been confined to the capital goods and projects field. Such business is generally "high tech" in nature.

From information readily available, ECGD has no record of having supported exports of pharmaceuticals since the short-term privatisation.

The proportion of new ECGD business which related to defence or defence-related products in each of the last three years was 21 per cent. in 1994–95, 23 per cent. in 1995–96, and 16 per cent. in 1996–97.

Monitor Consultancy

Mr. MacShane: To ask the President of the Board of Trade if she will list *(a)* the nature and value of contracts her Department has entered into and *(b)* discussions ministers or officials have held with the Monitor Consultancy since 1990. [14953]

Mr. Nigel Griffiths *[holding answer 7 November 1997]:* No external consultancy contracts have been let centrally to Monitor Consultancy and, as far as the Department is aware, no discussions have been held.

Information on contracts and discussions not related to external consultancy could be provided only at disproportionate cost.

The above information does not include contracts let by the Department's Executive Agencies, and I have asked the Chief Executives to reply separately to this question.

Letter from P. R. S. Hartnack to Mr. Denis MacShane, dated 25 November 1997:

I have been asked to reply on behalf of the Patent Office to your question to the President of the Board of Trade about the Monitor Consultancy. The Patent Office has let no contracts to this organisation since 1990 and to the best of my knowledge no member of the Patent staff has had official contact with it.

Letter from John Holden to Mr. Denis MacShane, dated 24 November 1997:

I have been asked to reply to your question to the President of the Board of Trade concerning the Monitor Consultancy and comment as follows:

(a) Companies House has not entered into any contracts with the Monitor Consultancy since 1990.

(b) No discussions have been held with the Monitor Consultancy since 1990.

Letter from Seton Bennett to Mr Denis MacShane, dated 24 November 1997:

The President of the Board of Trade has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about the Monitor Consultancy. This Agency has had no contact with Monitor in the period since 1990.

Letter from Ian Jones to Mr. Denis MacShane, dated 7 November 1997:

You tabled a Parliamentary Question to the President of the Board of Trade, for named day reply on 7 November, about contacts between her Department and the Monitor Consultancy. I have been asked to reply in respect of the Employment Tribunals Service.

The Employment Tribunals Service became an executive agency of the DTI on 1 April 1997. It has not entered into any contracts or discussions with the Monitor Consultancy, nor am I aware of any contacts prior to our establishment as an agency.

Letter from Peter Joyce to Mr. Denis MacShane, dated 24 November 1997:

The President of the Board of Trade has asked me to reply to your question about contracts entered into or discussions held by The Insolvency Service with the Monitor Consultancy since 1990.

The Service has not entered into any contract with the Monitor Consultancy since it became an executive agency in March 1990 and has no record of any discussions held with that firm.

Letter from Jim Norton to Mr. Denis MacShane dated 24 November 1997:

You have put down a Parliamentary Question to the President of the Board of Trade asking for information on Monitor Consultancy. As this is a day-to-day matter, I am replying as the Chief Executive of the Radiocommunications Agency.

This Agency has had no contracts, dealings or discussions with Monitor Consultancy since we were set up in April 1990.

Export Licences

Mrs. May: To ask the President of the Board of Trade what is the average time taken for dealing with export licence applications. [16356]

Mr. Prior: To ask the President of the Board of Trade how long, on average, it takes to obtain an export licence. [16526]

Mrs. Roche: The Department's Export Control Organisation (ECO) does not calculate the average length of time it takes for an export licence application to be processed. Licence applications are considered individually, there is no such thing as an average application.

The ECO has published targets for the processing of standard individual export licence applications. These are contained in the Code of Practice for enforcement available from the ECO. The targets apply where full information is provided with the application and are:

10 working days where the application is not circulated to other government departments for advice

20 working days where the application is circulated to other government departments for advice.

These targets do not apply to UN Sanctions cases or to applications involving Iran.

No targets are set for the processing of open individual export licence applications, which can involve complex combinations of goods and countries.

Mrs. May: To ask the President of the Board of Trade what are her Department's guidelines on the length of time export licences should take to process; and what proportion of export licences are currently dealt with within that time. [16352]

Mrs. Roche: The Department's Export Control Organisation (ECO) has published targets for the processing of standard individual export licence applications. These are contained in the Code of Practice for enforcement available from the ECO. The targets apply where full information is provided with the application and are:-

10 working days where the application is not circulated to other government departments for advice.

20 working days where the application is circulated to other government departments for advice.

These targets do not apply to UN Sanctions cases or to applications involving Iran.

No targets are set for the processing of open individual export licence applications, which can involve complex combinations of goods and countries.

For the last four week period on which statistics have been computed (22 September to 17 October 1997) these targets have been met in 71 per cent. of non-circulated cases and 48 per cent. of circulated cases.

Mrs. May: To ask the President of the Board of Trade what advice her Department gives to exporters on the length of time taken to process export licences. [16353]

Mrs. Roche: The Department's Export Control Organisation (ECO) has published targets for the processing of standard individual export licence applications. These are available in the Code of Practice for enforcement available from the ECO. These targets apply where full information is provided with the application and are:-

10 working days where the application is not circulated to other government departments for advice.

20 working days where the application is circulated to other government departments for advice.

These targets do not apply to UN Sanctions cases or to applications involving Iran.

No targets are set for the processing of open individual export licence applications.

The ECO is in touch with Trade Associations and major exporters from time to time about current performance levels in respect of these targets. It also provides an exporters' Helpline.

Mr. Paterson: To ask the President of the Board of Trade when she expects the backlog of export licences to be cleared. [16351]

Mrs. Roche: The Export Control Organisation (ECO) wrote to Trade Associations in June 1997 warning them that delays in export licensing were possible while the Review of Criteria, announced by the Foreign Secretary in May 1997, was in progress. This Review was completed on 28 July 1997, since when the new criteria have been applied to export licence applications. I expect licence processing times to improve in future.

There will always be a certain amount of "work in progress" in the processing of export licences, but my Department fully understands the need for the prompt handling of licence applications for strategic goods and is committed to this, subject to the need for all applications to be considered fully and carefully.

Ministerial Interests

Mr. Redwood: To ask the President of the Board of Trade if she will list those *(a)* companies and *(b)* industries which in order to avoid an actual or apparent conflict of interst, are not handled by each Minister in her Department. [17068]

Mrs. Beckett *[holding answer 21 November 1997]:* Ministers in this Government will continue to make public statements about their involvement in specific cases where it is valuable for the conduct of the case to do so; it is not always possible to predict where conflicts of interest will arise. This approach, which reflects that of the previous administration, seems to the Government to satisfy the public interest.

It has been announced that the Minister for Competition and Consumer Affairs has stood aside from consideration of the Monopolies and Mergers Commission's report on the travel trade and, because of his late father's shareholding, consideration of the MMC's report on P&O/Stena and from papers relating to the European Commission's investigation under the European Community Merger Regulation of the proposed acquisition by Dupont of certain ICI businesses. I did not handle DTI consideration of the recent Rolls-Royce launch aid case to avoid any conflict with my constituency interest.

Coal Industry

Mr. Redwood: To ask the President of the Board of Trade what estimate she has made of the number of pits which will close in the British coal industry over the next year. [17069]

Mrs. Beckett *[holding answer 21 November 1997]:* Any estimates of coal production and coal burn are resultant from the information submitted to the Department by the private mining companies and private energy generators. It is, of course, in the hands of private sector coal operators to take decisions on the future commercial operation of individual coal mines.

Inward Investment

Mr. Redwood: To ask the President of the Board of Trade where the responsibility for the final decision about the level of grants offered to a potential inward investor lies when sites in more than one part of the United Kingdom are being considered. [17063]

Mrs. Beckett *[holding answer 21 November 1997]:* Decisions on the level of Regional Selective Assistance (RSA) grant to be offered to a potential inward investor are taken once a single site in the UK has been chosen. Responsibility for final decisions rests with me, as the President of the Board of Trade, if the site is in England, with the Secretary of State for Scotland if the site is in Scotland, and with the Secretary of State for Wales if the site is in Wales. The Secretary of State for Northern Ireland is responsible for the final decision on the level of Selective Financial Assistance to be offered to a potential inward investor if the site is in Northern Ireland.

Rolls-Royce

Mr. Laurence Robertson: To ask the President of the Board of Trade what factors underlay her decision to invest in Rolls-Royce's new range of Trent engines; what steps had been taken by the company to secure this investment from the private sector; and if she will make a statement. [17375]

Mr. Battle: I refer the hon. Member to the answer I gave the House on 13 November 1997, *Official Report*, column 626.

The President of the Board of Trade did not handle the case for the DTI in order to avoid any potential conflict with her constituency interest. The case was handled for the DTI by me.

Laser Pens

Mr. Sheerman: To ask the President of the Board of Trade if she will estimate the number of laser pens with beams greater than one milliwatt currently in circulation in the United Kingdom. [15921]

Mr. Nigel Griffiths: We cannot estimate the number of laser pens with beams greater than one milliwatt in circulation. However, following my announcement on 28 October about dangerous laser pens, Trading Standards Departments have been tracing sources of supply of laser pens and have suspended the sale of considerable quantities of these products which were intended for supply to the general public. These inspections are continuing.

Mr. Sheerman: To ask the President of the Board of Trade what research her Department has evaluated into the potential hazards of laser pens with beams of less than one milliwatt. [15919]

Mr. Nigel Griffiths: My Department has considered the recent report by Heriott-Watt University on the optical safety of laser pointers and has had discussions with the National Radiological Protection Board regarding the safety of these devices in the hands of the general consumer. We are not aware of any evidence that laser pens up to one milliwatt are directly harmful to health.

EU Patent Directive

Ms Walley: To ask the President of the Board of Trade what assessment she has made of the impact of the EU Patent Directive on developing countries' *(a)* attempts to conserve genetic resources and *(b)* farmers' rights; and if she will make a statement. [17806]

Mr. Battle: The Commission's proposal for a Directive on legal protection of biotechnological inventions seeks to harmonise certain aspects of the national patent laws of the Member States. It is an Internal Market measure and seeks to eliminate current uncertainties as to what can attract patent rights in the biotechnological field, which may be acting as a deterrent to investment in the industry in Europe. Since the proposal concerns only the EU Member States' laws, and patent rights are valid only on a national basis, there is no direct read across for countries outside the Community. Other countries, including those of the developing world, remain free to determine their own national patent regimes, and to deal with conservation of genetic resources and the position of farmers as they see fit.

Ms Walley: To ask the President of the Board of Trade what assessment she has made of the impact of the EU Patent Directive on competitiveness within the EU Single Market; and if she will make a statement. [17805]

Mr. Battle: The purpose of the proposed Directive is to establish a clear legal framework for the protection of biotechnological inventions through national patent law. Although the texts of Member States' patent laws are currently closely aligned with that of the European Patent Convention (an international governmental agreement dating from 1978), there have been differences in interpretation between Member states. Although no assessment has been made as to the direct effect this proposed Directive may have on enhancing competitiveness, the clarification arising from it will reduce current uncertainty in this area of law and its possible deterrent to investment in this industry.

HEALTH

Lariam

Ms Corston: To ask the Secretary of State for Health when he expects the Committee on Safety of Medicines to approve the recent recommendations of the Malaria Advisory Committee to restrict the use of Mefloquine (Lariam) by travellers. [15451]

Ms Jowell: The Committee on Safety of Medicines has no jurisdiction over the recommendations of the Malaria Advisory Committee but has reviewed these to determine whether they have any implications for the Marketing Authorisation and product information for Lariam.

In order to ensure that doctors are aware of the published guidelines, the product information advises doctors to refer to them.

E-mail

Mr. Jenkin: To ask the Secretary of State for Health, pursuant to the answer from the Chancellor of the Duchy of Lancaster, of 10 November 1997, *Official Report*, column *441*, if he will list the e-mail addresses of

(a) Ministers, *(b)* senior officials and *(c)* chief executives of agencies for which he is responsible. [15871]

Ms Jowell *[holding answer 13 November 1997]:* The Department of Health Internet web site contains e-mail addresses for contact and feedback on various subjects and projects, e.g. Open Government, and the Review of the Central Council for Education and Training in Social Work.

Apart from the National Health Service Pensions Agency, the agencies for which my right hon. Friend the Secretary of State is responsible, NHS Estates, Medical Devices Agency and Medicines Control Agency, all have Internet Web sites containing either contact e-mail addresses or telephone numbers.

Although none of the contact e-mail addresses currently reaches individual Ministers, senior officials or chief executives, the Department is giving active consideration to a central initiative on the handling of external electronic communications, including the electronic equivalent of paper correspondence to Ministers and named officials.

Varicose Veins

Mr. Martyn Jones: To ask the Secretary of State for Health what estimate he has made of the percentage of the adult population suffering from varicose veins; and if he will make a statement. 16336]

Mr. Boateng: Information on the prevalence of varicose veins in the population is not available. The information in the table shows the number of completed episodes in 1994–95, the latest year for which information is available, in which an operation was carried out on varicose vein of the leg. Many people with varicose veins are treated without the need for surgery or any other invasive procedure.

Ordinary admissions and day cases: completed episodes with an operation or procedure performed on varicose veins: NHS hospitals in England 1994–95

Operation	*Age at start of episode*		
	18 and over	*Not known*	*Under 18*
L85.1 Litigation of long saphenous vein	36,857	6	70
L86.1 Injection of sclerosing substance into varicose vein of leg	2,435	1	5
L87.1 Stripping of long saphenous vein	15,211	1	24
L87.4 Avulsion of varicose vein of leg	46,233	7	119

Diet and Cancer

Mr. Jack: To ask the Secretary of State for Health (1) what account was taken of the degree of consensus amongst members of the Committee on Medical Aspects of Food and Nutrition Policy in respect of recommendations on levels of meat consumption in determining when to make his announcement on meat consumption; [16564]

(2) when the Committee on Medical Aspects of Food and Nutrition Policy expert group agreed its recommendations relating to levels of meat consumption; [16562]

(3) if he will place in the Library a copy of the version of the COMA report which he ordered to be pulped, together with a copy of the final report when published; [16566]

(4) if he will make public the areas of difference between the final report on cancer by the Committee on Medical Aspects of Food and Nutrition Policy and its predecessor version; [16574]

(5) if he will make a statement on the circumstances which caused the report by the Committee on Medical Aspects of Food and Nutrition Policy on the development of cancer to be printed and then pulped; what was the cost to public funds; for what reasons his Department made a press statement about meat consumption on 24 September; and when he expects the final report to be published; [16565]

(6) what reasons he announced his recommendations on meat consumption ahead of the publication of the findings of the Committee on Medical Aspects of Food and Nutrition Policy's report on cancer. [16563]

Ms Jowell: In 1993 the Committee on Medical Aspects of Food and Nutrition Policy (COMA) set up a Working Group on Diet and Cancer. The Working Group's report was submitted to COMA's main committee meeting on 29 April. It was accepted by COMA subsequent to the quantification of figures relating to the consumption of red meat and further clearance by COMA members.

On 19 September the Chief Medical Officer and my right hon. Friend the Secretary of State for Health were told that some members felt that they had not had adequate opportunity to discuss the final recommendation on the consumption of red and processed meat. My right hon. Friend the Secretary of State for Health therefore ordered that the report should not be published.

A COMA meeting was immediately convened by the Chief Medical Officer on 24 September. On 25 September, with the agreement of my right hon. Friend the Minister of Agriculture, Fisheries and Food, my right hon. Friend the Secretary of State for Health issued a press release based on the advice on the recommended intake of red and processed meat which COMA had agreed at its meeting on 24 September.

Since then further amendments have been agreed by COMA and the Working Group. The Report now commands the support of all members of COMA and will be published shortly.

The detailed workings of COMA and its expert groups, including the development of the various drafts of the reports it produces, is a matter for the committee. As with all COMA reports, published copies are placed in the Library and we have no intention of departing from this procedure.

The cost of reprinting the report in its revised form is £10,000.

My right hon. Friend the Secretary of State for Health's object throughout the whole of this incident has been to ensure that reports issued by COMA continue to command the full support of its members and the respect of the scientific community.

Medical Negligence Claims

Mr. Simon Hughes: To ask the Secretary of State for Health what plans he has to ensure that his proposals for legal aid reform will not prevent patients pursuing medical negligence claims. [16633]

Mr. Milburn: When my noble Friend the Lord Chancellor announced the Government's proposals for the reform of the legal aid system in October, he made it clear that he intends to consult widely before any changes are implemented. The position of the patients pursuing claims for medical negligence will be considered as part of this consultation.

Health Care (Rural Areas)

Mr. Prior: To ask the Secretary of State for Health what proposals he has to make health care more accessible in rural areas. [16531]

Mr. Milburn: The Government are committed to improving quality and fairness in National Health Service care, replacing the internal market and ensuring that a greater proportion of every pound spent goes on patient services not bureaucracy. This applies equally to rural areas as it does to other parts of the country.

Tobacco Sponsorship

Mr. Mitchell: To ask the Secretary of State for Health if he will exempt international yacht racing from the ban on tobacco advertising and sponsorship. [16930]

Ms Jowell: We have always said that the Government want to reduce the exposure of children and young people to tobacco advertising. That is why we gave a manifesto commitment to ban tobacco advertising as part of a fully developed tobacco control strategy. Our aim is to remove tobacco advertising from sports events without damaging the events themselves, and sports like international yacht racing will need time to find other sponsors.

Discussions are under way within Government on how best to achieve this and my hon. Friend the Minister for Sport is consulting the sports concerned. Plans include a transitional period.

Community Care (Direct Payments) Act 1996

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the implementation of the Community Care (Direct Payments) Act 1996 by local authorities. [17538]

Mr. Boateng: The Act came into force on 1 April 1997. We will be conducting a review after the first year of its operation.

Breast Screening

Mr. Corbyn: To ask the Secretary of State for Health if he will provide a breakdown by age of breast screening examinations undertaken over the past three years. [17370]

Mr. Milburn: The information requested is available for 1994–95 and 1995–96 only and is shown in the table.

Thousands

		Age groups				
Year	*Total number of women screened*	*45–49*	*50–54*	*55–59*	*60–64*	*65+*
1994–95	1,040.7	32.3	351.4	332.8	292.1	32.1
1995–96	1,060.0	33.8	372.2	330.8	273.4	49.8

Source:
KC62. Statistics Division SD2B.

NHS Trusts (Age Discrimination)

Mr. Corbyn: To ask the Secretary of State for Health what advice his Department gives to health authorities and National Health Service trusts on age discrimination; and if he will make a statement. [17371]

Mr. Boateng: Our commitment to promoting a fair and equitable health service is set out in 1998–99 Priorities and Planning Guidance for the National Health Service. Whatever the age of the patient, there are no exceptions to the fundamental principle that the NHS is there to provide service for everyone on the basis of clinical need.

NHS Trusts (Shropshire)

Mr. Gill: To ask the Secretary of State for Health when he invites Shropshire County Council to submit names for membership of NHS trust boards. [17807]

Mr. Milburn: A letter was sent to Shropshire County Council on 26 June inviting nominations for trust board vacancies in 1997. The council subsequently submitted eight nominations on 3 July. A further letter was sent to the council on 18 November inviting nominations for trust and health authority boards in 1998. We are now awaiting a reply.

Stabilisation Force

Mr. Bruce George: To ask the Secretary of State for Health what arrangements are made to deal with the NHS waiting lists of consultant-level surgeons and physicians in the United Kingdom while they are serving with SFOR. [16227]

Mr. Milburn: Consultant surgeons and physicians serving with the Stabilisation Force (SFOR) are called up from Service hospitals and from Ministry of Defence Hospital Units at National Health Service trusts. It is for the hospitals concerned to take appropriate action to manage the waiting times of any NHS patients affected by the deployment of consultants overseas.

Hospital Waiting Lists

Mr. Corbyn: To ask the Secretary of State for Health what monitoring his Department undertakes of the waiting times for hospital operations for *(a)* under 65-year-old patients and *(b)* those over 65 years. [17372]

Mr. Milburn: Information on numbers of patients who have been admitted to hospital, analysed by age group, is contained in "Hospital Episode Statistics". This is

published annually and copies are available in the Library. The source data can be further analysed to provide information about waiting times by age group.

Hepatitis A Immunisation

Mr. Hinchliffe: To ask the Secretary of State for Health what steps his Department has taken to evaluate the risks from gamma globulin used in the preparation of Hepatitis A passive immunisation. [17232]

Ms Jowell: The marketing authorisation (the licensing) of all medicines throughout the European Union is governed by the Rules Governing Medicinal Products in the European Union, in particular, Council Directive 65/65/EEC.

All licensed normal intra-muscular immunoglobulin (used for passive immunisation for Hepatitis A) has been fully evaluated for quality, safety and efficacy. These products have not been associated with the transmission of any infection.

Winter Emergencies

Mr. Corbyn: To ask the Secretary of State for Health if he will list the total payments for winter emergencies to each local authority and each health district in London; and what *(a)* conditions and *(b)* monitoring requirements are attached to such payments. [17373]

Mr. Milburn: The allocation of additional resources to health authorities in London is set out in the table. The table also shows how much each of the London HAs will be transferring to its local authority social services departments.

London HAs	*Additional resources allocated to each HA* £000	*Amount of HA allocation for social services initiatives* £000
Barnet	1,057	367
Barking and Havering	1,092	808
Brent and Harrow	1,419	340
Camden and Islington	1,429	171
Ealing, Hammersmith and Hounslow	2,919	1,080
East London and The City	3,563	1,603
Enfield and Haringey	1,431	286
Hillingdon	1,100	396
Kensington, Chelsea and Westminster	690	282
Redbridge and Waltham Forest	2,121	890
Bexley and Greenwich	1,097	347
Bromley	650	52
Croydon	969	324
Kingston and Richmond	988	195
Lambeth, Southwark and Lewisham[1]	3,980	828
Merton, Sutton and Wandsworth	2,332	528

Information correct as at 24 November 1997.
[1] Includes an extra £300,000 allocated to London Ambulance Services to be administered by the HA.

The allocations were made to health authorities and trusts to manage additional winter emergency service pressures and are directed towards specific schemes which should prove of lasting benefit. Considerable investment has been targeted at developments in primary and community health services, and social services, which help care for people at home or expedite their discharge from hospital when it is appropriate.

Both North and South Thames Regional Offices will monitor progress on all schemes via their regular contact with health authorities and trusts.

Blood

Dr. Harris: To ask the Secretary of State for Health if Professor Bellingham has begun work as interim lead clinician to the Mersey and North Wales Blood Centre. [15582]

Mr. Boateng *[holding answer 11 November 1997]:* Professor Bellingham began his work shortly after his appointment in September as Transition Director of the Liverpool Blood Centre.

AGRICULTURE, FISHERIES AND FOOD

Specialist Advisory Committees

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food on which occasions and for what reasons his Department has disagreed with scientific advice given by specialist advisory committees in the last five years. [17756]

Dr. John Cunningham: I have not disagreed with any of the scientific advice which I have received from my specialist advisory committees since this Government came into office on 1 May 1997.

Raw Cows' Milk

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will publish the full details of the data considered by the Advisory Committee on the Microbiological Safety of Food in coming to its conclusions that *(a)* the sale for drinking of raw cows' milk should be banned and *(b)* its continued use in the production of cheese should be permitted. [17755]

Dr. John Cunningham: The ACMSF considered the safety of raw cows' milk in its Report on Verocytotoxin-Producing Escherichia coli (VTEC) which was published in 1995.

More recently, the ACMSF saw data from the 1995–96 Government-funded Surveillance of the Microbiological Safety of Raw Cows' Milk on Retail Sale. A full report on this project is currently being prepared and will be published in the joint Ministry of Agriculture, Fisheries and Food/Department of Health Microbiological Food Safety Surveillance series.

The Committee also saw data from a Public Health Laboratory Service Study of the Microbiological Quality of Retail Raw (Greentop) Cows' Milk. Publication of these results is a matter for the PHLS.

The ACMSF has not recommended the continued use of raw cows' milk in the production of cheese. Rather,

the Committee has recommended research and surveillance into the prevalence of O157 VTEC in a range of raw food products, including raw milk cheeses. This is under way.

Ministerial Meetings

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what *(a)* meetings with individuals, organisations and delegations and *(b)* parliamentary business he has planned for 26 November. [17757]

Dr. John Cunningham: In addition to Parliamentary business, I will be attending a Cabinet Committee (PX) and will be undertaking a number of meetings with officials.

Food Standards

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the factors that would be involved in determining *(a)* national minimum standards of food composition and *(b)* maximum levels of sugar and fat. [17581]

Dr. John Cunningham: We have no plans to introduce new statutory national minimum standards of food composition or maximum levels for sugar and fat in foods and therefore have not considered the factors that might be involved in determining such measures.

EU Committees

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will publish a list of all EU committees which his officials attend on a regular basis. [16347]

Dr. John Cunningham: My officials regularly attend a range of management committees considering draft Commission legislation governing the management of the Common Agricultural and Fisheries Policies. Other regular meetings chaired by the Commission include:

Standard Committee on Animal Nutrition

Standing Committee on Foodstuffs

Standing Committee Organic Farming Legislation

Standing Veterinary Committees

Committee on Agricultural Structures and Rural Development (STAR)

Committee for Veterinary Medical Products

Spirit Drinks Implementation Committee

Aromatised Wine Implementation Committee

In addition, my officials attend the Special Committee on Agriculture and Council Working Groups examining proposed Council Legislation.

Cattle Passports

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the number of cattle passports which will be issued by his Ministry once its cattle passport scheme is fully established. [16975]

Dr. John Cunningham: The cattle passport scheme is fully established. More than 3.6 million passports have been issued in Great Britain since the scheme was introduced in the Summer of 1996.

Animal Slaughter (Religious Methods)

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food how many animals are slaughtered each year in abattoirs exclusively devoted to Jewish and Muslim methods. [17809]

Mr. Rooker: Information is not held on those abattoirs adopting religious methods of slaughter and the number of animals killed by those methods.

Dairy Cattle

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the number of Friesian and Holstein Friesian cows in dairy herds on United Kingdom farms. [17810]

Mr. Rooker: 2.2 million

Gene-manipulated Foods

Mrs. Fyfe: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to implement controls on gene-manipulated foods. [17023]

Mr. Rooker: The EC novel foods and novel food ingredients regulation 258/97, which came into force on 15 May, established an EU wide pre-market approval system for novel foods and novel food ingredients, including those containing or produced from genetically modified organisms (GMOs). All applications for approval of novel foods under the regulation will be considered in the UK by the independent Advisory Committee on Novel Foods and Processes and its advice published.

Food Labelling

Mrs. Fyfe: To ask the Minister of Agriculture, Fisheries and Food if he will list the obstacles to clear labelling of foods to enable customers to choose between foods that are genetically altered and those that are not. [17027]

Mr. Rooker: Since I issued a press release on 7 June calling for all foods which may contain genetically modified (GM) material to be labelled clearly, considerable progress has been made. On 25 July, the European Commission announced its intention to ensure coherent labelling of GM products throughout the food chain and a Commission regulation requiring the labelling of GM soya and maize came into effect on 1 November. Detailed rules on the implementation of this regulation are expected to be agreed shortly.

Cattle Consumption

Mr. John Smith: To ask the Minister of Agriculture, Fisheries and Food if he will lift the ban on the consumption of cattle aged over 30 months. [17048]

Mr. Rooker: No. This measure was introduced by the previous Government on the basis of SEAC advice that meat from animals over 30 months of age should be deboned under official supervision. There were practical difficulties in implementing this advice and a ban was

introduced instead. Nothing we have learned about the links between BSE and CJD in the past year suggests that that action was in any way inappropriate.

Milk Quotas

Mr. John Smith: To ask the Minister of Agriculture, Fisheries and Food if he will review his Department's policy in respect of allowing dairy farmers to *(a)* lease and *(b)* sell their milk quotas. [17045]

Mr. Rooker: The Government have no plans at present to review their policy on the lease and sale of milk quotas by dairy farmers. The rules on transfers of milk quotas will, however, need to be reviewed in the light of the outcome of the reform of the dairy regime.

Crop Spraying

Mr. Pickthall: To ask the Minister of Agriculture, Fisheries and Food what is the Government's policy on the spraying of crops with sulphuric acid; and how such spraying is monitored. [16866]

Mr. Rooker: All pesticides are subject to strict regulatory control and must be approved by Ministers before they may be marketed or used in the United Kingdom. Approval is given only after rigorous evaluation of detailed scientific data. Sulphuric acid is approved for certain uses and, providing it is used in accordance with its statutory conditions of approval, this use poses no unacceptable risk.

The statutory "Code of Practice for the Safe Use of Pesticides on Farms and Holdings", sets out precautions that farmers are required to take when spraying. These include measures to protect neighbours and workers and reduce risks to wildlife.

The Pesticides Usage Survey, the Wildlife Incidents Investigation Scheme and the Working Party on Pesticides Residues monitor the quantity of pesticides used, possible incidents involving wildlife and residues in food respectively. The Health and Safety Executive inspectors are responsible for enforcement of the rules on spraying.

Mr. Pickthall: To ask the Minister of Agriculture, Fisheries and Food how many complaints have been received by his Department about spraying with sulphuric acid in the past year. [16867]

Mr. Rooker: Complaints over alleged ill effects resulting from pesticide use should be reported to the Health and Safety Executive's Pesticides Incident Appraisal Panel. The Panel investigated seven complaints related to the spraying of sulphuric acid between April 1996 and March 1997.

In the past 12 months the Department has received 17 inquiries concerning the use of sulphuric acid as an agricultural pesticide.

Press Releases

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what is his policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if he will make a statement. [16295]

Mr. Morley: The Department will provide news releases to Opposition party spokesmen by fax on the day of release if requested to do so. The Department also issues news releases via the Internet at address http://www.maff.gov.uk/maffhome.htm. Hard copies are sent by messenger to Opposition spokesmen each day. There have been no changes since 1 May.

SOCIAL SECURITY

Means-tested Benefits

Mr. Webb: To ask the Secretary of State for Social Security what estimate she has made of the number of individuals, including dependent children, who are in households receiving at least one means-tested benefit, broken down to show the combinations of benefits received. [12816]

Mr. Keith Bradley: The information is set out in the table:

Beneficiaries of means-tested benefits (May 1996)

	Number of beneficiaries
One or more means-tested benefit	15,110,000
Combinations of benefits including in the above:	
Income support only	2,370,000
Family credit only	1,560,000
Disability working allowance only	8,000
Housing benefit and/or council tax benefit only	3,090,000
Housing benefit and/or council tax benefit with family credit	850,000
Housing benefit and/or council tax benefit with income support	7,220,000
Housing benefit and/or council tax benefit with disability working allowance	9,000

Notes

1. All figures have been rounded to the nearest ten thousand, except combined benefit figures showing disbility working allowance claimants which are rounded to the nearest thousand.
2. Numbers are based on benefit units which may be a single person or a couple.
3. Beneficiaries are defined as claimants, their partners and any dependants.
4. There will be a significant overlap between recipients of individual benefits.
5. The income support figures include a small number of cases whose entitlement to family credit or disability working allowance has not yet been lapsed. In reality these cases are dependant on income support.
6. Housing benefit/council tax benefit information excludes second adult rebate cases.
7. Data include estimates due to the date collection procedure.

Sources

1. Income Support Quarterly Statistical Enquiry, May 1996 (5 per cent. sample).
2. Family Credit 5 per cent. sample of all awards.
3. Disability Working Allowance 100 per cent. count of claims.
4. Housing Benefit Mangement Information System, annual 1 per cent. sample inquiries, with and without income support, taken at the end of May 1996.

Lone Parents (Employment)

Mr. Viggers: To ask the Secretary of State for Social Security what percentage of lone parents who were previously unemployed have found work in each of the last 10 years. [13104]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is in the table, which shows numbers of new lone parent claims to Family Credit where the claimant was on income support immediately beforehand.

Estimated number of new awards of Family Credit made to lone parents previously on income support

Family Credit award starting:	*Thousands*
September 1992 to August 1993	53
September 1993 to August 1994	65
September 1994 to August 1995	73
August 1995 to September 1996	82

Notes:

1. The data used do not identify those lone parents who moved from income support to a job where they did not claim Family Credit, thus under-estimating the employment rate;

2. As estimates are based on a matched sample of 5 per cent. of Family Credit awards with a 5 per cent. sample of the quarterly stock of income support claimants, the methodology will miss claimants who had a short spell on income support before moving to Family Credit.

Sources:

1. Income support Quarterly Statistical Enquiries, August 1992 to May 1996.

2. Family Credit 5 per cent. sample, September 1992 to August 1996.

Habitual Residence Test

Dr. Harris: To ask the Secretary of State for Social Security how many British citizens have been refused income support and related benefits due to failure of the habitual resident test *(a)* in the last year and *(b)* in each of the previous five years. [14008]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is set out in the table.

Numbers of adverse habitual residence tests by UK nationals

	April 1994 to March 1995	*April 1995 to March 1996*	*April 1996 to March 1997*
Income support	3,795	6,103	6,440
Jobseeker's allowance (income based)			2,608

Source:

Benefits Agency Management Information Statistics.

Notes:

1. The habitual residence test was introduced in income support on 1 August 1994. The test was carried forward to jobseeker's allowance (income based) on 7 October 1996.

2. Information regarding the numbers of UK Nationals failing the habitual residence test in respect of housing benefit and council tax benefit is not available.

Delegated Legislation

Mr. Clifton-Brown: To ask the Secretary of State for Social Security if she will list all *(a)* secondary, *(b)* other delegated legislation and *(c)* all deregulation orders her Department made during the summer adjournment. [14375]

Mr. Denham: I refer the hon. Member to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 5 November 1997, *Official Report*, column *216*.

Domestic Violence

Helen Jackson: To ask the Secretary of State for Social Security in what ways the issue of domestic violence victims is included in the training programmes of *(a)* Benefits Agency and *(b)* Child Support Agency staff. [14393]

Mr. Keith Bradley: On 6 October 1997 it was announced that, from April 1998, BA staff will be undertaking some CSA activity (the issue and completion of Maintenance Application Forms (MAF)) on their home visits to lone parents.

Child Support legislation has provisions, known as "good cause", which allow Parents with Care (PWCs) not to co-operate if the CSA finds that they have good cause not to co-operate. This may be because they believe there is a risk of harm or undue distress to the PWC or any children living with them which may arise from the CSA contacting the absent parent. It is therefore important that staff receive training to deal sensitively with such issues when they arise and are aware of when such problems may be an issue.

CSA staff receive awareness training on the "requirement to co-operate" provisions of child support legislation which includes the "good cause" provisions. All CSA staff who are required to interview PWCs about an absent parent receive further training on how to manage sensitive issues, such as domestic violence, and how to deal with such cases for child support purposes.

The BA has arranged for staff to receive the equivalent training given to CSA staff where they are dealing with similar situations at interviews. Although the completion of MAFs does not involve in-depth interviewing about good cause, BA staff need to be aware of possible sensitivities where a PWC does not wish to complete a MAF. All front-line BA staff i.e., receptionists, visiting officers, will receive the CSA MAF completion training customised for BA. BA staff who will carry out good cause interviews will receive further training similar to that given to CSA staff.

Training courses for BA staff have been piloted and, following further quality assurance, training will begin in January 1998.

Welfare Reform

Mr. Amess: To ask the Secretary of State for Social Security what plans she has for new benefits and levels of benefits differing from those in force in April 1997. [14672]

Mr. Denham: Our aims for welfare reform are to modernise the structure and delivery of Social Security to encourage financial independence, while simultaneously promoting social cohesion and well-being; to develop an active welfare system which supports work, savings and honesty; and to help tackle effectively unjustifiable social and economic inequalities. To that end we are reviewing all major components of the Social Security system.

Greenhouse Gas Emissions

Mr. Stunnell: To ask the Secretary of State for Social Security if she will list *(a)* her Department's policies and initiatives designed to reduce carbon dioxide emissions and *(b)* the departmental policies and initiatives designed

to reduce other greenhouse gases; if she will estimate for each the annual reduction in tonnage of greenhouse gas emissions achieved in the most recent year for which figures are available compared with those for 1990; and what estimate she has made of further reductions, or increases, predicted for 2000 and 2010, assuming continuation of current policies. [15542]

Mr. Denham: I refer my hon. Friend to the United Kingdom's (UK) Second Report under the United Nations Framework Convention on Climate Change which was published in February 1997. It reports the UK's progress in implementing its programme for reducing greenhouse gas emissions and gives a projection of what the programme is expected to deliver by 2000. The report projects forward what the current programme is expected to achieve to 2020.

Jobseeker's Allowance

Mr. Pond: To ask the Secretary of State for Social Security if she will estimate the cost of extending contributory jobseeker's allowance to people with total earnings below the lower earnings limit for national insurance contributions with a continuous record of employment of at least 26 weeks. [15507]

Mr. Keith Bradley: The information is not available.

Invalid Care Allowance

Ms Corston: To ask the Secretary of State for Social Security how many claims for invalid care allowance were originally refused because of non-receipt of disability living allowance by the person being provided with care, which were successful following subsequent receipt within (i) three, (ii) four, (iii) five and (iv) six months of disability living allowance; and what was the total number of claims for invalid care allowance in the years *(a)* 1994–95, *(b)* 1995–96 and *(c)* 1996–97. [15455]

Mr. Denham: The information is not available in the format requested and could be obtained only at disproportionate cost. Such information as is available is in the table.

Claims for invalid care allowance

	1994–95	*1995–96*	*1996–97*
Claims	132,369	152,082	165,092
Awards	94,066	107,238	102,658
Disallowances	32,463	49,208	44,781

Notes:
1. Disallowances can be for a number of reasons besides lack of qualifying benefit, e.g., age of carer, earnings over the limit, extent of caring.
2. Figures may not sum because claims made in one year may be decided in a later year.

Source:
Monthly statistics, Invalid Care Allowance Unit.

Incapacity Benefit

Mr. Duncan Smith: To ask the Secretary of State for Social Security if sick and disabled people claiming incapacity benefit who make themselves available to work within the welfare-to-work scheme will be automatically switched from incapacity benefit to Jobseeker's allowance. [15742]

Mr. Denham: The Government believe that work is the best form of welfare for people of working age. For too long, disabled people have been defined by their disabilities rather than their abilities, their incapacity rather than their capacity. We therefore wish to develop ways to give sick and disabled people the advice, help and support they need to achieve their aspirations and to move towards financial independence, as part of an overall aim of social inclusion. Up to £195 million, set aside from the Windfall Tax, will be used to test a range of options to find out what are the most effective ways to help people with disabilities and long-term health problems to move into work, to encourage employers both to employ and retain disabled people and to avoid people becoming dependent on long-term incapacity benefits in the first place. In parallel with the welfare to work proposals for sick and disabled people, we are also considering what changes might be made to the benefit system to improve work incentives and reduce disincentives.

Industrial Disablement Benefit

Mr. Dismore: To ask the Secretary of State for Social Security how many new successful claims were made for industrial disablement benefit in each of the last three years. [16393]

Mr. Denham: The information is set out in the table.

New awards of industrial injuries disablement benefit in each of the last three years

Year	*New awards made during in the year*
April 1994 to March 1995	25,256
April 1995 to March 1996	24,329
April 1996 to March 1997	23,097

Source:
100 per cent. count of Industrial Injuries Disablement Benefit award from DSS Central Data Unit.

Note:
Figures are provisional and subject to amendment.

Mr. Dismore: To ask the Secretary of State for Social Security which five prescribed industrial diseases resulted in the highest number of successful claims in respect of claims for industrial disablement benefit for prescribed industrial diseases in each of the last three years; and how many claims there were for each of these diseases. [16399]

Mr. Denham: The information is set out in the table.

Industrial injuries disablement benefit

Prescribed diseases with the highest number of initial assessments, with a disability assessment of 14 per cent. or higher, (1 per cent. for D1 and D3), in the last three years, and the claims received

Prescribed disease	*Awards*	*Period*	*Claims received*	*Period*
1996–1997				
Pneumoconiosis (D1)	840	January to December 1996	3,020	April 1996 to March 1997
Diffuse Mesothelioma (D3)	642	January to December 1996	620	April 1996 to March 1997
Vibration White Finger (A11)	592	April 1996 to March 1997	12,370	April 1996 to March 1997
Occupational Deafness (A10)	377	April 1996 to March 1997	6,420	April 1996 to March 1997

Industrial injuries disablement benefit

Prescribed diseases with the highest number of initial assessments, with a disability assessment of 14 per cent. or higher, (1 per cent. for D1 and D3), in the last three years, and the claims received

Prescribed disease	*Awards*	*Period*	*Claims received*	*Period*
Occupational Asthma (D7)	365	January to December 1996	1,800	April 1996 to March 1997
1995–1996				
Pneumoconiosis (D1)	860	January to December 1995	3,450	April 1995 to March 1996
Diffuse Mesothelioma (D3)	683	January to December 1995	570	April 1995 to March 1996
Occupational Deafness (A10)	557	April 1995 to March 1996	6,740	April 1995 to March 1996
Occupational Asthma (D7)	440	January to December 1995	1,690	April 1995 to March 1996
Chronic Bronchitis and Emphysema (D12)	259	January to December 1995	2,430	April 1995 to March 1996
1994–1995				
Chronic Bronchitis and Emphysema (D12)	2,562	January to December 1994	8,418	April 1994 to March 1995
Pneumoconiosis (D1)	1,006	January to December 1994	n/a	—
Diffuse Mesothelioma (D3)	583	January to December 1994	n/a	—
Occupational Asthma (D7)	420	January to December 1994	1,789	April 1994 to March 1995
Occupational Deafness (A10)	402	April 1994 to March 1995	8,179	April 1994 to March 1995

n/a = Not available.

Notes:

1. Data for respiratory and non-respiratory awards are held for different periods (calendar years for respiratory awards and financial years for non-respiratory awards).

2. The number of awards made in any year, are not necessarily the results of the number of claims received in that year. There will be some awards made from claims made in the preceding year, and some claims received, that are not awarded until the following year. Claims figures include those made by people making more than one claim.

Sources:

1. Awards figures from a 100 per cent. count of assessments (DSS Analytical Services Division).

2. Claims figures from DSS Central Data Unit (100 per cent.), DSS BREM systems (100 per cent.) and from April 1995 rated up from a 10 per cent. sample of claims received.

Mr. Dismore: To ask the Secretary of State for Social Security for each of the last three years, what was the total number of claimants of industrial disablement benefit; and how many of those received benefit *(a)* in respect of an industrial accident and *(b)* in respect of a prescribed industrial disease for each of the last three years. [16398]

Mr. Denham: The information is set out in the tables:

Total claims for industrial injuries disablement benefit received

Year	*Claims received*
April 1994 to March 1995	79,983
April 1995 to March 1996	83,847
April 1996 to March 1997	76,486

New awards of industrial injuries disablement benefit for industrial accidents

Year	*Awards made*
April 1994 to March 1995	19,611
April 1995 to March 1996	18,473
April 1996 to March 1997	17,101

New awards of industrial injuries disablement benefit for prescribed diseases

Year	*Awards made*
April 1994 to March 1995	5,645
April 1995 to March 1996	5,856
April 1996 to March 1997	5,996

Source:

100 per cent. counts of IIDB claims and awards from DSS Central Data Unit. Figures are provisional and subject to amendment.

Note:

The figures are separate counts. The number of awards made in any year are not necessarily the results of the number of claims received in that year. There will be some awards made from claims made in the preceding year, and some claims received, that are not awarded until the following year. Claims figures include those made by people making more than one claim.

Mr. Dismore: To ask the Secretary of State for Social Security how many claimants have received industrial disablement benefit at the maximum 100 per cent. disability rate in each of the last three years. [16397]

Mr. Denham: The information is set out in the table.

Industrial injuries disablement benefit assessments paid at 100 per cent. rate

Year	*Initial assessments at 95–100 per cent. disabled in the year*	*All assessments at 95–100 per cent. at the end of the year*
April 1993 to March 1994	790	3,782
April 1994 to March 1995	712	3,757
April 1995 to March 1996	813	4,095

Figures based on a 10 per cent. sample of all Industrial Injuries Disablement Benefit (IIDB) assessments, and include a rating factor for late returns.

Press Releases

Mr. Matthew Taylor: To ask the Secretary of State for Social Security what is her policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if she will make a statement. [16303]

Mr. Field: Press releases are delivered by hand to Opposition party spokesmen on the day of release, normally within one hour. None are faxed.

This practice has been in place since 1 May.

Child Support Agency

Mr. Denis Murphy: To ask the Secretary of State for Social Security how many cases have been dealt with by the Child Support Agency since its formation; and how many complaints regarding the CSA were received during the same period. [16167]

Mr. Keith Bradley: We expect the Child Support Agency to provide an efficient and effective service to all its clients throughout the child support assessment process. We are looking for substantial and sustained operational improvements from the Agency, in particular on getting more maintenance paid, reducing the backlog and improving customer service.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Faith Boardman to Mr. Denis Murphy, dated 24 November 1997:

I am replying to your Parliamentary Question concerning the number of cases dealt with by the Child Support Agency, and complaints regarding the Agency.

From its inception in April 1993 to the end of October 1997, the Agency has taken on over 2.2 million cases.

During the same period, the number of written complaints received by Child Support Agency Centres (or, in a few instances, field offices) amounted to just over 109,000. This represents the vast majority of complaints sent to the Agency. Correspondence received by Ministers and the Chief Executive is not categorised, and it is not possible to say what proportion of that correspondence relates to complaints. Full figures are not available for the first year of operation, but since April 1994, all such correspondence has totalled over 37,000.

I am very conscious that there are still far too many justified complaints about the standards of basic customer contact and the service we provide. It is a key priority of the Agency to improve the way in which complaints are handled; we have revised our training for all staff who deal with complaints and introduced a new Complaints Guide. The Guide sets out our policy and procedures for swift, effective complaints handling.

Although the number of complaints reduced in 1996/97 (by around 20%), we are aware that as we tackle our backlog of cases, there is the potential for the volume of complaints to rise in the short term and we recognise that doing things right first time is the key to preventing complaints.

In addition, from April 1997 the Office of the Independent Case Examiner has provided an independent complaints investigation service for those customers who consider that the Agency's internal review process has not satisfactorily resolved their grievances. At the end of September 1997, the number of cases accepted for investigation by this service was 148.

Over the next few years, I am committed to bringing high quality levels of performance to every part of our operation as a matter of routine, thereby reducing the number of complaints received and enhancing the public perception of the Agency.

Mr. Burns: To ask the Secretary of State for Social Security what is the planned date of publication of the report on the review of the Child Support Agency.[17650]

Mr. Denis Murphy: To ask the Secretary of State for Social Security when the current review of the Child Support Agency will be completed. [17148]

Mr. Keith Bradley: We aim to bring forward proposals in the first half of next year.

Child Benefit

Mr. Kirkwood: To ask the Secretary of State for Social Security when the report on the methodology and findings of the Benefit Review on Child Benefit will be published. [17547]

Mr. Denham: Questions on Benefits Agency operational matters are the responsibility of the Chief Executive, Peter Mathison. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Archy Kirkwood, dated 24 November 1997:

The Secretary of State for Social Security has asked me to reply to your Parliamentary question asking when the report on the methodology and findings of the Benefit Review on Child Benefit will be published.

The findings of the Child Benefit Review are currently being evaluated. When the results have been finalised they will be submitted to Ministers for consideration. The full report and details of methodology will then be published. It is expected that this will be in the new year.

Benefits Office (Grays, Essex)

Mr. Mackinlay: To ask the Secretary of State for Social Security (1) if she plans to provide a period of consultation with *(a)* the local authorities, *(b)* the clients, *(c)* hon. Members and *(d)* other agencies, before implementing changes in the levels of staffing and services provided at the Grays, Essex Benefits Office; and if she will make a statement; [17336]

(2) when unions were consulted about details of plans to alter the levels of staffing and services provided at the Grays, Essex Benefits Office; and if she will make a statement; [17324]

(3) what plans there are to alter the levels of staffing and services provided at the Grays, Essex Benefits Office; and if she will make a statement. [17325]

Mr. Keith Bradley: The operational organisation of benefit offices is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Andrew Mackinlay, dated 24 November 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions concerning the levels of staffing and services provided by the Benefits Agency (BA) office at Grays, Essex.

The BA is undertaking a reappraisal of its services and the way they are provided in order to modernise service delivery and make savings for the taxpayer. Part of this reappraisal includes an analysis of the use the Agency makes of its present accommodation. The BA's Essex South West District, which includes the office at Grays, is looking at ways to rationalise its accommodation.

The manager of the BA's District wrote to local MPs and representatives of 28 local organisations to inform interested parties of the proposed changes. As there will be no change to the service provided to the public at the Grays office, a formal period of consultation is not considered necessary.

The proposals will have some impact on staff locally. Accordingly, the local Trade Unions were advised separately of the announcement and there will be extensive local discussions to ensure a successful implementation of the proposals.

Some processing work currently conducted at Grays will transfer to Basildon. However, a full caller facility will be retained at Grays along with some of the existing processing work. Customers will be able to call at the office as they do now. Indeed, the proposed changes will enhance the service for disabled people who will be provided with improved access to the building.

I hope you find this reply helpful.

Welfare to Work

Mr. Burns: To ask the Secretary of State for Social Security if she will make a statement on the entitlement to benefits of those who agree to participate in Welfare to Work for long-term sick and disabled schemes. [17724]

Mr. Denham: I shall let the hon. Member have such information as is available as soon as possible.

Mr. Burns: To ask the Secretary of State for Social Security if she will make a statement on the welfare to work for the long-term sick and disabled pilot schemes. [17648]

Mr. Denham: The Government believe that work is the best form of welfare for people of working age. We are committed to improving opportunities for sick and disabled people who want to work.

We will use the £195 million to fund innovative schemes which will explore how best to help sick and disabled people into work. We want to encourage an imaginative approach. We do not wish to constrain ideas at this stage but schemes could for example provide services along the following lines: improved advice; rehabilitation; work trials; skills training; adaption to the workplace; job-coaching and employer mentoring; improved employer and medical services sickness management; and assessment and placement schemes. We hope to launch a tendering exercise by the turn of the year and to select the first schemes in spring 1998.

Income Support

Mr. Burns: To ask the Secretary of State for Social Security if she will make a statement on the planned date of publication of the report of her Department's research into income support. [17652]

Mr. Keith Bradley: Department of Social Security has a wide-ranging research programme, covering a number of areas including Income Support. It is our practice to publish the results of research commissioned.

Poverty Record

Mr. Boswell: To ask the Secretary of State for Social Security if she will place in the Library a copy of the Government's response to recent litigation on Britain's poverty record in connection with the 1976 UN International Covenant on Economic, Social and Cultural Rights. [17229]

Mr. Keith Bradley: The UK submitted its third compliance report on the 1976 UN International Covenant on Economic, Social and Cultural Rights (ICESCR) in February 1996. That report, which has been placed in the Library, has been considered by an ICESCR Committee who are now taking oral evidence from both Non-Governmental Organisations and the Government.

Cold Weather Payments

Mr. Corbyn: To ask the Secretary of State for Social Security what data her Department has collated on the effects of wind chill on the heating needs of those in receipt of cold weather payments. [17369]

Mr. Denham: I refer my hon. Friend to the reply I gave my hon. Friend the Member for Streatham (Mr. Hill) on 30 October 1997, *Official Report*, columns *855-56*.

Mr. Corbyn: To ask the Secretary of State for Social Security what assessment her Department has made of the costs of introducing a winter payment system for fuel instead of the cold weather payment; and if she will make a statement. [17366]

Mr. Denham: I shall let my hon. Friend have such information as is available as soon as possible.

Mr. Corbyn: To ask the Secretary of State for Social Security what estimate her Department has made of the cost of introducing a wind chill factor in calculating cold weather payments. [17367]

Mr. Denham: A number of options have been considered. Full details are contained in the Building Research Establishment's report, copies of which are available in the Library.

State Pensions

Mr. Corbyn: To ask the Secretary of State for Social Security if she will publish all the representations received as part of her review of state pensions. [17360]

Mr. Denham: I refer my hon. Friend to the replies I gave the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) on 17 November 1997, *Official Report*, columns *85–86*.

Mr. Corbyn: To ask the Secretary of State for Social Security when she plans to make a statement on the Government's strategy for the state pension from 1998–99 onwards. [17362]

Mr. Denham: The pensions review, announced by my right hon. Friend, the Secretary of State, on 17 July 1997, *Official Report*, columns *239–41*, is looking at the central areas of insecurity for elderly people, including all aspects of the basic pension and its value. A key objective of the review is to ensure that pensioners should have an adequate income in retirement; that they should share fairly in rising national prosperity, and that public finances should be both sustainable and affordable.

The first part of the review ended on 31 October and we are now carefully considering more than 1,800 responses we have received from pensioner providers, employers, employees, consumers, pensions experts and pensioners themselves. The Government intend to publish an initial framework for change in the first half of 1998. There will then be a period of further consultation before final, detailed proposals are developed.

All-work Test

Mr. Burns: To ask the Secretary of State for Social Security what is the planned date of publication of the report on the review of the all-work test. [17647]

Mr. Denham: As part of our Comprehensive Spending Review, we are looking at all aspects of current provision for sick and disabled people. Our objectives are to ensure that sick and disabled people who want to work are helped to do so and those who cannot are given appropriate support. This means that we are considering carefully the appropriateness of the All-work Test as we develop our

proposals. The Comprehensive Spending Review was announced on 11 June and is expected to take around a year to complete.

Lone Parents

Mr. Webb: To ask the Secretary of State for Social Security how many of those individuals in a family headed by a lone parent where household income after housing costs is below half the national average are *(a)* in benefit units receiving income support, *(b)* in benefit units not receiving income support but receiving one parent benefit, *(c)* in benefit units where the head works 16 hours per week or more or *(d)* in benefit units receiving family credit, housing benefit or council tax benefit. [17620]

Mr. Keith Bradley: In 1995–96, an estimated 2.4 million individuals in Great Britain were in a family headed by a lone parent where household income after housing costs was below half the national average. Of these individuals, it is estimated that:

(a) 87 per cent. (2.1 million) were in benefit units receiving income support;

(b) 7 per cent. (0.2 million) were in benefit units not receiving income support but receiving one parent benefit;

(c) 7 per cent. (0.2 million) were in benefit units where the head worked 16 hours per week or more;

(d) 91 per cent. (2.2 million) were in benefit units in receipt of at least one of the following: family credit, housing benefit or council tax benefit.

Source:

Households Below Average Income (HBAI).

Notes:

1. The data come from the Department's Households Below Average Income(HBAI) series, based on the Family Resources Survey (FRS and covering Great Britain. The FRS data was used to achieve a large enough sample size to provide the information. All results are subject to sampling error.

2. The income measure used is weekly net (disposable) equivalised household income. The definition of income used follows that in the published HBAI series for FRS based results.

Social Security Bill

Mr. Webb: To ask the Secretary of State for Social Security what estimates he has made of the saving which would arise to the Exchequer from Clause 70 of the Social Security Bill if there were no exceptions to its provisions. [17607]

Mr. Keith Bradley: The estimated savings without exceptions would be around £80 million in a full year.

Christmas Bonus

Mr. Burns: To ask the Secretary of State for Social Security if the Christmas bonus will be included in her Department's review of the central areas of insecurity for older people. [17727]

Mr. Denham: Our pensions review will look at all aspects of the basic state pension and its value including the Christmas Bonus. The review will report in the first half of next year.

Private Pension Funds

Mr. Boswell: To ask the Secretary of State for Social Security if she will make a statement on recent trends in the solvency of private pension funds. [17228]

Mr. Denham: There is no universally accepted benchmark for measuring the solvency of private pension funds. Actuaries use a number of valuation methods and assumptions when advising trustees about the funding level of their pension schemes.

Pensions Forums

Mr. Corbyn: To ask the Secretary of State for Social Security what actions are being taken by her Department to promote pensions forums in each local authority area. [17368]

Mr. Denham: This Department has no plans to set up pensions forums in each local authority area, but we want everyone with an interest in pensions to participate in the Pensions Review announced by my hon. Friend the Secretary of State on 17 July 1997, *Official Report*, columns *239–41*. We particularly welcome contributions from today's pensioners. That is why we were extremely pleased that Jack Jones and the National Pensioners' Convention (NPC) agreed to take on a central and specific role within the Review so that pensioners' voices can be heard at the heart of the Review process. It is open to the NPC to make representations on the further involvement of pensioners in local and central Government. The NPC is an organisation with a large number of affiliated local pensioners' organisations and over 1.5 million members across the country. To date we have received and are considering over 1,800 replies to the public consultation exercise which ended on 31 October many of which are from local pensioners' organisations.

Statutory Services

Mr. Corbyn: To ask the Secretary of State for Social Security what assessment her Department has made of the effects of the Gloucestershire judgment relating to the provision of statutory services; and if she will make a statement. [17363]

Mr. Keith Bradley: My right hon. Friend the Secretary of State for Health has the lead responsibility for the implications of the Gloucestershire judgment. The judgment does not have any effect on DSS provisions.

Disability Living Allowance

Mr. Burns: To ask the Secretary of State for Social Security if she will make a statement as to the planned date of publication of the report on the review of the disability living allowance. [17651]

Mr. Denham: I shall let the hon. Member have such information as is available as soon as possible.

Wisconsin Project

Mr. Burns: To ask the Secretary of State for Social Security which Ministers had meetings with officials from Wisconsin during the summer. [17726]

Mr. Keith Bradley: My right hon. Friend the Secretary of State had one meeting with an official from Wisconsin.

Mr. Burns: To ask the Secretary of State for Social Security what reports have been prepared by officials in her Department on the Wisconsin Project; and if she will make them publicly available. [17725]

Mr. Keith Bradley: Departmental Officials prepare regular background papers for Ministers on developments in welfare policy across the world. Several of these have included material on recent changes in Wisconsin.

It is for the authorities in Wisconsin to provide information about its welfare policy.

Pension Review

Mr. Burns: To ask the Secretary of State for Social Security if she will list the submissions to the Government's pension review. [17649]

Mr. Denham: I refer the hon. Member to the replies I gave the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) on 17 November 1997, *Official Report*, columns *85–86*.

Mr. Duncan Smith: To ask the Secretary of State for Social Security if changes brought into effect following the Government reviews on pensions will affect only those starting new pension schemes. [17621]

Mr. Denham: A key objective of the review is to ensure that pensioners should have an adequate income in retirement; that they should share fairly in rising national prosperity; and that public finances should be both sustainable and affordable.

No decision on changes to the pension system have been made. The Government intend to publish an initial framework for change in the first half of 1998. There will then be a period of further consultation before final, detailed proposals are developed and laid before Parliament.

Benefit Claims (Backdating)

Mr. Webb: To ask the Secretary of State for Social Security what is the cost to the Exchequer of the exemptions to the proposed restrictions on backdating of benefit claims which were announced by the Under-Secretary on 20 November 1997, *Official Report, Standing Committee B*, columns 426–29. [17608]

Mr. Keith Bradley: The estimated cost of the exceptions is around £24 million in a full year.

Lone Mothers

Mr. Duncan Smith: To ask the Secretary of State for Social Security, pursuant to her oral answer of 17 November 1997, *Official Report*, column 7, if she will make it her policy not to introduce compulsion for lone parents in order to get them from welfare into work. [17653]

Mr. Keith Bradley: Compulsion is not the issue. The real issue is effective help to get lone parents back to work. We are making significant steps to help lone parents back to work in the New Deal for Lone Parents, and by developing a National Childcare Strategy. With these policies, we are offering:

personalised advice on jobsearch;

training;

help with childcare;

and in-work benefits advice.

We believe that with the measures in the New Deal for Lone Parents, coupled with improvements that the Government is making in childcare, lone parents will decide for themselves that work is better than life on benefit.

Written Answers to Questions

Wednesday 26 November 1997

HOME DEPARTMENT

Closed Circuit Television

Mr. Clappison: To ask the Secretary of State for the Home Department what plans he has for a further round of CCTV bids supported by Home Office funding in 1998–99. [17159]

Mr. Michael: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Normanton (Mr. O'Brien) on 24 November 1997, *Official Report*, columns *630–31*.

Amsterdam Treaty

Sir Teddy Taylor: To ask the Secretary of State for the Home Department in respect of which sections of the Treaty of Amsterdam his Department contributed to the drafting. [17012]

Ms Quin *[holding answer 20 November 1997]:* The United Kingdom's position on the draft Treaty of Amsterdam was reached after consultation between relevant Government Departments.

Youth Crime

Mr. Bob Russell: To ask the Secretary of State for the Home Department if he will list the youth organisations he has consulted over the causes of youth crime; and if he will make a statement. [17412]

Mr. Michael: The Government have set out their policy on tackling youth crime and its causes in three consultation documents published since September 25: "Tackling Youth Crime", "New National and Local Focus on Youth Crime" and "Tackling Delays in the Youth Justice System". We have sent out over 2,000 copies of each to interested parties, including youth organisations. As of 21 November, we had received a total of 955 responses. The consultation period is now over and we aim to provide a report to Parliament on the responses as soon as is practicable.

Schengen Agreement

Mr. Streeter: To ask the Secretary of State for the Home Department under what circumstances the technical and operational documents relating to Schengen apply to United Kingdom nationals; and what further co-operation with Schengen countries will be *(a)* requested and *(b)* expected of United Kingdom authorities. [17078]

Ms Quin *[holding answer 24 November 1997]:* The United Kingdom is not a member of Schengen and under the Treaty of Amsterdam the Schengen acquis will apply as a matter of European law in all member states except the United Kingdom and the Republic of Ireland. The Treaty of Amsterdam provides for the United Kingdom to participate in provisions of the Schengen acquis; no decision has been taken about possible United Kingdom participation.

General Pinochet

Mr. Corbyn: To ask the Secretary of State for the Home Department how many visits to the United Kingdom have been made by General Pinochet of Chile in each of the last three years; and what security protection is provided for him. [17827]

Mr. Straw: General Pinochet has visited the United Kingdom on three occasions in the past three years. On each occasion, he has been admitted to the United Kingdom as a visitor in accordance with the Immigration Rules. No security protection has been provided.

Extradition

Mrs. Ann Cryer: To ask the Secretary of State for the Home Department pursuant to his letter of 30 August 1997 to the hon. Member for Neath (Mr. Hain), when he expects the United Kingdom will be designated under the South African Extradition Amendment Act. [17625]

Mr. Michael: I understand that the necessary Memorandum of Understanding has been signed by President Mandela and that designation of the United Kingdom under the Extradition Amendment Act 1996 was approved by the South African parliament during its last session. The designation is to be published in the Government Gazette shortly and will come into effect on the date it is published.

Firearms Compensation Claims

Mr. Wallace: To ask the Secretary of State for the Home Department (1) what proportion of compensation claims made under the Firearms (Amendment) Act 1997, excluding option C claims, had been settled in *(a)* the Surrey County Constabulary area, *(b)* the Metropolitan Police area, *(c)* the Northern Constabulary area, *(d)* Orkney and *(e)* Shetland by 1 November; [17658]

(2) what proportion of claims, excluding option C claims, for compensation for those who surrendered weapons and ancillary equipment under the Firearms (Amendment) Act 1997 had been settled by 1 November: [17657]

(3) by what date he expects all compensation claims under the Firearms (Amendment) Act 1997, excluding option C claims, to have been settled; and if he will make a statement. [17659]

Mr. Michael: It has always been recognised that the pressure of claims received over the short hand-in period was bound to mean processing delays, and claimants were advised that they may have to wait several weeks before receiving any payment.

The target for the completion of claims submitted under Option A and B is the end of March 1988, and that for the completion of claims submitted under Option C, the end of December 1998, although the great majority of claims will have been settled well within these target times. Claims are dealt with in the order in which they are received. Information about the number of claims submitted by different force areas is not yet available.

As at 21 November 1997, 39,553 claims had been received, including those for small-calibre pistols submitted under the ex-gratia scheme. Of these, 18,673 payments had been made, to a value of £24 million.

A number of measures have been taken to increase the processing rate by minimising distractions to examining staff. Weekend overtime is being worked, staff have been temporarily promoted to boost examiner numbers, and efforts are being made to recruit additional staff. I would like to pay tribute to the hard work of everyone in the Home Office and in individual police forces who is working so hard to cope with the challenge. It is appreciated that any delay will irritate those who have handed in their weapons, especially those who were opposed to this legislation. However, we are honouring the commitments made by the previous Government during the passage of the Firearms (Amendment) Act 1997 and doing as much as is reasonable to minimise delay, consistent with the need to control public expenditure, while fulfilling the clear will of Parliament.

FOREIGN AND COMMONWEALTH AFFAIRS

Fazal-Ur-Rahman

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the case of Fazal-Ur-Rahman, formerly of 6 Edgecote Court, Leicester, who has applied for a visa in Islamabad (Foreign Office ref. E452510/97). [16847]

Mr. Fatchett: We have asked our high commissioner in Islamabad for a detailed account of the case and my noble Friend the Under-Secretary of State for Foreign and Commonwealth Affairs will write to my hon. Friend within one week of receiving that account.

Police Training

Mr. Rowlands: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries to which assistance in the training of police *(a)* is currently being given and *(b)* has been given since 1992. [17421]

Mr. Fatchett: This Department or the Department for International Development are funding police training for the following countries in the present financial year:

Anguilla, Belarus, Bosnia, Botswana, British Virgin Islands, Bulgaria, Cayman Islands, Chile, Colombia, Costa Rica, Czech Republic, Cyprus, Estonia, Fiji, Hungary, India, Indonesia, Jamaica, Jordan, Kenya, Latvia, Lebanon, Lesotho, Lithuania, Malawi, Mauritius, Mexico, Morocco, Mongolia, Montserrat, Nepal, Pakistan, Palestine Autonomous Territory, Papua New Guinea, Paraguay, Peru, Phillipines, Poland, Romania, Russia, Rwanda, Seychelles, Slovak Republic, Slovenia, Solomon Islands, South Africa, St. Helena, St. Kitts and Nevis, Sri Lanka, Swaziland, Thailand, Trinidad and Tobago, Turks and Caicos Islands, Uganda, Uruguay, Vanuatu.

Individual serving police officers from foreign forces may currently be undertaking academic studies sponsored by this Department or the Department for International Development, or receiving training funded from other public or private sector sources, but it would involve disproportionate cost to try to establish a record of this additional training.

Police and security forces receiving sponsored training in previous years were listed in answers given on 28 February 1996, *Official Report*, columns *546–47*, and 14 May 1996, *Official Report*, columns *385–87*, by the then Minister of State for Foreign and Commonwealth Affairs to my hon. Friend the Member for Cardiff, Central (Mr. Jones); on 31 October 1996, *Official Report*, columns *218–19*, in an answer given by the then Minister of State for Foreign and Commonwealth Affairs, to my right hon. Friend the Member for Birmingham, Ladywood (Clare Short) and on 12 December 1996 in an answer by the then Minister of State for Defence, to my hon. Friend the Member for Cynon Valley (Ann Clwyd).

Imports (Verification of Labelling)

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with importers handling goods labelled "Made in Israel" on measures to verify their attribution. [17542]

Mr. Doug Henderson: In a notice to importers, published in the *Official Journal of the European Communities* on 8 November, the European Commission advised importers of serious doubts about the validity of all preferential certificates issued by Israel, for all products. HM Customs and Excise have given this notice wide publicity through trade associations and journals.

Within the framework of the EC-Israel Agreement, Customs are carrying out inquiries to establish the true origin of a wide range of products imported from Israel. The Subjects of these inquiries include fruit juice. Customs experts from all Member States will meet shortly to discuss what further measures can be taken to verify Israeli origin declarations. EC officials will meet Israel representatives soon, following consultations with Member States, to seek a solution to this problem.

DNA Tests (Immigration)

Mr. Hinchliffe: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the procedures for the provision of free DNA tests in circumstances where the authenticity of a family relationship is contested, for immigration purposes. [17234]

Mr. Fatchett: DNA tests are provided for first-time applicants wishing to settle in the UK and for persons seeking to establish an entitlement to the Right of Abode in the UK. Applicants are advised that the service is free and that participation is voluntary. Blood samples are sent to the UK for DNA analysis for comparison with a DNA sample taken from a family member in the UK. Results are normally notified to Posts within 6 weeks.

Western Sahara

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings have been held with representatives of the Polisario movement of the Western Sahara in the past six months; and if he will make a statement. [17840]

Mr. Fatchett: The United Nations have held direct talks with the parties involved in the Western Sahara issue. We support the UN's role in securing a settlement to the dispute.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what funding HMG has provided towards UN operations in the Western Sahara for each of the last five years. [17829]

Mr. Tony Lloyd: We have made the following contributions to the United Nations Mission for the Referendum in Western Sahara (MINURSO) in each of the last five financial years:

1992–93: £815,057

1993–94: £310,496

1994–95: £22,527

1995–96: £3,676,702

1996–97: £641,173

The first three figures are the costs of a UK military contribution (15 military observers and the Chief of Staff) which was made from 1991–93. The last two figures show our UN-assessed contributions.

The UK pays 6.568 per cent. in assessed contributions of the total yearly cost of every UN peacekeeping operation. However, because the UK's contribution to MINURSO was over-assessed in 1991–92, no bills for assessed contributions were received in the following three financial years. Our estimated contribution for 1997–98 is £700,000.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans his Department has to ensure observers are present in the Western Sahara until the United Nations referendum on its future is held; and if he will make a statement. [17842]

Mr. Factchett: We support the UN mission in the Western Sahara. We have welcomed the Secretary-General's report dated 13 November 1997 to the Security Council, which contains recommendations on MINURSO's deployment. As a permanent member of the Security Council, we are playing a leading role in discussion on that deployment.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made by United Kingdom representatives at the United Nations concerning the holding of a referendum on the future of the Western Sahara; and if he will make a statement. [17839]

Mr. Fatchett: The United Nations is helping to prepare the ground for a referendum in Western Sahara. As a permanent member of the Security Council, the UK is playing an active role in discussions on the future deployment of MINURSO and on the UN mission.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held with the Government of Morocco concerning the future of the Western Sahara. [17841]

Mr. Fatchett: The United Nations has held direct talks with the parties involved in the Western Sahara issue. We support the UN's role in securing a settlement to the dispute.

Egypt

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what information, and from what sources, his Department has evaluated on the security of visitors to Egypt; and what guidance his Department has issued to tour operators. [17826]

Mr. Fatchett: We gather information from a wide range of reliable sources. We are in close contact with our Embassy in Cairo who, in turn, are in contact with the Egyptian government.

Information from these sources has been distilled into the travel advice notice issued on 18 November as follows:

"In a major incident near Luxor on 17 November gunmen killed more than sixty tourists, including at least six British visitors. Since 1992 extremists have conducted a campaign of violence against the Egyptian Government, mainly in the provinces of Minya and Assiut (half way between Cairo and Luxor) but with sporadic attacks in other areas. Most of these incidents have been directed at the police, or were sectarian in nature.

Extremists have warned tourists not to visit Egypt. In April 1996 gunmen killed 18 Greek tourists in Cairo. On 18 September two men, acting alone, killed 10 people, mainly German tourists, also in Cairo.

The Luxor attack suggests that the threat to tourists visiting Upper Egypt has increased. British visitors are advised to exercise great caution when visiting Upper Egypt (defined as the area of the Nile valley south of and including Minya province). They are strongly advised to avoid the Luxor area until further notice.

Visitors to all other parts of Egypt, including Cairo, the Red Sea and Sinai, are advised to be vigilant and to respect any advice from the local security authorities.

Local driving conditions and poor vehicle maintenance make road travel outside the main cities hazardous, especially at night. In the event of an accident emergency medical facilities are limited.

Travel advice is widely available to the travel trade and tour operators. We would be prepared to offer further advice to tour operators if asked. None have approached us following the events in Egypt on 17 November.

Kurds

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions have been taken by his Department to promote dialogue between Kurdish movements in Iran, Iraq and Turkey; and if he will make a statement. [17838]

Mr. Fatchett: With the US, the UK has brokered a ceasefire between the two Iraqi-Kurdish parties, the PUK and KDP. This came into effect on 24 November. It is the first essential step towards peace in the region. We have taken no steps to promote dialogue between Kurdish movements in other countries.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the British presence in the Kurdish area of Northern Iraq. [17832]

Mr. Fatchett: The UK has no permanent official presence in the Kurdish area of northern Iraq. UK officials based in Ankara visit the area regularly. Several UK non-governmental organisations (NGOs) are also carrying out humanitarian work in northern Iraq.

Antarctic Treaty

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to be able to announce the establishment of the Antarctic Secretariat following ratification of the Antarctic Treaty. [17828]

Mr. Doug Henderson: Establishment of the Secretariat to the Antarctic Treaty will depend on the consensus of the Treaty Parties, which have yet to agree on its location.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Government of Japan on its approval of the Antarctic Treaty; and if he will make a statement. [17835]

Mr. Fatchett: I refer my hon. Friend to the answer I gave him on 5 November 1997, *Official Report*, column *202*.

EU (Immigration and Asylum)

Mr. Stinchcombe: To ask the Secretary of State for Foreign and Commonwealth Affairs in what ways Her Majesty's Government will be able to influence policy making in the European Union in respect of immigration and asylum matters. [16499]

Ms Quin: I have been asked to reply.

The United Kingdom participates fully in the intergovernmental co-operation on immigration and asylum policy provided for in the Treaty on the European Union. We shall use the opportunity of the United Kingdom's presidency of the European Union, in the first half of 1998, to carry forward that co-operation. Future co-operation on immigration and asylum policy will, as a result of the Amsterdam Treaty, be taken forward in the First Pillar; the Government have secured a Protocol which enables us to opt into such co-operation. We shall seek to do so where it is in our national interest.

Mr. Stinchcombe: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy that individual consideration will be given to all asylum applications made by European Union nationals. [16491]

Mr. Mike O'Brien: I have been asked to reply.

The 1951 United Nations Convention requires that we consider applications for asylum individually, irrespective of where they come from and we will comply with that obligation.

European Commission (Employees)

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs what study has been conducted of the pension liabilities of the European Commission staff; and what proportion of employees hold private pensions. [17265]

Mrs. Liddell: I have been asked to reply.

In response to requests from the Council, the Commission prepared a paper on financing the Community pension scheme, which was discussed earlier this year. It included projections up to the year 2015 showing costs rising as the number of pensioners increase. The Commission is working on further studies, including an actuarial assessment of the scheme, on which we expect them to report in 1998. We do not have any information about the number of staff who may have private pensions.

CULTURE, MEDIA AND SPORT

Museum Funding

Mr. Mullin: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of differences in the level of funding between the museums formerly funded by the metropolitan county councils and the GLC since 1986; and what account he will be taking of this in his current review of museum funding. [16125]

Mr. Fisher: Funding for most of the former metropolitan museums is a matter for the local authorities in each area. Amongst the 16 museums my Department directly sponsors, there are five that were once funded by the Metropolitan County Councils, and the Greater London Council (the National Museums and Galleries on Merseyside; the Museum of Science and Industry in Manchester; the Geffrye Museum; the Horniman Museum and the Museum of London). An annual allocation is made to these institutions following an assessment of their needs as expressed in their respective corporate plans. In addition the Museums and Galleries Commission currently awards an annual grant to the Tyne and Wear Museum Service, following their assessment of the relative needs of the various client bodies funded by them.

Allocations are made on grounds of affordability and need. Institutions and museum services are very different and are funded on different bases from different sources. Funding levels are therefore not directly comparable.

My Department is currently considering all of its public funding commitments as part of its contribution to the Government's comprehensive spending review.

EU Culture Council

Mr. Singh: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the outcome of the Culture Council on 24 November. [18305]

Mr. Fisher: EU Ministers of Culture met on 24 November 1997 in Brussels. Ministers agreed Conclusions on music in Europe which are intended to inform the Commission's thinking as it develops proposals for the future of EU cultural action.

The European Commission presented its proposal for a European Parliament and Council Decision establishing a Community initiative for the "European City of Culture" programme.

Ministers held an exchange of views on the selection of a European City of Culture for 2001; the funding of EC cultural action in 1999 to cover the period between the expiry of the Ariane and Kaleidoscope programmes and the establishment of a successor programme.

The Council asked the Commission to carry out a study into the reduction of VAT on recordings.

Ministers discussed a proposal for a Council Decision establishing a European Guarantee Fund to promote cinema and television production, and follow-up to the Commission Green Paper on the protection of minors and human dignity in the audiovisual and information services.

The Council invited the ten associated countries of Central and Eastern Europe to participate in a structured dialogue on measures taken and to be taken to prepare new legislation and adapt existing national legislation, to bring it into line with EU audiovisual legislation and to address questions concerning the protection of minors and human dignity in audiovisual services.

Ministers also touched upon the future of digital television, European Cities of Culture for 1997 and 1998, the UNESCO Intergovernmental Conference in March 1998 on cultural policies for development, fixed book pricing, co-operation between the EC and the Council of Europe and follow-up action in the cultural field to the Euro-Mediterranean partnership.

TREASURY

European Central Bank

Mr. Mitchell: To ask the Chancellor of the Exchequer if the agendas and minutes of the *(a)* governing council and *(b)* governing board of the proposed European Central Bank will be made available to any statutory body of (i) participating, and (ii) non-participating member states. [15311]

Mrs. Liddell: Article 10.4 of Protocol No. 3 to the Maastricht Treaty (on the Statute of the European System of Central Banks and of the European Central Bank) states in relation to the Governing Council that:

"The proceedings of the meetings shall be confidential. The Governing Council may decide to make the outcome of its deliberations public".

Under Article 12.3 of the same protocol the Governing Council must adopt Rules of Procedure for the Executive Board.

ECOFIN

Mr. Timms: To ask the Chancellor of the Exchequer if he will make a statement on the Council meeting of the Economic and Finance Ministers of the European Union held on 17 November. [17135]

Mr. Gordon Brown: I represented the UK at the Economic and Finance Council—ECOFIN—of the European Union in Brussels on 17 November. The Economic Secretary accompanied me.

The Council focused on the issue of economic co-ordination in State 3 of the EMU, in response to the remit from the Amsterdam European Council in June this year. There was a good deal of support for the principle that ECOFIN should continue to be the centre of economic co-ordination. The possibility of informal discussions was also considered. The Council will look again at these issues at its next meeting on 1 December.

The Council also discussed the date for the introduction of euro notes and coin, and the technical specifications for the coinage.

The Council was also presented with two documents by Commissioner Monti. These papers were a Communication on Financial Services: Enhancing Consumer Confidence, and a Green Paper on Supplementary Pensions in the Single Market.

The report of the SEM2000 (Sound and Efficient Management) group was presented to the Council. This group has been looking at ways to improve the management of Community budget expenditure. The Economic Secretary emphasised the importance we attach to this work.

Following the main ECOFIN meeting, a joint meeting with Social Affairs Ministers was held to discuss the preparations for the extraordinary European Council on Employment (the "Jobs Summit"), which took place in Luxembourg on 20–21 November. The Secretary of State for Education and Employment and I jointly represented the UK. The Council held further discussions about the proposals for Employment Guidelines.

Commemorative Coins

Ms Lawrence: To ask the Chancellor of the Exchequer what plans Her Majesty's Government has to issue new commemorative coins. [18204]

Mr. Gordon Brown: Her Majesty The Queen has been graciously pleased to approve my recommendation that a fifty pence piece of special design should be issued in 1998 to commemorate the fiftieth anniversary of the National Health Service and that a two-pound coin should be issued in 1999 to celebrate the hosting of the Rugby World Cup. Both coins will be made available for general circulation and there will be collector versions in base and precious metal.

She has also been graciously pleased to approve my recommendation that a crown piece with a face value of five pounds should be issued to celebrate the millennium. These crown pieces will be struck in base and precious metal for collectors, and in addition will be available at face value from banks and post offices in 1999 and 2000.

Hauliers (Fuel Fraud)

Mr. Beggs: To ask the Chancellor of the Exchequer if he will make a statement on the effectiveness of measures in place to combat the fraudulent use of red diesel and similar fuels by some hauliers operating within and through Northern Ireland. [16190]

Dawn Primarolo: Enforcement measures must always strike a balance between the risk to the Exchequer, the impact on legitimate trade and the cost of those measures. In the case of fraudulent misuse of Red Diesel and similar fuels in Northern Ireland I am satisfied that Customs and Excise devotes sufficient resources to the problem.

HOUSE OF COMMONS

Carry-over of Bills

Mr. Nigel Jones: To ask the President of the Council what plans she has for the carry-over of government, hybrid and private bills from one session to another; and when she expects to make a statement. [17247]

Mrs. Ann Taylor: The principle of the carry-over of government bills from one session to the next was set out in the First Report of the Select Committee on Modernisation of the House of Commons (HC 190) which was approved by the House on 13 November. The exact procedure for carry-over will now be developed in consultation with the House of Lords. The Government have not yet identified any bill to be subject to such a procedure this session. No recommendation about the procedure nor any statement about bills which might be carried over is imminent. I am not aware of any public bills being hybrid this session and I am not responsible for private bills.

Parliamentary Business

Mr. Skinner: To ask the President of the Council if she will list those types of business for which time for debate on the Floor of the House has ceased to be available since 1979. [17089]

Mrs. Ann Taylor: Supply days were replaced by Opposition and Estimates Days in 1982. At the same time Consolidated Fund Bills ceased to be debated, with the same time allocated instead for overnight private Members' adjournment debates. The separate debate on public expenditure plans was amalgamated with the Budget debate when the unified budget was introduced in 1993 and a debate on the summer economic forecast was introduced. Estimates days and three Wednesday mornings now provide up to 12 opportunities for debates on select committee reports which did not exist in 1979.

Money resolutions and ways and means resolutions, if taken on the same day as the second reading of the bill, are now put without debate, but are debatable for 45 minutes if taken at other times. The second reading of Law Commission Bills is now normally taken in a second reading committee but may still be taken on the floor of the House.

Similarly, the committee stage of consolidation bills may be dispensed with and the third reading taken without debate. Although more statutory instruments and EU documents are now taken in committee rather than on the floor of the House, they may be debated on the floor.

Since 1979 the only item of business which has ceased to exist is the Private members' motion. Until 1994 up to about 18 Members a year moved such motions, mainly on Fridays. These, together with the three overnight sittings on the Consolidated Fund Bill and the last day before recess debates, have been replaced under the Jopling reforms by private Members' adjournment debates on Wednesday mornings. A total of 128 hours was spent on such debates in the last normal-length session (1995–96) compared with 106 hours on the previous business in the session before the change. These have created some 160 separate opportunities each session for backbenchers to raise subjects of their choice.

INTERNATIONAL DEVELOPMENT

Western Sahara

Mr. Corbyn: To ask the Secretary of State for International Development what aid payments *(a)* through the EU, *(b)* through non-governmental organisations and *(c)* made directly have been made by her Department in each of the last five years to refugees from the Western Sahara; and if she will make a statement. [17830]

Clare Short: The only figures immediately available from the EU are that 7 million ECU were spent on refugees in the Western Sahara in 1996, the UK share being approximately £1.8 million. The EU are planning to spend a similar amount in 1997.

My Department has made a commitment of up to £60,000 in 1997–98, the first year that we have provided bilateral assistance to the Saharawi refugees, to fund War on Want to assist in the improvement of food storage facilities for refugees. So far £25,474 has been paid.

We have also provided emergency funds in 1997–98 amounting to £30,000 to help improve water supply and distribution for Saharawian refugees.

World Bank (Independent Inquiry Committees)

Sir Alastair Goodlad: To ask the Secretary of State for International Development what representations she has made to the World Bank about the establishment of independent inquiry committees. [17786]

Clare Short: The Government through our Executive Director has made a number of representations to the World Bank President, management and the World Bank Inspection Panel itself on the need for openness and transparency in the Panel's work, and for its independence to be protected.

Overseas Investment Insurance Scheme

Sir Alastair Goodlad: To ask the Secretary of State for International Development what has been the outcome of her review of the overseas investment insurance scheme of ECGD; and if she will make a statement. [17447]

Mrs. Beckett *[holding answer 24 November 1997]:* I have been asked to reply.

When ECGD relaunched its Overseas Investment Insurance Scheme in 1994 it was agreed that the Scheme would be reviewed every three years. The first of these reviews is about to commence. ECGD will work closely with the Department for International Development in this matter to see if the facilities can be made more readily available to poor countries.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Fair Trade (Coffee and Tea)

Mr. MacShane: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the oral statement by the Secretary of State for International Development, *Official Report*, 5 November 1997, column 332, if he will instruct officials to serve coffee and tea furnished by suppliers who adhere to fair trade standards in his Department. [15490]

Angela Eagle: I refer my hon. Friend to the reply given by my right hon. Friend the Prime Minister, on Thursday 13 November 1997, *Official Report*, column *617*.

Widdecombe Rules

Mr. Fitzpatrick: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the Widdecombe rules. [16911]

Mr. Raynsford: My right hon. Friend the Prime Minister, told the House on 8 July 1997, *Official Report*, columns *389–90*, that we accepted the recommendation of the Committee on Standards in Public Life in its Third Report, that a new start should now be made on building an ethical framework for local government. In addition, my hon. Friend the Minister for Local Government and Housing announced on 30 September that, while we are firmly committed to the tradition of political impartiality by senior officials employed in both central and local government, we are reviewing the detail of the current regulations on politically restricted posts in local government.

Motor Traders (Pre-sales Inspections)

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it a statutory duty for motor traders to publish comprehensive pre-sales inspections of all sales vehicles. [17145]

Ms. Glenda Jackson: There are no plans to do so. It is already an offence for motor traders to sell an unroadworthy vehicle unless they make it perfectly clear to any prospective purchaser that it would be illegal to use the vehicle on the road in that condition. It would not be appropriate to make it a legal requirement for vendors to provide additional information about issues which are not concerned with vehicle safety and environmental performance. Those are matters for the prospective vehicle purchaser to determine.

Motor Cycles (Deaf Riders)

Mrs. Ballard: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to change the Driving Standards Agency regulations in respect of the application to deaf riders of the requirement on motor cycle riders to be in radio contact with an instructor. [17269]

Ms Glenda Jackson: We have recently announced our intention to put amending regulations before Parliament that will exclude, from January 1998, persons who are hearing impaired from the requirement for learner riders training on large motorcycles to be in radio contact with their instructor.

Also, when the radio link requirement is extended to all learner riders taking compulsory basic training, from April 1998, persons who are hearing impaired will be exempted.

Road Users (Disabled People)

Mrs. Ballard: To ask the Secretary of State for the Environment, Transport and the Regions if he will ensure that orange badges for disabled people are produced in a form which will fit into a normal vehicle tax disc holder. [17268]

Ms Glenda Jackson: No. Orange badges should be displayed only when in use, and then on the dashboard or facia panel, not the windscreen.

Vehicle Identification Number Plates

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it an offence for any person other than the original manufacturer to supply replacement vehicle identification plates. [17156]

Ms Glenda Jackson: We have no plans to do so. It is already an offence, under section 173 of the Road Traffic Act 1988, for anyone to forge or alter a vehicle identification number (VIN) plate with intent to deceive. The vendor of a vehicle with a defective VIN might also be committing an offence under the Trade Descriptions Act.

Enterprise Zones

Mr. Denis Murphy: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the number of areas which benefit from enterprise zone status, *(b)* the date enterprise zone status was awarded to each and *(c)* the number of jobs created in each individual area since the introduction of enterprise zone status. [17149]

Angela Eagle: The information available is:

Existing enterprise zone	*Date of designation*	*Number of jobs created in enterprise zone (see note)*
Inverclyde	March 1989	2,655
Lanarkshire	February 1993	[1]2,839
Tyne Riverside Nos. 1–11	February/August/October 1996	[1]830
Sunderland Nos. 1–3	April 1990	3,063
East Durham Nos. 1–6	November 1995	[1]59
Dearne Valley Nos. 1–6	November 1995	[1]92
East Midlands Nos. 1–7	September/November 1995	[1]201

[1] The figures for Inverclyde and Sunderland show the number of jobs created up to 31 March 1997. Figures for other Enterprise Zones show the number of jobs in the zone at 31 March 1997. Specific employment numbers for these before designation are not available but would have been very low because of the nature of the sites.

Environment Agency (Staffing)

Mr. Todd: To ask the Secretary of State for the Environment, Transport and the Regions how many posts have been lost in the Environment Agency in the current financial year; and what estimate he has made of further losses based on current planned expenditure in 1998–99. [17294]

Angela Eagle: The Environment Agency has not lost any posts overall in the current financial year. Resource allocations for 1998–99 have yet to be decided. The Agency's latest Corporate Plan shows a budgeted increase of 101 staff between 1996–97 and 1997–98, and a further planned increase of 37 in 1998–99.

Technology Foresight

Dr. Starkey: To ask the Secretary of State for the Environment, Transport and the Regions (1) in what way the Department's research priorities have been modified in response to Technology Foresight; [17466]

(2) what Technology Foresight priorities are being taken into account in the forward planning of the Department's scientific research programme. [17465]

Angela Eagle: My Department is represented on the Panels dealing with Natural Resources and Environment (NRE), Construction, Marine and Transport. The process by which the Department's research priorities are established takes place in parallel with the Panel's own priority-setting process. Foresight informs a broad range of priorities within the Department, including specific programmes. We consider all relevant Foresight priorities during the planning process, and modify research requirements accordingly.

For example, the Department has embedded many Foresight findings within the Construction Research and Innovation Business Plans. The Business Plans and their Key Priorities set the agenda for the Department's future involvement in construction research and innovation. This includes a new LINK Programme, "Meeting Clients' Needs Through Standardisation", funded by the Department and the Engineering and Physical Science Research Council (EPSRC). The Department is also helping the Panel to follow up its recommendations on the social and environmental impacts of construction by funding research into indicators of sustainable construction.

Similarly, the Department has responded to the Transport Panel's principal recommendations for three projects aimed at nurturing the developments necessary to improve transport in the key areas of efficiency and the environment. The Department is funding a programme co-ordinator for the Clear Zones programme and, with EPSRC, the Economic and Social Research Council and DTI we are sponsoring the Inland Surface Transport LINK programme, in large part designed to support research relevant to the Panel's recommendations related to mode-specific and generic technologies and transport systems. The Transport Panel is currently considering the technological aspects of integrated transport.

Eurostar

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions when he expects Eurostar services through the Channel Tunnel on to the West Coast Main Line to commence. [17593]

Ms Glenda Jackson: The provision of these services is a matter for Eurostar (UK) Ltd. (EUKL). I understand from EUKL that they intend to introduce these services as soon as possible, once the necessary testing and commissioning of the new rolling stock has been completed.

Household Growth Green Paper

Mr. Tom King: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he *(a)* has issued and *(b)* plans to issue to local authorities regarding the development of more flexible parking standards in urban areas, as proposed in the Household Growth Green Paper (Cm 3471), paragraphs 5.30 and 5.33. [17715]

Mr. Raynsford: Existing Planning Policy Guidance on Transport (PPG13) encourages local authorities to be flexible in the requirements for off-street residential parking space and reduce them or waive them where necessary in order to provide good-quality and affordable high-density development in areas with good access to other means of travel.

We are considering parking issues for them in the current review of transport policy, the results of which will be published as a White Paper next spring.

Mr. Tom King: To ask the Secretary of State for the Environment, Transport and the Regions how many responses to the Green Paper "Household Growth: Where Shall We Live" (Cm 3471) have supported the proposal to phase the release of land in paragraph 4.33; and if he plans to implement this proposal. [17718]

Mr. Raynsford: Nearly 100 responses out of the approximately 700 received supported the concept of phasing. We are considering all the issues raised by the Green Paper and will announce our decisions in due course.

Kyoto Conference

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to publish the results of, and to report on, the Kyoto Conference on Climate Change. [17374]

Angela Eagle *[holding answer 25 November 1997]:* We will be informing the House of the outcome of the Kyoto Conference on Climate Change in due course and will place in the Library a copy of relevant documents, including any Protocol and decisions adopted.

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the British delegation to the Kyoto Conference on Climate Change; and if he will publish all the Government's position papers in advance of the Conference. [17359]

Angela Eagle *[holding answer 25 November 1997]:* I refer my hon. Friend to the answer given by my right hon. Friend the Prime Minister to the hon. member for Hazel Grove (Mr. Stunell) on 11 November, *Official Report*, column *464*.

I am also placing in the Library a copy of the EU position papers and statements for the most recent negotiating meeting in Bonn in October.

Single Person Households

Mr. Tom King: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he issues to planning authorities in respect of the design of dwellings for single person households. [17710]

Mr. Raynsford: Planning policy guidance on housing (PPG3) and several regional planning guidance documents advise local planning authorities to take account of demographic and social changes in the region, including the increasingly varied types of housing required, such as for single persons, small households and the elderly. The guidance, however, is concerned with the mix of types of housing, and does not give advice on the design of dwellings as such.

The issue of the special needs of small households was raised in the Green Paper on household growth and a large number of comments were received. These are still under consideration.

Dry Stone Walls

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to extend the legislation protecting hedgerows to dry stone walls. [17351]

Angela Eagle *[holding answer 25 November 1997]:* The Government have no plans to introduce legislation to control the removal of dry stone walls.

We consider that the most appropriate way of tackling the loss of dry stone walls is by encouraging their upkeep. Management grants are currently available in England under the Countryside Stewardship and Environmentally Sensitive Areas schemes operated by the Ministry of Agriculture, Fisheries and Food.

Local Authority Rents

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions what guideline rents he proposes for local authority tenants in England for 1998–99. [18125]

Ms Armstrong: We are proposing that the average guideline rent for 1998–99 should increase from £35.38 to £36.35 a week. This is 97p per week more than the current year's guideline rent in cash terms. Guideline rent increases for individual authorities would range between 72p and £1.22.

To encourage authorities to keep their rent increases within the guideline increase, we propose to continue with the present rule that limits rent rebate subsidy. This gives authorities a strong incentive to keep rent increases down to reasonable levels, but does not affect tenants' entitlement to housing benefit.

Total provision within the subsidy system for expenditure by authorities on management and maintenance in 1997–98 will be more than £3.3 billion. This is about the same per dwelling as in the current financial year.

Our proposals are set out in the draft Housing Revenue Account Subsidy and Item 8 determinations for 1998–99, which we have sent to housing authorities today. Authorities have been invited to let my Department have their views by 17 December 1997.

So that they can make full use of the extra capital resources released under the Government's Capital Receipts Initiative, the draft determinations also provide for authorities to receive additional revenue support where there resources are used in respect of council housing.

Copies of the draft determinations have been placed in the House Library.

Valuation Tribunals

Mr. Watts: To ask the Secretary of State for the Environment, Transport and the Regions what response was received to the consultation paper on the appointment of members of valuation tribunals in the light of local government reorganisation in parts of England in April 1998. [18126]

Ms Armstrong: The list of responses received has been placed in the Library of the House: copies of individual responses may be obtained through my Department's library. Regulations will be introduced shortly to give effect to the following measures:

(i) That, with effect from 1 April 1998, the appointing bodies for the Valuation Tribunals listed in column 1 below be those authorities listed in column 2 below, who will be entitled to appoint members in the proportion given in column 3—the membership, revised in some cases, being that shown in column 4.

column 1 *Name*	*column 2* *Appointing bodies*	*column 3* *Proportion*	*column 4* *Complement*
Berkshire	Newbury (W Berkshire) DC	2	30
	Reading BC	2	
	Slough BC	2	
	Windsor and Maidenhead BC	2	
	Bracknell Forest BC	1	
	Wokingham DC	1	
Cambridgeshire	Cambridgeshire CC	3	48
	Peterborough City Council	1	
Cheshire	Cheshire CC	7	60
	Warrington BC	2	
	Halton BC	1	
Devon	Devon CC	5	42
	Plymouth City Council	1	
	Torbay BC	1	
Essex South	Essex CC	9	30
	Southend on Sea BC	4	
	Thurrock BC	2	
Herefordshire and Worcestershire	Worcestershire CC	3	32
	County of Herefordshire DC	1	
Kent	Kent CC	8	45
	The Medway Town DC	1	
Lancashire	Lancashire CC	15	100
	Blackpool BC	3	
	Blackburn with Darwen BC	2	
Nottinghamshire	Nottinghamshire CC	2	54
	Nottingham City Council	1	
Shropshire	Shropshire CC	3	36
	The Wrekin DC	1	

(ii) Existing members should continue to hold office until their term of office expires.

(iii) Vacancies should be filled as they arise (whether through retirement of members or an increase in complement) by the new appointing authorities, until their entitlement is reached. All subsequent vacancies would be filled by the authority who appointed the departing member.

Earlier regulations provide that, where the appointing body by which a member was appointed has ceased to exist, it will fall to the President of the Tribunal to give notice of termination of office if so directed by the Secretary of State.

DEFENCE

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Defence if he will list each of the overseas trips made by himself and other members of his ministerial team since 2 May, specifying in each case *(a)* the participating Minister or Ministers, *(b)* the destination of the trip, i(c) the purpose of the trip and *(d)* the cost of the trip; and if he will make a statement. [15268]

Dr. Reid *[holding answer 11 November 1997]:* Details of overseas visits by Ministers in my Department between 2 May and 11 November 1997 are as follows:

Ministry of Defence Ministers overseas visits

Date	*Destination*	*Purpose*	*Type of travel civil/RAF*	*Cost (£)*
Secretary of State for Defence				
12–13 May	France	WEU Ministerial Paris	RAF Air	Not yet notified
19–20 May	Bosnia	Visit British Forces	RAF Air	5,843.00
2–3 June	USA	Visit UN/Bilateral	Civil Air	11,418.00
4 June	Germany	Bilateral	RAF Air	1,557.00
11–12 June	Belgium	NATO Ministerial Meeting Brussels	RAF Air	3,330.00
23 June	Germany	Visit British Forces	RAF Air	1,609.00
7–9 July	Madrid	NATO Summit	RAF Air	Not yet notified
15–17 September	Poland/Ukraine	Trilateral	RAF Air	19,200.00
20–23 September	Oman/Kuwait	Bilaterals	Civil Air	10,149.00
30 September–1 October	Netherlands	NATO Informal Ministerial Meeting	RAF Air	4,244.00
20–22 October	Bosnia/Italy	Visit British Forces/Bilateral	RAF Air	5,962.00
30 October	France	Bilateral	RAF Air	2,417.00
3–4 November	Russia	Bilateral	RAF Air	15,740.00
Minister of State for Defence Procurement				
16–17 June	France	Visit to Paris Air Show	Rail/RAF Air	1,967.00
3–12 October	USA	Bilateral	Civil Air	10,774.00
24–27 October	Netherlands	Bilateral	Civil Air	876.00
Minister of State for the Armed Forces				
23–24 May	Bosnia	Visit British Forces	RAF Air	10,895.00
12–13 June	Belgium	Attend Euro Atlantic Partnership Council, Brussels (for SofS)	RAF Air	2,350.00
13 July	Passendaele and Menin Gate, Belgium	80th Anniversary and Commemoration	RAF Air	1,706.00
7–10 October	Poland/Romania and Hungary	Bilaterals	RAF Air	9,683.00
14–21 October	USA	Bilateral	Civil Air	5,067.00
Parliamentary Under Secretary of State for Defence				
19–20 June	France	Visit to Paris Air Show	Civil Air	502.00
9–23 September	New Zealand/Australia	Bilaterals	Civil Air	15,916.00
16–17 October	Gibraltar	Handover of The Mount to Gibraltar Government	Civil Air	436.00

The overall costs shown (rounded to the nearest £) are those which can be separately identified as incurred by the offices of the Ministers concerned.

Cadet Forces

Mr. Bob Russell: To ask the Secretary of State for Defence, what financial contribution his Department has made to the *(a)* Army, *(b)* Sea and *(c)* Air cadets for each of the last five financial years; what is the figure for the current year; what is the projected figure for the next financial year; and if he will make a statement. [16928]

Dr. Reid *[pursuant to his answer, 24 November 1997, c. 391–92]:* I regret the answer was incorrect. The correct answer is as follows:

The Government recognises the value given by the Cadet Forces to both the civilian community and to our Armed Forces. The Ministry of Defence's financial contribution in support of Army, Sea and Air cadets during each of the last five financial years and the forecast for the current financial year is shown in the table. Similar detail in respect of the Combined Cadet Force has been included. The Department has not yet finished its financial planning for 1998–99 and the forecast for that financial year will not be available until Class I Supply Estimates for 1998–99 are published in March.

£ million

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*[1]
Army Cadets (ACF)	n/a	20.9	22.2	23.4	28.0	25.7
Sea Cadets (SCC)	5.6	5.3	5.6	5.7	6.2	6.3
Air Cadets (ATC)	16.1	17.6	18.3	19.8	17.5	17.0
Combined Cadet Force (CCF)	n/a	6.1	6.6	6.2	5.8	6.4

[1] Forecast.

Land Mines

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) how many anti-personnel mines in the possession of United Kingdom armed forces have been destroyed since 1 May; [17051]

(2) what percentage of anti-personnel mines will be kept for training purposes; [17052]

(3) how many anti-personnel mines in the possession of United Kingdom armed forces are awaiting destruction. [17153]

Dr. Reid: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Technology Foresight

Dr. Starkey: To ask the Secretary of State for Defence (1) in what way his Department's research priorities have been modified in responses to Technology Foresight; [17467]

(2) what Technology Foresight priorities are being taken into account in the forward planning of the Department's scientific research programme. [17468]

Mr. Spellar: The Ministry of Defence continues to be deeply involved in Foresight, mainly through its membership of the Defence and Aerospace Panel. Foresight has been welcomed by MOD as a means of improving its dialogue with industry and academia, both to add value for money to MOD's research activities and to support national wealth creation within defence priorities.

The initiative has been reflected in defence research programmes both directly and indirectly. The detailed work of the Defence and Aerospace Panel Technology Working Groups has been taken forward in the development of MOD's technology strategy. Collaboration in research between Defence Evaluation and Research Agency and industry/academia has been encouraged through the Beacon fund and the Pathfinder scheme, which provide mechanisms for the proposal of innovative solutions to meet MOD research requirements. An Innovative Engineering and Rapid Prototyping initiative has been started, which is also aligned with Foresight priorities.

In addition, some six Dual Use Technology Centres have been established with the purpose of facilitating exploitation of defence driven research for civil and commercial use, and Corporate Research Programme proposals are now routinely assessed for their civil as well as their defence potential.

Moreover, there is an increased emphasis on technology demonstration, including the realignment of a number of projects in the context of Foresight Action.

MODIX

Mr. Shaw: To ask the Secretary of State for Defence when the MODIX System was installed and commissioned at the nuclear-propelled submarine refuel-refit yards at Devonport and Rosyth. [17428]

Mr. Spellar: The Mild Multi-Stage Oxide Decontamination with Ion Exchange system, MODIX, was installed and commissioned at Rosyth and Devonport in 1985–86.

HMS Dreadnought

Mr. Shaw: To ask the Secretary of State for Defence in what year and month his Department decided to withdraw HMS Dreadnought from active service; on what date it determined that HMS Dreadnought was to be finally defuelled and prepared for decommissioning at Chatham dockyard; and what was the total collective radiation dose received by the civilian workforce from the final defuelling and decommissioning preparations whilst HMS Dreadnought was at Chatham dockyard. [17431]

Mr. Spellar: The decision to withdraw HMS Dreadnought from active service was taken in February 1982. HMS Dreadnought underwent final defuelling and preparations for decommissioning between March 1982 and March 1983. The total collective radiation dose received by the civilian workforce during defuelling and decommissioning preparations was approximately 1 Sievert.

The Mount, Gibraltar

Mr. John D. Taylor: To ask the Secretary of State for Defence when the residence in Gibraltar, known as The Mount, was last occupied; when it will be occupied again; what proposals he has for its future use; and if he will make a statement. [17308]

Mr. Spellar: The residence in Gibraltar known as The Mount was formerly owned by the Ministry of Defence and was last occupied in April 1997 by the Commander British Forces. The Ministry of Defence gifted The Mount to the Government of Gibraltar on 3 November 1997. The future use of The Mount is a matter for the Government of Gibraltar.

Royal Squadron

Mr. Gordon Prentice: To ask the Secretary of State for Defence what safeguards are in place to ensure that planes of the Royal Squadron are properly maintained. [17415]

Dr. Reid: The BAe 146s, BAe 125s and Wessex helicopters of No. 32 (The Royal) Squadron are required to be maintained to RAF standards, which are at least as robust as those applying to civil aircraft. The terms of the engineering support element of the multi-activity contract at RAF Northolt stipulate that contractor personnel should be capable of maintaining the aircraft to the same standards as would be required of RAF personnel. The Squadron also operates Twin Squirrel helicopters provided and maintained by a different contractor, which are required to meet CAA standards. We will, however, ensure that all the lessons from the recent incident involving a BAe 146 from No. 32 (The Royal) Squadron are identified and acted upon.

Mr. Wilkinson: To ask the Secretary of State for Defence what plans he has to revert to Royal Air Force servicing and maintenance of aircraft of No. 32 (The Royal Squadron) at Royal Air Force, Northolt. [17376]

Dr. Reid: There are no such plans. We will, however, ensure that all the lessons from the recent incident involving a BAe 146 from No. 32 (The Royal) Squadron are identified and acted upon.

Mr. Wilkinson: To ask the Secretary of State for Defence if he will publish the findings of the inquiry into the technical causes of the airborne emergency of a BAe 146 aircraft of No. 32 (The Royal Squadron) on 6 November. [17377]

Dr. Reid: It would not be appropriate to publish the Station Inquiry as it will deal with named individuals. I will, however, write to the hon. Member once our investigation is complete, and place a copy of my letter in the Library of the House.

Air Space (Military Use)

Mr. Gordon Prentice: To ask the Secretary of State for Defence what proportion of United Kingdom air space is reserved for exclusive military use. [17721]

Mr. Spellar: Less than 0.02 per cent. of United Kingdom airspace is permanently available for exclusive military use.

RAF (Civilian Servicing Contracts)

Mr. Wilkinson: To ask the Secretary of State for Defence what disciplinary sanctions are available to the Commanding Officer of Royal Air Force, Northolt over civilian servicing and maintenance contractors on the station in the event of negligence in the servicing or maintenance of aircraft based there. [17378]

Mr. Spellar: The Station Commander at RAF Northolt has access to contractual sanction if he is dissatisfied with any aspect of performance of the contractor. He does not have direct disciplinary authority over individuals employed by the contractor.

Mr. Wilkinson: To ask the Secretary of State for Defence if he will review the discipline and continued contracts of civilian servicing and maintenance personnel at RAF bases. [17379]

Mr. Spellar: Our contracting procedures are reviewed regularly and, in all cases, exacting quality standards are required from defence contractors. Firm action will be taken against any contractor who fails to meet the mandated standards.

Land Disposal (Gosport)

Mr. Viggers: To ask the Secretary of State for Defence if the disposal of land at Priddy's Hard, Gosport, to Barratt Homes was on an unconditional basis. [17596]

Mr. Spellar: The offer for land at Priddy's Hard, Gosport by Barratt Homes was on an unconditional basis.

Mr. Viggers: To ask the Secretary of State for Defence if the disposal of land at Priddy's Hard, Gosport, to Barratt Homes has been completed; and how much money has been received as a result. [17597]

Mr. Spellar: The sale to Barratt homes at Priddy's Hard, Gosport has not been completed, although we expect to exchange Contracts for Sale shortly. I am withholding information on the agreed sale for reasons of commercial confidentiality under Exception 7 of the Code of Practice on Access to Government Information.

Military Personnel (Turkey)

Mr. Corbyn: To ask the Secretary of State for Defence what British military personnel are stationed in Turkey under *(a)* NATO and *(b)* bilateral contracts. [17834]

Dr. Reid: Eight British military personnel are stationed in Turkey under NATO auspices. These comprise: one Royal Navy Commander, one Colonel, two Lieutenant Colonels, one Major, two Squadron Leaders and one Flight Sergeant.

There are no British military personnel stationed in Turkey under bilateral contracts. However, as of 24 November 1997, there were 191 British military personnel stationed in Turkey as part of Operation Northern Watch. Operation Northern Watch is a trilateral coalition operation comprising the UK, the US and Turkey, which enforces the No-Fly-Zone over Northern Iraq.

SOCIAL SECURITY

Reduced Earnings Allowance

Mr. Llew Smith: To ask the Secretary of State for Social Security how many people to date have lost their reduced earnings allowance in each of the benefit districts in Wales. [13771]

Mr. Denham: The administration of Reduced Earnings Allowance is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Llew Smith, dated 25 November 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many people to date have lost their Reduced Earnings Allowance (REA) in each of the benefit districts in Wales.

I have assumed your question refers to Adjudication Officer's decisions to transfer over pension age REA recipients to Retirement Allowance (RA) following the introduction of the Social Security (Industrial Injuries and Diseases) (Miscellaneous Amendments) Regulations 1996 on 24 March 1996.

The information is shown in the attached table. Statistics on transfers were maintained up to 31 March 1997.

I hope this reply is helpful.

Number of reduced earnings allowance (REA) recipients over pension age cases transferred to retirement allowance (RA)

Benefits agency district[1]	*Number of cases transferred where pension age attained before 24 March 1996*	*Number of cases transferred where pension age attained between 24 March 1996 and 31 March 1997*	*Total*
Wrexham and North Wales	176	44	220
Cardiff and Vale	82	13	95
Gwyneddigion Maldwyn	102	26	128
Eastern Valleys	335	46	381
Swansea Bay	275	45	320
Gwent Borders	59	24	83
West Wales	242	45	287
Mid Glamorgan	695	92	787

Figures are provisional and subject to amendment.
[1] Benefits Agency districts as at 24 March 1996.

Benefits (Taxation)

Mr. Amess: To ask the Secretary of State for Social Security if she will list those Social Security benefits which are *(a)* taxable and *(b)* not taxable and the reasons underlying the two categories. [14673]

Mr. Denham: The information is as follows:

Taxable benefits
Incapacity Benefit
Invalid Care Allowance
Jobseeker's Allowance
Retirement Pension
Widowed Mother's Allowance
Widow's Pension
Statutory Maternity Pay
Statutory Sick Pay
Industrial Death Benefit

All other Social Security Benefits are not taxable.

Whether or not particular benefits should be taxable is kept under review.

This Government is committed to examining the interaction of the tax and benefit systems so that they can be streamlined and modernised so as to fulfil the objectives of promoting work incentives, reducing poverty and welfare dependency and strengthening community and family life. Mr. Martin Taylor, Chief Executive of Barclays Bank plc, has been appointed to lead a Whitehall task force to take forward this remit.

War Disablement Pension

Mr. Keetch: To ask the Secretary of State for Social Security what assessment she has made of the current arrangements for examinations of applicants for the war disablement pension, and if she will make a statement. [15344]

Mr. Denham: One of our key aims is that delivery of service should be simpler and more efficient. Queries on operational matters concerning the War Pensions Agency are for its Acting Chief Executive Mr. Steve Johnson. I have asked him to write to the hon. Member.

Letter from K. C. Caldwell to Mr. Paul Keetch, dated 25 November 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the current arrangements for the medical examinations of persons claiming War Disablement Pension.

Most examinations, where considered necessary for the individual case, are conducted locally by War Pensions Examining Medical Practitioners, the majority of whom are General Practitioners.

The Benefits Agency Medical Services (BAMS) who organise examinations for Social Security benefits are responsible for recruiting and training doctors to undertake medical examinations and for arranging these examinations for the War Pensions Agency (WPA). Doctors undertaking medical examinations for War Pensions must be registered with the General Medical Council and be experienced in medical examinations for Benefit purposes. BAMS are responsible for ensuring the satisfactory completion of the training of the doctors who conduct examinations for the WPA. The training of these doctors is based on the Handbook for Examining Medical Practitioners (War Pensions) which has been written and recently revised by Medical Advisors employed by the WPA. The WPA Medical Advisors make, on the medical evidence, decisions as to whether a condition is attributable to or aggravated by service and the degree of any disablement.

The monitoring of completed examination reports is the responsibility of the WPA. All medical examination reports are reviewed by the WPA's Medical Advisors. Any reports which do not fulfil the WPA's requirements are returned to BAMS. In addition to these arrangements the WPA is currently developing a structured monitoring scheme to provide formal feedback to BAMS on the general quality of the examining doctors' medical reports.

In the specialist area of hearing loss claims, audiometric examinations are conducted for the WPA by British Medical International, part of General Healthcare Group PLC. The reports from these examinations are considered by the WPA Medical Advisors as part of the evidence in these cases. These arrangements are formally monitored, both internally by the WPA Medical Advisors and through a regular external professional scrutiny.

In addition to War Pension medical examinations, the WPA also requests specialist and Regional Consultant medical examinations. Specialist appointments are arranged through BAMS who in many cases nominate a local specialist with suitable expertise. In some cases the WPA's Medical Advisors nominate a specialist, normally the specialist who has been responsible for the clinical care of the claimant/pensioner.

Regional Consultants are recognised authorities in their speciality and are appointed by the DSS Chief Medical Adviser. Regional Consultant examinations are requested by the WPA to resolve conflict of medical opinion and also in exceptionally complex cases. A list of Regional Consultants is held in the WPA and the WPA Medical Advisor is responsible for nominating the Regional Consultant. BAMS are responsible for arranging appointments on behalf of the WPA.

All the specialist and Regional Consultant reports are reviewed by the WPA's Medical Advisors. Any unsatisfactory reports are returned directly to the specialist or Regional Consultant. BAMS would be advised of any specialist who consistently provided unsatisfactory reports and use of that specialist's services would cease. Any Regional Consultant who consistently provided unsatisfactory reports would be notified to the Chief Medical Advisor with a view to removal from the list.

I am satisfied that these arrangements work satisfactorily.

I hope you will find my reply helpful.

Incapacity Benefit

Mr. Burstow: To ask the Secretary of State for Social Security what percentage of claimants of incapacity benefit are currently undertaking limited paid work on the grounds that the work is (i) voluntary and (ii) therapeutic. [15843]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is as follows.

It is estimated that 1 per cent. of Incapacity Benefit recipients undertake paid work on the grounds that it is therapeutic.

Sources:

Lonsdale, S., Lessof C. and Ferris, G. (1993) "Invalidity Benefit; a survey of recipients, London: HMSO". This survey found that 2 per cent. of Invalidity Benefit recipients had ever done therapeutic work and fewer still were doing it at the time of the interview. The 1995–96 Family Resources Survey shows that 1 per cent. of Incapacity Benefit recipients had done any paid work in the week before the interview. Information is not collected directly on use of the permitted work provisions.

Welfare and Pensions Green Papers

Mr. Duncan Smith: To ask the Secretary of State for Social Security what are the planned dates of publication of the Green Papers on *(a)* welfare and *(b)* pension reform. [15828]

Mr. Field: It is our intention to publish a Green Paper on Welfare Reform at the turn of the year.

The first part of the Pensions Review ended on 31 October and we are now carefully considering the approximately 1,800 responses we have received from pensions providers, employers, employees, consumers, pensions experts and pensioners themselves. We intend to publish an initial framework for change in the first half of 1998. There will then be a period of further consultation before final, detailed proposals are developed.

Motability

Mr. Keetch: To ask the Secretary of State for Social Security what plans she has to increase the level of competition for the financing and administrative services provided by Motability Finance Limited. [15969]

Mr. Denham: Motability is an independent organisation and the administration of the Scheme is a matter for Motability's Governors.

We regard competition as a healthy measure in ensuring value for money and in line with the National Audit Office's recommendations, Motability's Governors are currently reviewing the scope for increasing the level of competition in the Scheme. This includes benchmarking for Motability's administrative services and a sub-committee of Governors are looking at funding of the Scheme. Competition must, however, bring long term benefit to Motability's disabled customers.

Former Miners

Mr. Clapham: To ask the Secretary of State for Social Security how many former miners have been diagnosed to be suffering from *(a)* chronic bronchitis and *(b)* emphysema; and how many were diagnosed after April. [16477]

Mr. Denham: The information is set out in the table.

Chronic bronchitis and emphysema diagnoses from September 1993

Percentage disabled assessment	*September 1997 to March 1997*	*April 1993 to October 1997*	*September 1993 to October 1997*
1–13	101	38	139
14–100	5,428	5,865	11,293
Total (1–100)	5,529	5,903	11,432

Source:

100 per cent. count from DSS BREM systems and DSS Central Data Unit. Figures are provisional and subject to amendment.

Note:

Chronic bronchitis and emphysema, prescribed disease D12, was introduced from 13 September 1993.

Mr. Clapham: To ask the Secretary of State for Social Security how many former miners have been rejected for a disablement award because they have failed the FEV1 test since April. [16478]

Mr. Denham: Since April 1978, 768 people have failed the FEV1 test, at a medical examination made in connection with a claim to Industrial Injuries Disablement Benefit, for chronic bronchitis and emphysema (prescribed disease D12). This is the latest figure available and covers the period up to 31 October 1997.

Source:

100 per cent. count from Department of Social Security BREM system. Figures are provisional and subject to amendment.

Industrial Disablement Benefit

Mr. Dismore: To ask the Secretary of State for Social Security what was the total amount paid in industrial disablement benefit to claimants in each of the last three years. [16395]

Mr. Denham: The information is in the table.

£ million

Year	*Amount*
1994–95	645
1995–96	670
1996–97	661

Source:

Social Security Departmental Report 1997.

Notes:

1. The figures include reduced earnings allowance.
2. The figures for 1994–95 and 1995–96 are actual spending, whilst that for 1996–97 is an estimate.

Maternity Allowance

Mrs. Ballard: To ask the Secretary of State for Social Security what plans she has to ensure that self-employed mothers are eligible for the same maternity allowance as employed mothers. [16358]

Mr. Denham: We aim to help women balance their careers and family responsibilities. Both employed and self-employed women are eligible for Maternity Allowance for up to 18 weeks if they have worked and paid 26 class 1 and/or class 2 National Insurance contributions in the 66 weeks before the week the baby is due. The self-employed, however, receive Maternity Allowance at a lower weekly rate.

We will consider any changes to the current maternity arrangements in the context of our modernisation and streamlining of benefit provision.

Pensions (Overseas Residents)

Mr. Colvin: To ask the Secretary of State for Social Security what estimate she has made of the cost of uprating the pensions paid to those British citizens living overseas, whose pensions are not presently uprated. [16671]

Mr. Denham: We estimate that it would cost some £250 million[1] a year fully to unfreeze UK pensions paid to people living abroad, that is to bring them up to the rate which would be paid if the pensioners were living in the United Kingdom.

Notes:

[1] Estimate rounded to the nearest £25 million. Based on the number of UK pensions paid abroad in July 1997 and on current pension rates.

1. The cost is calculated from the actual uprating cost of some 90 per cent. of all cases (£1,900 million) and an estimated uprating cost for the remainder, which date from 1978.

Mr. Colvin: To ask the Secretary of State for Social Security in which countries special arrangements are made to uprate the state retirement pension for British citizens living abroad. [16673]

Mr. Denham: UK state retirement and widows pensions are uprated in the Member States of the European Economic Area[1] and in the following countries with which the UK has a social security agreement which provides for uprating:

Barbados
Bermuda
Bosnia-Hercegovina[2]
Croatia[3]
Cyprus
Guernsey
Isle of Man
Israel
Jamaica
Jersey
Macedonia[3]
Malta
Mauritius
Philippines
Slovenia[3]
Switzerland
Turkey
USA
Yugoslavia

Notes:

[1] Comprises EC Member States plus Iceland, Norway and Liechtenstein.

[2] Formerly a constituent republic of the Federal Republic of Yugoslavia (FRY). Annual pension increases payable by virtue of the 1958 reciprocal agreement with FRY.

[3] Formerly a constituent republic of the Federal Republic of Yugoslavia (FRY). Annual pension increases payable by virtue of the 1958 reciprocal agreement with FRY.

Pensions are also uprated on Sark under the Social Security Benefit (Persons Abroad) Regulations 1975.

Mr. Colvin: To ask the Secretary of State for Social Security what estimate she has made of the number of British citizens living aborad who do not receive uprated state retirement pensions. [16672]

Mr. Denham: There are some 440,000 UK retirement and widow pensioners living in countries where pensions are not uprated. No record is held of the number who are British citizens.

Means-tested Benefits (Pensioners)

Mr. Cousins: To ask the Secretary of State for Social Security, pursuant to her answer to the hon. Member for Northavon (Mr. Webb) of 5 November 1997, *Official Report*, columns *249–50*, on pensioners on benefits, if she will list the number of pensioners identified in each category resident in the area of the Government Office North-East Region. [16644]

Mr. Denham: The information is not available on a regional basis.

Income Support

Mr. Cousins: To ask the Secretary of State for Social Security what factors are taken into account in deciding changes of standard interest rate for mortgage interest in income support; what recent changes in the rate have been made and on what dates; what the levels were; and what plans he has to review the arrangements. [16626]

Mr. Keith Bradley: The standard interest rate is based on the weighted average of basic building society interest rates. Changes are triggered when the average rate moves by 0.25 per cent. or more. We have no current plans to change the existing arrangements.

Information about changes in the standard interest rate since its introduction are listed below:

Rate (per cent.)	*Date*
8.39	2 October 1995
8.00	28 January 1996
7.74	28 April 1996
7.48	30 June 1996
7.16	1 September 1996
6.89	22 December 1996
7.20	20 April 1997
7.57	28 September 1997
7.97	30 November 1997

Christmas Bonus

Mr. O'Hara: To ask the Secretary of State for Social Security what would be the value of the £10 Christmas bonus in 1998–99 if it had been uprated by *(a)* prices and *(b)* earnings since its introduction; and if he will estimate how much it would cost to increase it to these levels. [16573]

Mr. Denham: The information is in the table.

Christmas bonus in 1998–99	*Value (£)*	*Additional cost (£)*
Uprated by prices	70.80	830,000,000
Uprated by earnings	120.30	150,000,000

1. The table shows the value and estimated additional costs of the Christmas Bonus in 1998–99 if it had been uprated by each of prices and earnings since its introduction. All costs are rounded to the nearest £10 million.
2. The uprated levels of the Christmas Bonus have been calculated using the Retail Price Index (All items) and the Average Earnings Index (Whole Economy) as supplied by the Officer for National Statistics. The figure for September 1997 earnings is provisional. The value of the Bonus has been rounded to the nearest 5 pence at each uprating.
3. The extra costs of paying the uprated Christmas Bonus in respect of National Insurance Fund benefits were estimated by Government Actuary's Department and those in respect of non-National Insurance Fund benefits were estimated by the Department of Social Security.

State Pension

Mr. O'Hara: To ask the Secretary of State for Social Security what would be the value of the 25p age addition to the state pension in 1998–99 if it has been uprated in line with *(a)* prices and *(b)* earnings since its introduction; and if he will estimate how much it would cost to increase it to those levels. [16543]

Mr. Denham: The value of the 25p age addition to the State Pension in 1998–99 would be £1.75 if uprated in line with prices and £3.95 if uprated in line with earnings, since its introduction.

The table shows the estimated additional gross and net costs of paying the age addition at these levels for 1998–99. All costs are rounded to the nearest £10 million.

£ million

Age addition in 1998—99	*Uprated by prices*	*Uprated by earnings*
Gross cost	190	460
Net cost	110	270

1. The figures for the value of the age addition were calculated using the Retail Price Index (All items) and the Average Earnings Index (Whole Economy) as supplied by the Office for National Statistics. The figure for September 1997 earnings is provisional. The value of the age addition has been rounded to the nearest 5 pence at each uprating.
2. The gross costs were estimated by Government Actuary's Department. The net costs by the Department of Social Security.

Cold Weather Payments

Mr. Corbyn: To ask the Secretary of State for Social Security what is the administrative cost of the disbursement of cold weather payments as a proportion of their value. [17361]

Mr. Denham: The administration of cold weather payments is a matter for Mr. Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Jeremy Corbyn, dated 25 November 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the administrative cost of the disbursement of cold weather payments as a proportion of their value.

During the cold weather season for 1996/97 4,964,966 cold weather payments were made at a total programme cost of £42,202,211 and an administrative cost of £7,512,414. The administrative cost per cold weather payment was £1.51 which equates to 17.8% of the actual value of each payment.

I hope this reply is helpful.

TRADE AND INDUSTRY

Computers (Century Date Change)

Mrs. Ballard: To ask the President of the Board of Trade what estimate her Department has made of the proportion of British companies that will go bankrupt as a result of the year 2000 virus. [15205]

Mrs. Roche *[holding answer 11 November 1997]:* I have made no such estimate. Businesses which take appropriate action now are unlikely to become insolvent as a result of this problem, but the longer a business with a serious problem delays the greater the risk it runs. That is why the Government has recently launched the Action 2000 initiative under the chairmanship of Don Cruickshank.

Development Area Status

Mr. Denis Murphy: To ask the President of the Board of Trade if she will list *(a)* the number of areas which benefit from development area status, *(b)* the date development area status was awarded to each area and *(c)* the number of jobs created in each individual area since the introduction of development area status. [17146]

Mrs. Roche: *(a)* The number of areas benefiting from development area status is set out in Statutory instrument 1993 No. 1877 "Industrial Development: The Assisted Areas Order 1993", laid before parliament on 23 July 1993. A copy of which is a available in the Library of the House.

(b) Development area status was awarded to these areas on 1 August 1993, when the current Assisted Area map came into operation.

(c) Information available on the number of jobs created in development areas is limited to employment created under DTI's Regional Selective Assistance scheme The most recent figures are published in the Industrial Development Act 1982 Annual Report for the year ending 31 March 1997, Appendix 5—tables 2 and 3 refer, a copy of which is available in the Library of the House.

Nuclear Power Industry

Mr. Dafis: To ask the President of the Board of Trade what is her estimate of *(a)* the total liabilities of the nuclear power industry and *(b)* the liabilities which are currently unfunded. [17297]

Mr. Battle: The total lifetime nuclear liabilities of the UK nuclear power industry at 31 March 1997 were £15.1 billion. This total arises from the contributions of three companies. The individual components are:

British Energy: £5.2 billion

BNFL: £1.481 billion

Magnox Electric: £8.4 billion

These figures are discounted at 3 per cent. for British Energy and Magnox and 2 per cent. for BNFL. In the case of British Energy the above figures take into account the new and revised BNFL contracts announced on 4 June 1997.

British Energy's nuclear liabilities comprise decommissioning and backend fuel costs, and the company has made provision in its accounts for £3.8 billion of those liabilities. A segregated fund has been set up to cover the costs of decommissioning. This was endowed, by British Energy, with £228 million and receives payments of £16 million per year. It is designed to cover 110 per cent. of decommissioning costs based on independent engineering assessments. Payments for backend fuel disposal will arise over many years. Funds for dealing with those payments will come from existing funds and amounts built up from future business operations.

BNFL has already made provisions in its accounts for £1.158 billion of its nuclear liabilities. A further £323 million will be provided, in accordance with company policy, from the income generated over the remaining lifetime of plant which is still operating. More than half of the amount provisioned is in a separate fund, the bulk of which is held in gilts.

Magnox Electric has significant assets to meet its nuclear liabilities, most of which will not fall due for payment for a considerable number of years. Furthermore, the proposed integration of Magnox and BNFL will bring additional benefits in the cost and management of these liabilities. At 31 March 1997 there was a gap of £682 million between the company's assets and liabilities. This is covered by a long-standing Letter of Comfort from the Government originally given to Nuclear Electric in 1990.

Telecommunications

Dr. Tonge: To ask the President of the Board of Trade what plans she has to authorise OFTEL to require providers to establish packages tailored for low-use businesses; and if she will make a statement. [17741]

Mr. Battle: Low-use businesses are increasingly offered a variety of packages by telecommunications providers in today's competitive multi-operator market. Low-use businesses are also protected from price increases by the regulator Oftel. Oftel has required BT to provide a safeguard tariff package for small businesses for which the call charges are the same as those paid by residential customers whose prices are covered by the RPI–4.5 per cent. price cap. The package also ensures that line rental does not increase by more than RPI each year. My Department therefore has no plans at present to authorise Oftel to require telecommunications providers to establish packages tailored for low-use businesses.

Biodiversity and Biomedicine Conventions

Ms Walley: To ask the President of the Board of Trade if she will make a statement on the United Kingdom's progress in the implementation of *(a)* the Convention on Biodiversity and *(b)* the principles of the 1996 Convention on Human Rights and Biomedicine and their incorporation into United Kingdom legislation. [17803]

Mr. Battle: (a) The United Kingdom is undertaking a range of activities at home and abroad to work towards the three goals of the UN Convention on Biological Diversity: to conserve biodiversity, ensure its sustainable use, and achieve the equitable sharing of the resultant benefits. Domestically, a Government-led partnership is implementing our national biodiversity action plan, with individual action plans for a range of species and habitats, and for particular localities, building on existing domestic and European legislation. Internationally, we recently hosted a conference to help Central and Eastern European countries plan and implement their own biodiversity strategies, and through both our general aid programme and the Darwin Initiative, we continue to support developing countries' efforts to meet their Convention obligations. Our first national report under the Convention, due by the end of this year, will record these efforts in detail.

(b) The Convention on Human Rights and Biomedicine contains a wide range of provisions covering a number of complex ethical and legal issues. The Government is considering the implications of the provisions carefully. No decisions on a timescale for signature or ratification have been made.

BT (Special Share)

Ms Dari Taylor: To ask the President of the Board of Trade pursuant to her answer of 15 July 1997, *Official Report*, column *141*, if the redemption of the Government's special share in British Telecommunications plc has now taken place; and if the Government holds any other shares in BT. [18058]

Mrs. Roche: The Government redeemed the Special Share, in exchange for a payment by BT of £1, on 10 September. This means that the Government no longer holds any share which has a direct influence on the terms of the company's Articles of Association. HM Treasury retains for the time being a residual holding of some 10.7 million BT Shares (around 0.2 per cent. of BT's overall share capital) remaining from earlier flotation offers. As has been the policy since privatisation, the Government will not vote with these shares.

Register of Quality Assessed Companies

Mr. Andy King: To ask the President of the Board of Trade if she will make a statement on the future of the United Kingdom Register of Quality Assessed Companies. [18268]

Mr. Battle: The Register was introduced in 1983 as a voluntary guide to ISO 9000 certification bodies and the companies they certify. The Register was compiled and published by Her Majesty's Stationery Office. My Department's role, as the accreditor of certification bodies, was to invite accredited certification bodies to contribute to the Register and to check the accuracy of those contributions before they were published. My Department also provided a complimentary copy of the Register to each contributing certification body.

In 1995 my Department established, as a company limited by guarantee, the United Kingdom Accreditation Service (UKAS) as the sole national accreditation body for certification bodies, testing and calibration laboratories and inspection bodies. Accreditation consequently passed from the public to the private sector, although my Department retains firm links with UKAS through a memorandum of understanding and a licensing agreement. As a result of this shift in responsibility, UKAS was asked to consider taking over my Department's functions in relation to the Register.

In 1996, following the privatisation of Her Majesty's Stationery Office, compilation and publication of the Register passed to The Stationery Office Ltd.

I have now agreed with UKAS and The Stationery Office Ltd. that the functions previously undertaken by my Department will pass to UKAS. In recognition of this, and of the increasingly international nature of accreditation and certification, the title of the Register will be amended to the QA Register with effect from the 1998 edition. The Stationery Office Ltd. will continue to publish the Register. The precise content and style of the Register will be matters for UKAS and The Stationery Office to decide jointly.

My Department will continue to fund complimentary copies of the Register for each contributing certification body. This provision will be reviewed after two years.

Policy Guidelines

Dr. Moonie: To ask the President of the Board of Trade what steps she is taking to ensure that the Office of Science and Technology's guidelines on "The Use of Scientific Advice in Policy Making", are implemented effectively by each Government Department. [18267]

Mrs. Beckett: The Government has given a firm commitment to strengthen the role which science plays in its decision making. One important aspect of this is ensuring that the OST's guidelines are taken fully into account across Government and, following consultation with Ministerial colleagues, I am now introducing a number of measures to achieve this. A Minister is being designated within each Department with special responsibility for ensuring that the Department's general procedures for taking account of scientific advice are consistent with the guidelines. In addition, departmental Chief Scientists will be reporting regularly to Sir Robert May, the Government's Chief Scientific Adviser, on how the guidelines are being taken into account by departments and on any emerging scientific issues of which other departments should be aware.

Food Imports

Mr. Alan Simpson: To ask the President of the Board of Trade if he will list the quantity by weight of the main primary food products imported to the UK for the last two years for which figures are available. [17723]

Mr. Rooker: I have been asked to reply.

Imports of food products in a raw form or which retain their recognisable raw form, as recorded in the Overseas Trade Statistics, for 1995 and 1996 are given in the following table:

UK imports of food products in a raw form or which retain their recognisable raw form

000 tonnes

Category	*1995*	*1996*
Bovine meat	153	133
Pig meat	399	440
Poultry meat	229	234
Sheep meat	143	145
Other meat	42	48
Total meat and meat preparations	966	1,000
Birds' eggs	28	30
Butter	114	113
Cheese	213	252
Milk and cream	216	158
Other milk products	23	19
Total dairy products and birds' eggs	594	572
Fish	495	534
Cereals	3,202	2,848
Fruit	3,300	3,408
Nuts	98	85
Vegetables	3,060	2,898
Total vegetables, fruit and nuts	6,457	6,392
Sugar	2,314	2,188
Coffee, tea, cocoa and spices	557	661
Oils and fats	9,279	10,027
Grand total	23,865	24,222

These figures are provisional and subject to amendment.

The majority of foods in the categories "Oils and Fats" and "Vegetables" are destined for human consumption, but include some products used for other purposes.

SCOTLAND

University Funding

Mr. Öpik: To ask the Secretary of State for Scotland if he will list the amount of university funding per student in Scotland in *(a)* 1994–95, *(b)* 1995–96, *(c)* 1996–97 and *(d)* 1997–98; and if he will make a statement. [17216]

Mr. Wilson: The funding allocated to Scottish Higher Education Institutions by the Scottish Higher Education Funding Council for teaching and research per full-time equivalent student since 1994–95 is set out in the following table:

Funding of Scottish Higher Education Institutions from the Funding Council

	Financial year 1994–95	*Financial year 1995–96*	*Financial year 1996–97*	*Financial year 1997–98*
Total funding available for allocation to institutions (£ million)	508.6	541.6	535.2	545.5
FTE students eligible for funding	114,452	116,361	117,409	118,700
Total funding expressed on a FTE student basis	4,444	4,654	4,558	4,596

Training

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what representations he has made to the Department of Education and Employment concerning the decision to invite bids for the management of New Deal solely from private sector bodies; and if he will make a statement. [17331]

Mr. Brian Wilson: The decision to introduce a greater private sector role into the planning and delivery of the New Deal in an area of Scotland was taken by my right hon. Friend the Secretary of State after consultation with my right hon. Friend the Secretary of State for Education and Employment.

WALES

Further Education

Mr. Evans: To ask the Secretary of State for Wales how many whole time equivalent students there were in *(a)* further and *(b)* higher education in May 1997. [17306]

Mr. Hain: Information on the number of further and higher education student full-time equivalents (FTEs) for the latest available years may be found in the following table:

Student FTEs on Further and Higher Education Courses in Wales[1]

	1995–96	*1996–97*
Higher education courses[2]	69,969	n/a
Further education courses[3]	56,319	60,683

[1] The information provided comes from the following Publications; "STUDENTS in Higher Education Institutions 1995–96" produced by the Higher Education Statistical Agency, and the "Further Education Funding Council for Wales" bulletin on "Further Education Early Student Enrolments 1995–96 and 1996–97".

[2] Student FTEs at higher education institutions at 1 December 1995. Excludes students on higher education courses at further education institutions. Data not yet available for 1996–97.

[3] Student FTEs on all further education courses at 1 November each year. Includes students at all further education and higher education institutions.

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on his Department's expenditure on further education. [17637]

Mr. Hain: Total expenditure made available through the Further Education Funding Council for Wales (FEFCW) in 1996–97 amounted to just over £180 million. The FEFCW's budget for 1997–98 is £177 million. Provision for 1998–99 will be announced shortly as part of the Department's expenditure plans for next year.

Flintshire LEA

Mr. Barry Jones: To ask the Secretary of State for Wales what share of additional resources he has given Flintshire local education authority for the restoration of the fabric of schools. [17643]

Mr. Hain: Flintshire local education authority was allocated £233,000 of the additional £5,025,000 made available in 1997–98 for capital works at schools in Wales.

North-East Wales Institute

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the funding of the North-East Wales Institute. [17642]

Mr. Hain: The funding of individual institutions is a matter for the Higher Education Funding Council for Wales, who will announce their allocations for 1998–99 in due course.

NORTHERN IRELAND

Peace Process

9. **Mr. Savidge:** To ask the Secretary of State for Northern Ireland what assessment she has made of progress in the Northern Ireland peace talks. [16239]

19. **Mr. Barnes:** To ask the Secretary of State for Northern Ireland if she will make a statement on the progress of the political talks. [16250]

20. **Miss McIntosh:** To ask the Secretary of State for Northern Ireland if she will make a statement on the peace process in Northern Ireland. [16251]

21. **Mr. Fitzpatrick:** To ask the Secretary of State for Northern Ireland if she will make a statement on the current state of relationships between the parties involved in the Northern Ireland peace talks. [16252]

27. **Mr. Canavan:** To ask the Secretary of State for Northern Ireland if she will make a statement about the development of the peace process. [16258]

Majorie Mowlam: Since substantive discussions began on 7 October, the talks have covered a great deal of ground: a large number of papers have been tabled and discussed, covering all the essential elements of a settlement.

It is taking time to bring all the participants to engage on the key issues, but I believe there are increasing signs that they are doing so. The Government will do all that they can to facilitate progress towards a settlement.

United States

10. **Mr. Quinn:** To ask the Secretary of State for Northern Ireland if she will make a statement on the contribution made by the United States towards the achievement of peace and stability in Northern Ireland. [16240]

11. **Mr. McWalter:** To ask the Secretary of State for Northern Ireland what assessment she has made of the United States contribution to efforts to achieve peace and stability in Northern Ireland. [16241]

17. **Mr. Home Robertson:** To ask the Secretary of State for Northern Ireland if she will make a statement on the contribution of the United States towards the achievement of peace and stability in Northern Ireland. [16248]

Marjorie Mowlam: The United States Administration share our desire for an enduring peace and lasting political settlement in Northern Ireland. This was all the more evident during my recent visit to the United States. We greatly value their rejection of violence; their commitment to the talks process; their support for the principle of consent; and their continuing support for the International Fund for Ireland, which has contributed significantly to Northern Ireland's economy. The President himself takes a close personal interest in Northern Ireland affairs; the First Lady visited Northern Ireland last month and Senator George Mitchell and Donald Johnson are playing a vital independent role in the talks and on decommissioning respectively.

Employment

12. **Mr. Brady:** To ask the Secretary of State for Northern Ireland what steps she is taking to increase employment in Northern Ireland. [16242]

Mr. Ingram: As in the rest of the United Kingdom, we are pursuing a range of initiatives to improve employment prospects. From measures to improve the skill base through to Welfare to Work and New Deal we will be raising employability. Our targeted economic development programmes will help create jobs through promotion of investment, creation of growth and the raising of Northern Ireland's international competitiveness.

Deregulation

13. **Siobhain McDonagh:** To ask the Secretary of State for Northern Ireland what plans she has to repeal unnecessary regulations in Northern Ireland. [16243]

Mr. Ingram: Regulations are constantly under review to determine their continued need. A recent example of positive action is the Draft Deregulation (Northern Ireland) Order, considered in Standing Committee on 18 November 1997.

Convicted Terrorists

14. **Mr. Wilkinson:** To ask the Secretary of State for Northern Ireland what discussions she has had during the peace talks in Northern Ireland with representatives of Sinn Fein about the transfer to Ireland of persons convicted and imprisoned for terrorist crimes in Great Britain. [16244]

Marjorie Mowlam: My Ministerial colleagues and I have had a number of discussions with Sinn Fein since the IRA ceasefire, during some of which prisoner issues—including the issue of repatriation of prisoners to the Republic of Ireland—have been raised. Our approach in these meetings has been to listen to Sinn Fein's concerns and to explain the Government's policy which is that the British Government will continue to honour its obligations under the Convention on the transfer of sentenced persons.

Parades

15. **Ms Moran:** To ask the Secretary of State for Northern Ireland what action she has taken to prevent premature disclosure of security information relating to parades. [16246]

Marjorie Mowlam: On 8 July this year Sir John Chilcot, permanent under secretary of state at the Northern Ireland Office instigated an inquiry to investigate the leaking to the media of a confidential Northern Ireland Office document concerning the Government's position on the Drumcree parade. That inquiry has now been completed. The report made a number of recommendations that are intended to prevent the re-occurrence of such a leak. Each recommendation has been examined and most have already been implemented. However, it would not be appropriate to comment on such internal security matters in any detail.

18. **Mr. McNulty:** To ask the Secretary of State for Northern Ireland what plans she has for legislation to encourage local agreements on parades in Northern Ireland. [16249]

Marjorie Mowlam: As my hon. Friend will know, the Public Processions etc. (Northern Ireland) Bill has completed its passage through Committee in another place on 13 November. Report Stage will take place on 1 December. The Bill is designed to tackle the difficulties that have surrounded the parades issue in recent years by encouraging local agreement, and by giving the Parades Commission the power to make determinations where appropriate.

Look-out Posts (County Armagh)

16. **Mr. Mallon:** To ask the Secretary of State for Northern Ireland when she plans to close the look-out posts in County Armagh. [16247]

Mr. Ingram: The decision to relocate 250 troops to Great Britain and the closure of the army base at Kilkeel are the most recent examples of actions taken commensurate with the changing situation in Northern Ireland. These follow significant de-escalatory measures already taken since the Provisional IRA ceasefire on 20 July. There are no plans, at present, to close the observation towers in County Armagh.

Tourism

22. **Mr. Ian Bruce:** To ask the Secretary of State for Northern Ireland if she will make a statement on current trends in tourism in Northern Ireland. [16253]

Mr. Ingram: During 1995, a record 1.56 million visitors came to Northern Ireland. In 1996, following the ceasefire breakdown, visitor numbers fell to 1.44 million,

an 8 per cent. decline on 1995, encouragingly remaining above pre-ceasefire levels. Current estimates for 1997 suggest the possibility of a further 1 per cent. decline, falling to around 1.4 million visitors.

Emergency Provisions

23. **Mr. Spring:** To ask the Secretary of State for Northern Ireland if she will make a statement about the renewal of the Northern Ireland (Emergency Provisions) Act 1991. [16254]

Mr. Ingram: A bill to amend and extend the life of the Northern Ireland (Emergency Provisions) Act 1996 was introduced on 30 October 1997, *Official Report*, column 1050. The Bill received its Second Reading on 18 November 1997, *Official Report*, columns 168–218 and Committee stage took place on 25 November.

Guardsmen Fisher and Wright

24. **Mr. Dalyell:** To ask the Secretary of State for Northern Ireland, pursuant to her oral answer of 29 October 1997, *Official Report*, column 887, what representations she has received on the case of Guardsmen Fisher and Wright from serving Scots Guards officers. [16255]

Majorie Mowlam: I have received no representations which have been identified as coming from a serving Scots Guards Officer.

Ceasefire

25. **Mr. Robathan:** To ask the Secretary of State for Northern Ireland what assessment she has made of the commitment of *(a)* Sinn Fein and *(b)* the IPA to the current ceasefire. [16256]

Mr. Ingram: I am content that the current PIRA ceasefire remains stable and I am confident that Sinn Fein's commitment to the peace process remains firm.

Inward Investment

26. **Mr. Evans:** To ask the Secretary of State for Northern Ireland what representations she has received concerning increasing inward investment into Northern Ireland. [16257]

Mr. Ingram: I receive many representations from those interested in the matter of inward investment including Members of this House, local government interests, business and commercial organisations and potential investors.

Employment

28. **Mr. Connarty:** To ask the Secretary of State for Northern Ireland what proposals she has to take affirmative action on employment measures for areas of serious economic and social deprivation in Northern Ireland. [16259]

Mr. Ingram: The Department of Economic Development's Action Plans for targeting employment measures on disadvantaged areas over the period 1995–98 are currently being implemented by its economic development agencies. In addition further consideration is being given to these issues in light of the recent report on employment equality published by the Standing Advisory Commission on Human Rights. My right hon. Friend the Secretary of State hopes to publish a full response early next year.

Castle Buildings Negotiations

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what the designation is of Senator Mitchell and General De Chastelain in relation to strand two of the Castle Buildings negotiations; and if she will list the names of the chairmen of the committees. [13017]

Mr. Paul Murphy: The talks participants decided on 24 September that Senator Mitchell, Prime Minister Holkeri and General de Chastelain should act as Joint Chairmen of Strand Two of the negotiations.

On the same date, they agreed that the Liaison sub-committees on Decommissioning and Confidence-Building Measures should be chaired by Senator Mitchell, as Chairman of the Plenary. General de Chastelain is under the rules of procedure Chairman of the Business Committee. Prime Minister Holkeri is by virtue of the rules Alternate Chairman of all the committees.

Fair Trade (Coffee and Tea)

Mr. MacShane: To ask the Secretary of State for Northern Ireland, pursuant to the oral statement by the Secretary of State for International Development, *Official Report*, 5 November 1997, column 332, if she will instruct officials to serve coffee and tea furnished by suppliers who adhere to fair trade standards in her Department. [15495]

Mr. Paul Murphy: I refer to the answer which the Prime Minister gave on the 13 November 1997, *Official Report*, column *617*. All procurement decisions in my Department are based on the Government's policy of value for money.

E-mail

Mr. Jenkin: To ask the Secretary of State for Northern Ireland pursuant to the answer of 10 November 1997 from the Chancellor of the Duchy of Lancaster, *Official Report*, column *441*, if she will list the e-mail addresses of *(a)* Ministers, *(b)* senior officials and *(c)* chief executives of agencies for which she is responsible. [15867]

Mr. Paul Murphy: The Internet e-mail address for the Secretary of State for Northern Ireland is MM@NICS.GOV.UK.

Apart from the Secretary of State for Northern Ireland, no other Northern Ireland Minister currently has an Internet e-mail address.

As far as senior officials and Chief Executives are concerned, some e-mail addresses do exist, but the issue of putting these addresses into the public domain in the Northern Ireland context is still under consideration.

Press Releases

Mr. Matthew Taylor: To ask the Secretary of State for Northern Ireland what is her policy in respect of the faxing of press releases on the day of release to Opposition party spokesmen; what changes have been introduced since 1 May; and if she will make a statement. [16291]

Mr. Paul Murphy: Press releases are sent by fax only to people who have requested this service to meet urgent needs. Opposition spokesmen have not sought this service. Releases are distributed widely by courier and by mail, including the House of Commons Library, and are posted on the Internet immediately upon issue. No changes have been sought or introduced since 1 May.

University Funding

Mr. Öpik: To ask the Secretary of State for Northern Ireland if she will list the amount of university funding per student in Northern Ireland in *(a)* 1994–95, *(b)* 1995–96, *(c)* 1996–97 and *(d)* 1997–98; and if she will make a statement. [16937]

Mr. Worthington: The information requested is as follows:

Financial year	*Amount of funding per student*[1]
1994–95	5,471
1995–96	5,178
1996–97	[2]5,002
1997–98	[2]4,899

[1] In cash terms.
[2] Estimated figure.

NHS

Mr. Öpik: To ask the Secretary of State for Northern Ireland what factors underlay the recent allocation of additional funding to the National Health Service in Northern Ireland; what estimate she has made of the proportionality of this additional funding in relation to *(a)* England, *(b)* Scotland and *(c)* Wales; and if she will make a statement. [16959]

Mr. Paul Murphy: The package announced on 14 October provided an additional £300 million of funding for health care across the UK. One Hundred and ninety [illegible] pounds of this money was apportioned in line with the Barnett formula which reflects population size, and Northern Ireland got its fair share. For England, the Department of Health's share was supplemented by internal reallocations and a long-standing claim on the Reserve.

Mr. Öpik: To ask the Secretary of State for Northern Ireland when she expects to publish the consultation paper on the revised health service structure in Northern Ireland. [16934]

Mr. Worthington: I intend to publish a consultation paper on new arrangements for commissioning and delivering health and social services in Northern Ireland in January 1998.

Schools

Mr. Casale: To ask the Secretary of State for Northern Ireland how many integrated schools in Northern Ireland *(a)* exist at present, *(b)* existed in 1992 and *(c)* are at the planning stage. [16390]

Mr. Worthington: I refer my hon. Friend to the answer I gave earlier today to my hon. Friend, the Member for Corby (Mr. Hope).

Sinn Fein

Mr. Cobyn: To ask the Secretary of State for Northern Ireland what guidelines are issued to Government offices in Northern Ireland concerning dealings with representatives of Sinn Fein; and if she will make as statement. [17836]

Mr. Paul Murphy: Government offices in Northern Ireland adhere to current Government policy which is that Sinn Fein should be treated on the same basis as any other political party.

AGRICULTURE, FISHERIES AND FOOD

Vitamin B6 Supplements

Rev. Martin Smyth: To ask the Minister of Agriculture, Fisheries and Food which organisations dealing with the treatment of pre-menstrual tension have made recent representations in support of the restrictions on the retail sale of higher dose vitamin B6 supplements. [17218]

Mr. Rooker: The only organisation dealing specifically with pre-menstrual tension which has made representations about dietary supplements containing vitamin B6 is PMS Help. It has expressed support for the controls that the Government intend to introduce.

Rev. Martin Smyth: To ask the Minister of Agriculture, Fisheries and Food what representations he has recently received in connection with the restrictions on the retail sale of higher dose vitamin B6 supplements from *(a)* Dr. Shrimpton, *(b)* Dr. Gaby and *(c)* Dr. Munro. [17208]

Mr. Rooker: Dr. Shrimpton and Dr. Gaby were among those who attended a meeting that the Minister for Public Health and I had with representatives of industry and complementary medicine organisations on 23 July to discuss the Government's proposed controls on dietary supplements containing vitamin B6. They also met with officials from the Department earlier on the same day. We have subsequently received a number of letters from both Dr. Shrimpton and Dr. Gaby on the subject of the proposed controls.

Animal Identification Scheme

Mrs. Ballard: To ask the Minister of Agriculture, Fisheries and Food if the United Kingdom is taking part in the Identification Electronique des Animaux trials. [17267]

Mr. Rooker: No, principally because our resources in the area of cattle identification are already at full stretch in creating a national database of cattle movements. We are, however, keeping in touch with the trials being conducted in other Member States and various trials of electronic identification are taking place on a smaller scale in the UK.

Multi-annual Guidance Programme

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 4 November 1997, *Official Report*, column *134*, if the United Kingdom has been deemed to have complied with multi-annual guidance programme objectives; what tonnage cut-back

requirements now exist before vessel construction or modernisation grants are made available; what sums of *(a)* upgrade grants and *(b)* decommissioning grants are involved; and if he will make a statement. [17276]

Mr. Morley: As the table showed in my previous answer, the United Kingdom had shortfalls against target in a number of its MAGP III segments as at the end of 1996 and does not currently qualify for EU funding in respect of vessel construction or modernisation grants, other than for safety-related improvements, which do not result in an increase in fishing effort.

Under the terms of MAGP IV, these shortfalls continue to have to be met in addition to our new objectives, which the Commission has still to confirm. The resulting percentage reductions will vary according to the segments and fisheries concerned and will in some cases be expressed in terms of fishing effort rather than tonnage. It is not possible to give definitive figures in advance of the Commission's formal Decision. As far as future expenditure is concerned, the Government are still considering the position in relation to decommissioning but have no plans to pay upgrade grants other than under the existing safety schemes.

Ritually Slaughtered Animals

Mr. Bob Russell: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to end the ritual slaughter of animals. [17253]

Mr. Morley: The Government do not propose to remove the right of the Jewish and Muslim communities to slaughter animals in accordance with the requirements of their religion. We do, however, believe that animals should be stunned before slaughter wherever possible. We will continue to discuss our concerns with representatives of the religious communities, with a view to encouraging, where possible, an increase in the incidence of stunning before slaughter.

Vitamins Ban

Mr. David Atkinson: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the UN Codex (Ban on Vitamins); and if he will make a statement. [17318]

Mr. Rooker: There is no Codex ban on vitamins. The Codex Committee on Nutrition and Foods for Special Dietary Uses is currently in the process of drawing up guidelines on supplements containing vitamin and minerals. These address a number of issues, including the setting of maximum vitamin and mineral content of supplements. The latest draft, which is due to be discussed again in September 1998, includes a number of possible options for this. One of these provides for the vitamin and mineral content of supplements to be limited to 100 per cent. of the recommended daily intake. Other options included establishing maximum limits on a case by case basis, and having no maximum at all.

Codex standards and guidelines are advisory and it is for individual Governments to decide what use, if any, they wish to make of them.

Hill Farmers

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what was the average age of hill farmers in *(a)* 1977, *(b)* 1987 and *(c)* 1997. [17417]

Mr. Morley: Information is not available for the years requested; the closest years are 1975, 1985 and 1995. The following table provides estimates of the average age of holders of hill farms based on analysis of age band data from the Structure Survey.

Estimated average age of holders[1] of hill farms[2] in the United Kingdom

Year	*Average age*[3]
1975	54
1985	56
1995	57

[1] The holder of the farm is that (natural or legal) person in whose name the farm is operated.
[2] A hill farm is defined as a farm wholly or mainly in less favoured areas.
[3] A holder working on more than one holding will be represented more than once within the average.

Scientific Research and Development

Dr. Starkey: To ask the Minister of Agriculture, Fisheries and Food how much money was spent or is budgeted to be spent on scientific research and development in each of the last 10 financial years; and how much is budgeted to be spent in 1997–98. [17423]

Mr. Rooker: The Department's total research and development expenditure for each of the last 10 financial years is set out as follows, together with the budgeted expenditure for 1997–98.

Year	*£ million*
1996–87	118.3
1987–88	113.8
1988–89	115.0
1989–90	112.2
1990–91	119.1
1991–92	121.5
1992–93	132.9
1993–94	135.0
1994–95	137.2
1995–96	139.7
1996–97	137.4
1997–98	146.3[1]

[1] Budgeted figure.

Research Institutes

Dr. Starkey: To ask the Minister of Agriculture, Fisheries and Food what were the redundancy costs caused by reductions or redeployments of his Department's research and development funding to *(a)* MAFF-sponsored research institutes, *(b)* AFRC/BBSRC-sponsored institutes and *(c)* other public sector research institutions, in each year from 1987–88 to 1997–98; and of these costs, how much in each year was borne by MAFF and how much by which other Departments. [17424]

Mr. Rooker: I regret that information on redundancy costs in these bodies is not held centrally. Much would be available only at disproportionate cost. Moreover, it would not be possible to link directly the changes in the

Ministry's R and D funding at public sector research establishments to the particular decisions they reached on staff redundancies, and their costs, given the wide variety of other factors involved.

Organic Farming

Charlotte Atkins: To ask the Minister of Agriculture, Fisheries and Food what support his Department gives to farmers wanting to change to organic farming practices. [17632]

Mr. Morley: Prospective organic farmers can obtain free technical advice under the Organic Conversion Information Service. Financial help for those converting to organic systems is available under the Organic Aid Scheme. In addition, there is a research and development programme for organic farming and we also fund the United Kingdom Register of Organic Food Standards.

Badgers

Charlotte Atkins: To ask the Minister of Agriculture, Fisheries and Food when he expects the Krebs Report on badgers and bovine tuberculosis to be published. [17631]

Mr. Rooker: I expect Professor Krebs' Report to be published before Christmas.

Radioactive Waste

Mr. Ieuan Wyn Jones: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 18 November 1997, *Official Report*, column *120* (1) what is the level of radioactivity associated with the miss-distance indicators disposed of in the Holyhead Deep in 1974; [17380]

(2) if he will place in the Library details of the advice he received on the implications for human health and the environment of the disposal of miss-distance indicators in the Holyhead Deep in 1974. [17381]

Mr. Rooker: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Workington (Mr. Campbell-Savours) on 24 November 1997, *Official Report*, columns *409–10*, and to the report by the National Radiological Protection Board, which was placed in the Library of the House.

EDUCATION AND EMPLOYMENT

Child Care

Mrs. Gillan: To ask the Secretary of State for Education and Employment what incentives are being offered to child care providers to take on and train young people as child care assistants. [17273]

Mr. Andrew Smith: The New Deal for young unemployed people will create opportunities for young people to train as child care assistants on the Voluntary Sector, Employment, and Full Time Education and Training options. We have been talking to key child care organisations to facilitate their involvement. We will be providing financial assistance to help child care organisations employ and train young unemployed people, the amount of which will vary according to the type of placement on offer, and the needs of the participant.

Expenditure

Mr. Shaw: To ask the Secretary of State for Education and Employment if he will make a statement on his Department's expenditure plans for 1998–99. [18306]

Mr. Blunkett: The Department's control total for 1998–99 is £13,372 million. We are committed to working within the Department totals for 1998–99 which we inherited from the previous administration and therefore this sum is the same as that announced in November 1996 except in respect of agreed inter-Departmental transfers. I have reallocated this expenditure to align the Department's programmes with the Government's new objectives, policies and priorities.

The voted expenditure for 1998–99 will be supplemented by up to £856 million from outside the control total, financed by the windfall tax, for the welfare to work programme and the New Deal for Schools. In addition, the bulk of expenditure on schools is provided through the local authority finance settlement. The level of expenditure next year on the New Deal for people with disabilities or a long-standing illness, and the New Deal for lone parents, will be announced when plans are finalised.

SCHOOLS

Local authority finance

My right hon. Friend the Chancellor of the Exchequer announced in the Budget an addition to local authority Education Standard Spending of £1,017 million, a year on year increase of 5.7 per cent., taking the total to £19,384 million including the transfer back into local government finance of the deduction made for the Nursery Voucher Scheme introduced by the previous administration. The details of the local authority finance settlement will be announced next week by my right hon. Friend the Deputy Prime Minister. It is for local authorities to decide how to allocate the available funding, but the Government expects that the funds will be passed on to schools and devoted to raising standards.

Under fives

We are returning to local education authorities the deduction of £527 million from standard spending assessments made by the previous administration. These funds will allow authorities to work in partnership with the private and voluntary sectors to develop their Early Years Development Plans, designed to provide a high quality nursery education on demand to all four-year-olds. Central government funds of £135 million will provide additional grant support to local authorities, to support expansion of the number of places available, and the development of Early Excellence Centres.

School standards and effectiveness

We have set up a new and expanded Standards Fund, replacing the Grants for Educational Support and Training programme. The total Standards Fund programme expenditure is to be £500 million.

Schools capital and the New Deal for Schools

£250 million will be made available from the windfall tax in 1998–99 for the New Deal for Schools, to start tackling the backlog of repairs to school buildings and to develop public private partnerships to maintain an repair schools. The total includes £15 million for school security, to be deployed as part of the Standards Fund. These sums are in addition to the existing schools capital

programme of £648 million, including the Department's contribution to the Government's local authority capital challenge fund.

National Grid for Learning

£50 million of the New Deal for Schools funds in 1998–99 will support expenditure of £100 million on the capital and infrastructure requirements of setting up the National Grid for Learning, to give schools easier access to high quality materials to support the raising of standards. This will be delivered through the Standards Fund.

Specialist schools

The specialist schools programme will be increased by £6 million to £41 million to support public/private partnerships, allowing the expansion of the programme to 330 schools by September 1998. At the same time we shall broaden the reach of the programme, ensuring that it is open to as many children as possible—both those attending specialist schools, and those in neighbouring schools enjoying their facilities.

Teacher Training Agency

The total grant for the Teacher Training Agency will be £206 million in recognition of the central role they have to play in the Government's drive on standards through action to recruit sufficient high quality entrants to teaching; to ensure that new and existing teachers receive the support and training they need to raise pupil achievement, particularly in the priority areas of literacy, numeracy and ICT; and to underpin effective school leadership.

LIFELONG LEARNING, FURTHER AND HIGHER EDUCATION

Lifelong learning

The Government is committed to creating a learning society. This will involve both greater and wider participation, giving access and opportunity to those hitherto excluded so that equality of opportunity and lifelong learning become a reality. We have been able to redirect expenditure so as to make a start on the recommendations of the Kennedy report to widen participation in lifelong learning amongst disadvantaged groups with low or no qualifications.

Further Education

A total of £83 million, including £63 million of new public funding and an estimated £20 million increase in employers' contributions to course fees, will be available to the further education sector in 1998–99, taking the Further Education Funding Council's grant for 1998–99 to £3,114 million.

Higher Education

I have already announced a package of measures that will allow an extra £165 million to be spent on higher education in 1998–99. Universities and colleges will have an extra £125 million to maintain quality and improve standards and to make a start on the backlog of maintenance and equipment replacement. There will be a £36 million access package to benefit part-time students and those facing particular hardship, allowing the doubling of access funds. £4 million will be made available to increase HE participation through sub-degree programmes. The grant for the Higher Education Funding Council will be set at £3,504 million.

Training and Enterprise Councils

The Government is committed to the role of TECs in meeting local needs and contributing to local economic development. The Department's programmes to be delivered through TECs in 1998–99 amount to £1.3 billion. In addition, TECs will be playing an important strategic role as a key local partner in a wide range of other initiatives including New Deal, the Single Regeneration Budget, and European funding schemes.

Employment programmes

Welfare to work

The Government is committed to helping unemployed people, particularly the most disadvantaged, enhance their employability and get into work as quickly as possible. Following my right hon. Friend the Chancellor's announcement in the Budget, we will be spending up to an additional £606 million in 1998–99 for the introduction of the New Deal for unemployed 18–24 year olds and for those over 25 unemployed for two years or more. The New Deal for unemployed 18–24 year olds will be launched in January next year in pathfinder areas, with the national start in April. The New Deal for the long-term unemployed will start in June 1998.

In addition, the Secretary of State for Social Security and I are working closely together on plans for launching the New Deal for people with disabilities or a long-standing illness, using up to £195 million which the Budget made available, and on plans to launch the national roll out of the New Deal for lone parents with an additional £150 million, over the lifetime of the Parliament.

Employment Zones

We have reallocated expenditure within the Employment Service to allow £30 million to be deployed in 1998–99 to setting up the first prototype Employment Zones, which will offer new help for unemployed people, providing innovative pathways into sustainable work.

Other measures for helping the unemployed

In addition to the above, we have refocussed some £289 million provision within the Employment Service to enable it to help other unemployed people and those with disabilities back to work.

Oxford and Cambridge Universities

Mr. Wickes: To ask the Secretary of State for Education and Employment what is the combined asset value of Oxford and Cambridge Universities, including constituent colleges; and what percentage this represents of the equivalent asset values of all other British universities. [16490]

Dr. Howells: I refer my hon. Friend to the reply I gave to the hon. Member for Tamworth (Mr. Jenkins) on 10 November 1997, *Official Report*, column *448*.

Mr. Wickes: To ask the Secretary of State for Education and Employment what proportion of student entrants at *(a)* Oxford and *(b)* Cambridge University attended state secondary schools in each year since 1975. [16489]

Dr. Howells: The information requested is not held centrally. I understand that the Admissions Offices of both universities do produce annual statistics along these lines and my hon. Friend may care to speak to them directly.

HEALTH

Accident and Emergency

Mr. Lock: To ask the Secretary of State for Health what research his Department has commissioned to study the relationship between clinical outcomes and the distance patients have to travel to accident and emergency departments at district hospitals; and if he will make a statement on its conclusions. [16956]

Mr. Boateng: In January 1996 the Department published a review of Accident and Emergency (A&E) departments as part of the Health Care Needs Assessment series. In addition in May 1995 the Department published the "Review of Literature on Accident and Emergency Departments and Clinical Outcomes". Copies are available in the Library.

Health authorities and National Health Service trusts should provide an accident and emergency service which meets the needs of local people. The distance people have to travel to accident and emergency departments will therefore vary according to local circumstances.

There is evidence that seriously ill and injured patients do better in larger departments where a high proportion of care is offered by consultant staff, with access to backup from a range of specialist departments.

Ritalin

Mr. John Smith: To ask the Secretary of State for Health what research his Department has commissioned into alternatives to the use of Ritalin in the treatment of children. [17053]

Ms Jowell: Ritalin can be used as a treatment for attention deficit disorder (ADD) in cases when medication is considered to be appropriate. Ritalin has been subjected to controlled trials and can be effective when given to the right children. Other types of medication can also be used as alternative or complementary treatment but Ritalin is the most comprehensively researched medication and is usually considered to be the drug of choice. It should be used under the supervision of a specialist in childhood behavioural disorders as part of a comprehensive treatment programme, which also includes psychological, educational and social measures, to stabilise children with a behavioural syndrome.

The Department of Health has not commissioned any research into alternatives to the use of Ritalin in the treatment of children. The main agency through which the Government supports medical and clinical research is the Medical Research Council. The MRC supports a number of studies into the causes and treatment of ADD, but is not currently supporting any research into pharmacological interventions. However, the MRC always welcomes high quality applications for support into any aspect of attention deficit disorder and these are judged in open competition with other demands on funding. Awards are made according to their scientific quality and importance to human health.

Children in Care

Mr. Kidney: To ask the Secretary of State for Health how many children were accommodated by local authorities other than under care orders in *(a)* Staffordshire, *(b)* the West Midlands and *(c)* England and Wales in 1996. [17162]

Mr. Boateng: As published in Table 3 of "Children Looked After by Local Authorities, year Ending 31 March 1996, England" the figures for children looked after at 31 March not under a care order were *(a)* 350 for Staffordshire, *(b)* 2,300 for West Midlands (excluding Solihull, for which no data are available), and *(c)* 22,300 for England.

These figures exclude children who were looked after under an agreed series of short-term placements.

Questions relating to Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Mr. Kidney: To ask the Secretary of State for Health how many care orders were made in *(a)* Staffordshire, *(b)* the West Midlands and *(c)* England and Wales in 1996. [17165]

Mr. Boateng: Figures for care orders made during the year ending 31 March 1996, the latest year for which information is available, were *(a)* 170 for Staffordshire, *(b)* 1,070 for West Midlands (excluding Solihull, for which no data are available), and *(c)* 10,100 for England.

Figures include both interim and full care orders, excluding renewals.

Questions relating to Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Mr. Kidney: To ask the Secretary of State for Health how many children *(a)* in care under care orders and *(b)* otherwise accommodated by local authorities left the care of local authorities in (i) Staffordshire, (ii) the West Midlands and (iii) England and Wales in 1996; for what reasons; and where they went. [17163]

Mr. Boateng: The latest available figures for children at the point of leaving care are given in the table. Statistics are not collected centrally on the subsequent history of such children after they have left care, but a Department of Health funded research project published in 1995 looked at the experiences of a small sample of care leavers. About half moved first to some form of transitional accommodation (e.g. hostel, lodgings, or to stay with friends); 20 per cent. moved directly into independent tenancies in the public, voluntary or private sector; 12 per cent. returned to live with parents or relatives; and 15 per cent. made no move when they first ceased to be "looked after", choosing to remain with parents, relatives or foster carers.

As the research sample was very small (74 individuals), care must be taken in drawing any general conclusions from these figures.

Questions relating to Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Children who ceased to be looked after during year ending 31 March 1996, by reason that the final episode of care ceased, England

	England	*West Midlands*	*Staffordshire*
All children	31,600	3,340	390
Reason ceased to be looked after:			
Children under care orders			
All children under care orders	5,350	570	90
Reached maximum age	1,800	180	20
Care order discharged or expired	1,900	220	50
Care order replaced by supervision order	170	20	—
Adopted	880	70	10
Other reason ceased to be looked after	600	70	10
Other legal status			
All children who were looked after under other legal statuses	26,250	2,740	300
Reached maximum age	1,270	110	30
Adopted	830	90	20
Placement ceased in accordance with plan	14,020	1,280	120
Placement ceased at request of parents	4,700	610	50
Placement ceased at request of child	1,600	170	20
Police protection order expired	430	50	—
Accommodation on remand ceased	1,030	80	20
Other reason ceased to be looked after	2,400	340	50

Figures are rounded to the nearest 10; totals may not sum due to rounding. Figures for care orders include both Interim, full and deemed Care Orders, and relate to the latest recorded legal status when the child ceased to be looked after.
Figures exclude children who are accommodated under an agreed series of short-term placements.
Where a child already looked after moved into respite care, that child is regarded as having ceased to be looked after for the purposes of this statistical analysis.
These figures include estimates for missing data. The West Midlands figure covers the Government Office Region, excluding Solihull for which no data are available.

Kidderminster Hospital

Mr. Gill: To ask the Secretary of State for Health what medical services are provided at Kidderminster hospital. [17177]

Mr. Milburn: The following medical services are currently provided at Kidderminster General Hospital:

Accident and Emergency Services
General Surgery
Urology
Trauma and Orthopaedics
Ophthalmology
Oral Surgery
Anaesthetics/Pain Relief
Gynaecology
Orthodontics (Outpatients only)
ENT
General Medicine
Haematology
Dermatology
Rheumatology
Gastroenterology
Chest Medicine
Cardiology (Outpatients only)
Neurology (Outpatients only)
Geriatrics
Paediatrics (except in-patient medical)
Psychiatry
Psychology
Radiotherapy (Outpatients only)
Obstetrics (Midwifery led)
Radiology
Pathology
Audiology

Source:
Finance Department, Kidderminster General Hospital.

Mr. Gill: To ask the Secretary of State for Health what assessment he has made of the impact of the closure of the accident and emergency unit at Kidderminster upon the population of North Worcestershire and South Shropshire. [17180]

Mr. Milburn: The strategic review of services in Worcestershire is considering a number of options.

Decisions about the future of accident and emergency services will reflect carefully researched evidence on staffing issues and the effect they will have on clinical effectiveness and safety at each site. The evidence is currently being collated and tested and will be made available as part of the public consultation process which will commence in December.

Mr. Gill: To ask the Secretary of State for Health how much capital has been expended on Kidderminster hospital in each of the past 10 years. [17179]

Mr. Milburn: The information requested is not collected centrally, but the Kidderminster General Hospital Finance department reports capital expended on Kidderminster hospital in the last 10 years; approximately £25 million has been spent in the last 10 years; £20 million on buildings and £5 million on equipment.

Major schemes include: (a) £14 million on Phase VI—new theatre suite, 120 beds and out-patient clinics (completed 1995); (b) £870,000 on Cancer Resource Centre (£350,000 donated)—completed October 1997; (c) £1.5 million on Pathology/Mortuary buildings; (d) £570,000 on X-ray equipment.

Source:
Kidderminster General Hospital.

Nurses

Mr. Flight: To ask the Secretary of State for Health (1) what assessment he has made of staff shortages in areas of care formerly undertaken by state enrolled nurses; and what plans he has to create a replacement position to that of state enrolled nurse. [17212]

(2) if he will make a statement on the impact on health services of ending the position of state enrolled nurse. [17211]

Mr. Milburn: The professional status of the second level (enrolled) nurse remains unchanged. There are currently 332,660 (whole time equivalent) nursing, midwifery and health visiting staff employed by the National Health Service Hospital and Community Services of which some 10 per cent. are second level

(enrolled) nurses. Second level (enrolled) nurses continue to make an important contribution to the NHS and their skills and experience have been fully recognised by the clinical grading structure, which rewards nurses for the jobs they do.

Ambulance Service

Mr. Flight: To ask the Secretary of State for Health what system is used by ambulance services in England and Wales to eliminate hoax and unnecessary calls for emergency assistance; what plans he has to review these mechanisms; in what circumstances ambulance services may decide not to attend calls considered to be hoax or unnecessary; and if he will make a statement. [17214]

Mr. Boateng: Measures are being taken to reduce the number of hoax calls in a joint initiative between emergency services and telephone operating companies. Ambulance services are also introducing priority dispatch systems which will help identify unnecessary calls. If hoax calls are a particular problem, ambulance services may develop local policies and protocols for not attending in such cases. These must be agreed with local clinicians.

Radiotherapy

Mr. Hunter: To ask the Secretary of State for Health (1) how many women have been diagnosed as suffering injury or other adverse effects as a result of radiotherapy for breast cancer in each year since 1970; [17405]

(2) how many women have received radiotherapy treatment for breast cancer in each year since 1970; [17404]

(3) what information his Department collates centrally from regional radiotherapy centres. [17406]

Mr. Boateng: The most recent central information on numbers of radiotherapy exposures is for the financial year 1992–93 but this did not record the site of the cancer treated. Since then information has not been collected from radiotherapy departments. The number of women receiving radiotherapy for breast cancer includes women who receive it as part of the primary treatment to the breast and surrounding areas and those who receive it for treatment of recurrent breast cancer in the breast or other parts of the body, particularly the bones. In 1992 in England (latest year for which Office for National Statistic figures are available) 30,000 women were diagnosed with breast cancer and it is estimated that around half of these would have received radiotherapy as part of primary treatment. Statistics are not routinely collected on the adverse effects of treatments in any medical discipline although this is done in clinical trials.

Technology Foresight

Dr. Starkey: To ask the Secretary of State for Health what Technology Foresight priorities are being taken into account in the forward planning of the Department's scientific research programme. [17463]

Ms Jowell: The scope of the Department's scientific research programmes is sufficiently broad to encompass many of the recommendations made by the Foresight Programme in general and by the Health and Life Sciences Panel in particular. Foresight principles have been incorporated into the forward planning processes used by the Clinical Horizons Scanning Group. A corporate knowledge base on health trends and related information has been developed and is available to provide support for the forward planning of the Department's scientific research programmes.

Dr. Starkey: To ask the Secretary of State for Health in what way the Department's research priorities have been modified in response to Technology Foresight. [17464]

Ms Jowell: The Central Research and Development Committee has recently recommended that the structure of the centrally funded R and D programmes of the National Health Service should be reconfigured around three broad themes—Health Technology Assessment, Service Delivery and Organisation and New and Emerging Technologies. The latter theme is Foresight related; the full scope of the projects to be included in this new theme has yet to be agreed.

Child Care Task Force

Mr. Burstow: To ask the Secretary of State for Health (1) if he will list the programme of work of the Ministerial Task Force on Child Care and the dates on which it will report; [17537]

(2) what are the *(a)* terms of reference and *(b)* membership of the Ministerial Task Force on Child Care. [17539]

Mr. Boateng: We shall be announcing the terms of reference and membership of the Ministerial Task Force shortly.

Cannabis

Mr. Gordon Prentice: To ask the Secretary of State for Health what plans he has to implement the recommendations of the BMA's report on the therapeutic use of cannabis. [17416]

Mr. Boateng: My right hon. Friend the Secretary of State for Health has no plans to do so at present.

Community Care

Mr. Burstow: To ask the Secretary of State for Health what plans he has to review the legal framework of community care to take account of the recent Gloucestershire judgment. [17555]

Mr. Boateng: The judgment given on appeal from the Court of Appeal in the House of Lords on 20 March in the case of R versus Gloucestershire County Council and my right hon. Friend the Secretary of State for Health, ex parte Barry (the "Gloucestershire Judgment"), confirmed the law as the Department of Health has always understood it and we have no plans to review the legal framework of community care in the light of that judgment.

Food Poisoning

Mr. Jack: To ask the Secretary of State for Health if he will provide a breakdown of the foods accounting for the notified bacterial food poisoning cases in 1996. [17534]

Ms Jowell: The information requested is not collected centrally. The great majority of food poising notifications are sporadic cases notified on the basis of clinical symptoms in which it is seldom possible to establish the vehicle of infection.

NHS Trusts (Membership)

Mr. Prior: To ask the Secretary of state for Health (1) if he will make a statement on his policy on the selection of *(a)* chairmen and *(b)* board members of NHS trusts; [17382]

(2) when he expects to announce *(a)* the next chairman of the Norfolk and Norwich Health Care NHS Trust and *(b)* the next chairman of the Norfolk Mental Health Care NHS Trust; [17383]

(3) if he will make a statement on the re-appointment of *(a)* the chairman and *(b)* other board members of the Norfolk and Norwich Health Care NHS Trust. [17384]

Mr. Milburn: All National Health Service appointments are made on merit, and in accordance with guidance from the Commissioner for Public Appointments and the Government's criteria on the qualities required for chairmen and non-executives. Outstanding appointments to the boards of the Norfolk and Norwich Health Care Trust and the Norfolk Mental Health Care Trust will be made as soon as possible.

Ministerial Meetings and Visits (London)

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list, separately by Minister, and by date, each *(a)* meeting attended by and *(b)* visit undertaken by Ministers (i) in London and (ii) with people working for the National Health Service in London since 1 May, other than meetings with, or visits to, civil servants working for his Department centrally or for the South Thames or North Thames NHS regional offices. [17831]

Mr. Milburn: The table shows all Ministerial visits to National Health Service trusts, health authorities and primary care sites in London since 1 May 1997.

Ministerial visits in London since 1 May 1997

Date	*Minister*	*Visits*
30 May	Baroness Jay	London Ambulance Service NHS Trust
3 June	Mr. Boateng	Health and Care Centre at Wembley Hospital
23 June	Mr. Milburn	South Westminster Centre for Health (Riverside Community Healthcare NHS Trust)
24 June	Mr. Boateng	North West London Mental Health NHS Trust
25 June	Mr. Milburn	Central Middlesex Hospital NHS Trust
10 July	Mr. Milburn	Kingston Hospital NHS Trust
16 July	Baroness Jay	Guy's and St. Thomas' Hospital NHS Trust
17 July	Mr. Milburn	St. George's Healthcare NHS Trust Pathfinder Mental Health Services NHS Trust St. John's Therapy Centre, Wandsworth (Wandsworth Community NHS Trust)
21 July	Mr. Milburn	St. Mary's Hospital NHS Trust
24 July	Mr. Milburn	St. Andrew's Hospital (Newham Healthcare NHS Trust) Newham District General Hospital (Newham Healthcare NHS Trust) Globe Town Surgery, E2 Dr. Varma's Surgery, E1

Ministerial visits in London since 1 May 1997

Date	*Minister*	*Visits*
24 July	Mr. Boateng	Law Medical Centre, Wembley (Brent and Harrow HA)
12 August	Mr. Dobson	Hammersmith Hospitals NHS Trust
2 September	Mr. Boateng	Central Middlesex Hospital NHS Trust
9 September	Baroness Jay	Teddington Memorial Hospital NHS Trust
15 September	Mr. Milburn	London Ambulance Service NHS Trust Battersea Locality Group, Queens Town Road Medical Practice
16 September	Mr. Milburn	Kings Healthcare NHS Trust The Maudsley Hospital (The Bethlem and Maudsley NHS Trust) Optimum Healthcare NHS Trust
22 September	Baroness Jay	Dr. Shah's Surgery and Parkside Health Centre (Parkside Health NHS Trust)
6 October	Mr. Milburn	Guy's and St. Thomas' Hospital NHS Trust (included visits to Guy's and St. Thomas' Hospitals)
9 October	Mr. Milburn	The Royal Hospitals NHS Trust Homerton Hospital NHS Trust
14 October	Mr. Dobson	Central Middlesex Hospital NHS Trust
15 October	Mr. Milburn	Richmond Twickenham and Roehampton NHS Trust (Queen Mary's University Hospital)
16 October	Mr. Boateng	Central Middlesex Hospital NHS Trust
29 October	Mrs. Jowell	Practice Managers Forum (Lambeth Southwark and Lewisham HA)
30 October	Mr. Milburn	Havering Hospitals NHS Trust (included visits to Haroldwood and Oldchurch Hospitals)
12 November	Mr. Dobson	Kenton Bridge Medical Centre (Brent and Harrow HA)
12 November	Baroness Jay	Guy's and St. Thomas' Hospital NHS Trust
20 November	Mr. Dobson	Elizabeth Garrett Anderson Hospital (University College London Hospitals NHS Trust)

Influenza

Mr. Simon Hughes: To ask the Secretary of State for Health what contingency plans his Department has evaluated for dealing with a flu epidemic this winter; and if he will make a statement. [17342]

Ms Jowell *[holding answer 24 November 1997]:* Outbreaks of influenza occur every winter and measures to ameliorate illness and cope with the increased demand on health care services are part of routine planning. The first priority for health authorities and National Health Service trusts is to make adequate provision for emergency care and there will be plans in place for responding to any increases in demand for treatment. There is currently no reason to believe that this year's flu season will be worse than those seen in recent years. The Department recommends that people with underlying diseases which put them at increased risk of serious illness should they develop flu should receive flu vaccine each

year. Doctors were reminded of this policy in August 1997, and at the launch of flu awareness week in October. We know that those most 'at risk' for flu, the complications of flu and those most likely to be admitted to hospital for flu are patients with chronic risk conditions: studies have continued to show that those in 'at risk' groups benefit most from vaccination.

So far this year a record 6.9 million doses of flu vaccine have been distributed. General practitioners and practice nurses are encouraged to make sure they give flu vaccine to as many people at risk from the complications of flu as possible. Leaflets entitled 'Flu vaccination' and 'What should I do about flu?' have been made available to practices through the Department of Health. Copies are also available in the Library. Flu activity is reported on a weekly basis. We monitor the situation closely once the normal winter increase in flu activity begins and situation reports are used to keep health authorities advised of any unusual levels of activity.

Written Answers to Questions

Thursday 27 November 1997

DEFENCE

Military Personnel

Mr. Bob Russell: To ask the Secretary of State for Defence how many military personnel have left the Army since 1 May; how many have been recruited since that date; and how many vacancies existed at the end of October. [16926]

Dr. Reid: A total of around 5,000 personnel left the Army between 1 May and 1 October 1997. More than 6,000 personnel entered the Army from civilian life during the same period. At 1 October the Army was undermanned by around 4,500 trained personnel. The figures to 1 October are provisional, and include trained Gurkha personnel but exclude the Royal Irish (Home Service). The figures to the end of October 1997 are not yet available.

Genetically Modified Organisms

Mr. Tyler: To ask the Secretary of State for Defence how many research projects have been commissioned by his Department in each year from 1987 to date concerning the genetic modification of *(a)* organisms and *(b)* micro-organisms. [17736]

Mr. Spellar *[holding answer 25 November 1997]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from J. Chisholm to Mr. Paul Tyler, dated 27 November 1997:

I have been asked to reply to your question about research projects concerned with the genetic modification of organisms and micro-organisms as most work of this nature is carried out for the Ministry of Defence by the Defence Evaluation and Research Agency (DERA).

The genetic modification work undertaken at DERA's Chemical and Biological Defence Sector (CBD) at Porton Down is all concerned with micro-organisms. None of the work is concerned with the genetic modification of higher organisms.

Health and Safety legislation requires that all projects involving genetic manipulation in the UK must be approved by local Genetic Manipulation Safety Committees (GMSC). The GMSC at CBD has approved the following experiments per year since 1987.

Year	*Number of projects*
1987	8
1988	11
1989	19
1990	8
1991	12
1992	19
1993	15
1994	13
1995	8
1996	20
1997 (to 18 November 1997)	14

All these projects are part of an overall defensive research programme to provide safe and effective protection for the UK Armed Forces in the event of chemical or biological attack.

It would not be in the national interest for me to give details of these projects.

I am sorry I cannot be more helpful on this occasion.

Foxes (MOD Estate)

Mr. Corbett: To ask the Secretary of State for Defence what estimate his Department has made of the number of foxes on his Department's estate in each of the past five years. [18033]

Mr. Spellar: No estimates have been made of the numbers of foxes on the Defence Estate.

Buildings and Installations (Servicing)

Mr. McWilliam: To ask the Secretary of State for Defence (1) if he will list each civilian company and subsidiary employed by his Department to service Ministry of Defence installations and buildings, indicating the functions they carry out; [17864]

(2) if he will list by company the cost to public funds to date in payments to each company contracted to service MOD buildings and installations. [17863]

Mr. Spellar: This information is not held centrally and could be provided only at disproportionate cost.

University Air Squadrons

Mr. Gale: To ask the Secretary of State for Defence if he will ensure that *(a)* cadets learning to fly through the university air squadrons and *(b)* those taking air experience flights will be trained in British-built aircraft. [18059]

Dr. Reid: A final decision has still to be taken on the contract to provide the University Air Squadron and Air Cadet Air Experience Flight flying requirements. A UK-manufactured aircraft is one of the options being considered. All factors will be taken into account in reaching a decision on which options offers best operational performance and best overall value for money.

Fox Hunting

Mr. Gray: To ask the Secretary of State for Defence pursuant to his answer of 24 November 1997, *Official Report*, column *393*, if he will discuss with the Masters of Foxhounds Association his Department's interpretation of the MFHA's press release of 8 August in respect of the practice of digging out foxes on the estate; and if he will make a statement. [17954]

Mr. Spellar: My Department's position on the practice of digging out is clear: it will be neither requested nor permitted on the defence Estate.

Remembrance Sunday (Union Flag)

Mr. McWilliam: To ask the Secretary of State for Defence who was responsible for the Union Flag flown above Whitehall main building on Remembrance Sunday. [17865]

Mr. Spellar: Under the terms of their contract, day to day responsibility for ensuring that flags on MoD Main Building, Whitehall, are maintained in good condition, regularly washed and flown correctly at the appropriate times lies with Building and Property Defence Limited. Under new arrangements instituted since Remembrance Sunday, visual checks carried out by Departmental staff will ensure that correct procedures are followed.

PRIME MINISTER

President of the Board of Trade

Mr. Redwood: To ask the Prime Minister if he gave permission for the President of the Board of Trade not to attend oral questions on 20 November. [17556]

The Prime Minister: I gave my permission for my right hon. Friend the President of the Board of Trade to be overseas on 20 November.

Ministerial Interests

Mr. Redwood: To ask the Prime Minister if he will list the issues and companies which each Minister is unable to handle in order to avoid a conflict of interst. [17557]

The Prime Minister: No. Ministers are required to ensure that there is no conflict of interest between their public duties and their private interests. There is no static list of issues or companies. Ministers are asked to remain alert to the possibility of conflicts of interests when dealing with Government business.

Mr. Rupert Murdoch

Sir Brian Mawhinney: To ask the Prime Minister if he will list the issues of public policy which he discussed with Mr. Rupert Murdoch during their meeting on 13 November. [17655]

The Prime Minister *[holding answer 25 November 1997]:* We discussed a range of issues.

Political Donations

Mr. Maples: To ask the Prime Minister when he became aware of the possible conflict of interest arising from a second donation on behalf of Mr. Bernie Ecclestone. [17943]

The Prime Minister: I have nothing further to add to the oral answer I gave in the House on 12 November 1997, *Official Report*, columns 898–99.

Diabetics

Mr. Sanders: To ask the Prime Minister pursuant to his oral answer of 19 November 1997, *Official Report*, column 325, what scientific advice the Government received recommending driving licence restrictions on insulin-dependent diabetics; and if he will publish that advice. [17610]

The Prime Minister *[holding answer 26 November 1997]:* As I told the hon. Gentleman in my earlier reply, the Government receives advice from the Honorary Advisory Panel on Driving and Diabetes, one of a number of such panels comprising experts in their field. At a recent meeting they confirmed that in their view there was no new evidence to support a change in the policy with regard to granting licences to drive the heavier vehicles to diabetes sufferers treated by insulin. Their advice draws on their experience and assessment of the scientific literature. There is therefore no scientific advice as such from the Panel which could be published.

Ministerial Visits

Mr. Simon Hughes: To ask the Prime Minister if it is the policy of Her Majesty's Government that *(a)* all visits undertaken by Ministers in connection with their duties be notified, reasonably in advance, to the hon. Member of the area visited and *(b)* that hon. Member is permitted to participate in the visit. [17843]

The Prime Minister *[holding answer 26 November 1997]:* I set out guidance to my Ministerial colleagues on these matters in paragraph 79 of the Ministerial Code, a copy of which was placed in the Library of the House in July.

Government Information Service

Mr. Jenkins: To ask the Prime Minister if he will make a statement on the Government Information Service. [18408]

The Prime Minister: I am today placing in the Library of the House the Report of a Working Group on the Government Information Service. The Report is about modernising the Government's communications with the media to make them more effective and authoritative—an integral part of a democratic Government's duty to govern with consent. Its main proposals are:

- to improve co-ordination with and from the centre, so as to get across consistently the Government's key policy themes and messages, through a new strategic communications unit serving the whole Government; a reformed Cab-E-Net system; and clearer rules on attribution;
- to improve co-ordination within each Government Department so that Ministers, their special advisers, their press offices and their policy civil servants all play their part in the coherent formulation and communication of policy;
- to bring the practice and procedures of all Government press offices up to the standards of the best, geared to quick response round the clock with help from a new central media monitoring unit;
- to retain a politically impartial service and to sustain the trusted values of the service embodied in its rules of guidance;
- on the basis that communication is an integral part of policy formulation, to develop closer and better working relations between policy civil servants and press offices;
- to offer high quality management and leadership, staffing and training and development tailored to meet the needs of the 24-hour media world.

I have accepted the recommendations of the Report. The costs of the two new Units will be contained within the Department's running costs. Together, these proposals will produce a service, renamed the Government Information Service and Communication Service, which is fit for its purpose and fit for the future.

European Council

Mr. Hayes: To ask the Prime Minister at what time he left the European Council meeting at Amsterdam. [18035]

The Prime Minister: At its conclusion.

Iraq

Mr. Dalyell: To ask the Prime Minister for what reasons the request by Mr. Tariq Aziz to meet representatives of the British Government at the United Nations to enter into a dialogue on the situation in Iraq was declined. [17918]

The Prime Minister: Mr. Aziz wished to enter into dialogue on the subject of the UN Special Commission (UNSCOM). It is not for Iraq to attempt to lay down conditions on this subject. UNSCOM received its mandate under Security Council Resolution (SCR) 687. It is non-negotiable. Iraq must comply with all relevant SCRs.

ATTORNEY-GENERAL

Emergency Provisions

Mr. McNamara: To ask the Attorney-General, pursuant to the statement of the Parliamentary Under-Secretary of State for Northern Ireland of 18 November 1997, *Official Report*, columns 215–16, what factors led him to conclude it would appear invidious for him to deny a person a jury trial in some scheduled offences; and for what reasons he assesses it not to be invidious for him to deny jury trials in other scheduled offences. [17570]

The Attorney-General: It is the legislation itself, the Northern Ireland (Emergency Provisions) Act 1996, which provides that the scheduled offences are tried by a judge without a jury. The Schedule permits the Attorney-General, in respect of certain offences, to certify that a particular offence is not to be treated as a scheduled offence. My certificate therefore operates to confer the right to be tried by jury in the normal way. The right to trial by jury is currently removed only by Parliament and it would be invidious for a Minister to have that power. The Attorney-General's function is purely to reduce the severity of the law in favour of individuals where appropriate.

Mr. McNamara: To ask the Attorney-General what would be *(a)* the extra cost and *(b)* the necessary increase in personnel of the certifying in procedure for scheduled offences coming under the terms of the Northern Ireland (Emergency Provisions) Bill. [17571]

The Attorney-General: Under the current legislation the Attorney-General may "certify out" certain scheduled offences with the effect that such an offence will not be treated as a scheduled offence. It is impossible to quantify the extra cost and the necessary increase in personnel which would be required were offences to be subject to a "certifying in" procedure, whereby they would be certified in to the Schedule by the Attorney-General, since the amount of work involved is entirely dependent on the number of offences committed. Under the provisions contained in the Northern Ireland (Emergency Provisions) Bill it is anticipated that there will be an increase in the work load of my office because of the proposal to increase the number of offences which are capable of being certified out.

Sexual Offences

Ms Beverley Hughes: To ask the Attorney-General (1) what percentage of cases of alleged sexual offences against children investigated by the Police in 1995–96 and 1996–97 and referred to the Crown Prosecution Service *(a)* were judged to have passed the evidential test, *(b)* proceeded to prosecution in court and *(c)* resulted in a conviction; [17660]

(2) what percentage of cases *(a)* proceeded to prosecution in court and *(b)* resulted in a conviction, in cases involving alleged sexual offences against children in 1995–96 and 1996–97 when the only evidence was the testimony of the child or children; [17662]

(3) what were the reasons for the decisions not to proceed to prosecution in respect of those alleged sexual offences against children investigated by the Police in 1995–96 and 1996–97, in which the Crown Prosecution Service decided not to prosecute. [17663]

The Attorney-General: The Crown Prosecution Service holds no central records on the outcome of proceedings in respect of particular offences. The information is held in Branch offices on individual case files and could be obtained only at disproportionate cost.

Ms Beverley Hughes: To ask the Attorney-General what factors the Crown Prosecution Service takes into account in applying the evidential test in cases involving alleged sexual offences against children where the only evidence was the testimony of the child or children. [17661]

The Attorney-General: Each case is unique and must be considered on its own merit but, generally, a principle of fairness is applied to the evidence of children. This means that the evidence of a child is considered no less reliable than that of an adult simply because it comes from a child. As in all cases, prosecutors will consider whether the evidence can be used in court and whether it is reliable in deciding if there is a realistic prospect of conviction. Prosecutors are urged to use all the procedures available to assist child witnesses to give evidence.

HOME DEPARTMENT

Prisoners (Home Leave)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department at what stage in a sentence a prisoner becomes eligible for home leave. [16182]

Ms Quin: Following changes in the Prison Rules in April 1995, a new system of release on temporary licence was introduced to replace home leave and temporary release. The eligibility of prisoners to be considered for release on resettlement licence under the new system is set out in "Prison Service Instruction to Governors 36/1995," a copy of which is in the Library.

European Parliamentary Elections

Mr. Curry: To ask the Secretary of State for the Home Department if he will place in the Library a draft of

the ballot paper which would be issued to voters before the second reading of the European Parliamentary Elections Bill. [16957]

Mr. Straw: The final format of the ballot paper for elections to the European Parliament has not yet been determined. Parliament will be able to approve the final design. I have, however, placed a copy of an initial sketch in the Library.

Mr. Curry: To ask the Secretary of State for the Home Department how many people will be eligible to vote in the European Parliament elections in *(a)* each of the English regions upon which the proposed new constituencies will be based, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland. [17060]

Mr. Straw *[holding answer 21 November 1997]:* The number of people eligible to vote in the next elections to the European Parliament in June 1999 will depend on the number of people on the relevant electoral registers on polling day. The number of people on the local government electoral registers in each of the proposed English electoral regions and in Scotland, Wales and Northern Ireland on 16 February 1997 was as follows:

	Number
East Midlands	3,167,433
Eastern	4,027,466
London	5,027,796
North East	1,984,212
North West	5,214,413
South East	5,988,686
South West	3,747,003
West Midlands	4,032,835
Yorkshire and The Humber	3,811,254
Scotland	3,995,923
Wales	2,226,923
Northern Ireland	1,190,977

The number of people entitled to vote in an election to the European Parliament would be slightly smaller since not all European Union citizens on the local government register chose to exercise their right to vote in European Parliamentary elections in the United Kingdom.

East European Students

Sir Richard Body: To ask the Secretary of State for the Home Department how many students from eastern Europe who in the last six months have been given permits to work in agriculture have applied for political asylum. [17250]

Mr. Mike O'Brien: I regret that the information requested is not readily available and could be provided only at disproportionate cost.

Sir Richard Body: To ask the Secretary of State for the Home Department how many students from eastern Europe who have been given permits to work in the United Kingdom have been recruited by gangmasters to work in the food processing factories in Lincolnshire. [17248]

Mr. Mike O'Brien: I regret that information on the number of eastern European students recruited by gangmasters to work in food processing factories in Lincolnshire is not held centrally.

Sir Richard Body: To ask the Secretary of State for the Home Department how many permits he has granted to students from eastern Europe to work in agriculture in the United Kingdom during the last six months. [17249]

Mr. Mike O'Brien: Eight thousand five hundred such students entered the United Kingdom in the six months from May to October.

Amsterdam Treaty (Asylum Seekers)

Mr. Leigh: To ask the Secretary of State for the Home Department if he will make a statement on the implications of the Amsterdam Treaty for future asylum seekers from within the European Union; and for what reason his Department did not seek an exemption from the Asylum Protocol similar to that acquired by Belgium. [17217]

Ms Quin: The Asylum Protocol to the Amsterdam Treaty will require that member states treat asylum applications from European Union nationals as either inadmissible or against a presumption that they are manifestly unfounded. Belgium has made a declaratory statement to the effect that it will apply the latter approach. This is not an exemption from the Protocol. There was no need for the United Kingdom to make a similar declaration. In accordance with United Kingdom asylum law, we will continue to give individual consideration to asylum applications from European Union nationals.

Tagging

Mr. Clappison: To ask the Secretary of State for the Home Department what estimate he has made of the savings which will arise as a result of the use of tagging to bring about the early release of prisoners from custodial sentences. [17742]

Ms Quin: I expect the costs of electronic monitoring to be considerably smaller than the expenditure on prisons which would otherwise be necessary. Fuller information will be given in the Financial Memorandum to the Crime and Disorder Bill.

Mr. Clappison: To ask the Secretary of State for the Home Department if he will publish the criteria by which the Prison Service will carry out a risk assessment of offenders under consideration for early release through tagging. [17744]

Ms Quin: I shall publish more detailed information about the working of the home detention curfew scheme in due course. The risk assessment procedures will build on those applying at present to release on temporary licence, as set out in Instruction to Governors 36/95, a copy of which is in the Library. A copy of the Instruction to Governors on home detention curfew will also be placed in the Library.

Prison Sentences

Mr. Clappison: To ask the Secretary of State for the Home Department how many offenders convicted of offences involving *(a)* sex and *(b)* violence were sentenced to periods of imprisonment of between three months and four years in the last year for which figures are available. [17743]

Mr. Michael: For England and Wales in 1996 (latest available figures) of the 4,426 offenders convicted of indictable sexual offences, 1,763 were sentenced to periods of immediate custody of between three months and up to and including four years.

Similarly, for the indictable offence group of violence against the person, 30,011 offenders were convicted, of whom 7,366 were sentenced to periods of imprisonment of between three months and up to and including four years.

Integrated Transport System

Mr. Martyn Jones: To ask the Secretary of State for the Home Department if his Department made submission to the Department of the Environment, Transport and the Regions consultation on an integrated transport system; and if he will make a statement. [17749]

Mr. Michael: No formal submission was made but our two Departments have been and continue to be in close contact at Ministerial and official level about issues of mutual interest arising from the development of an integrated transport policy.

Prisons (Food)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what steps he is taking to improve the quality and service of prison food. [17719]

Ms Quin: The Prison Service has introduced a number of changes to improve catering procedures, including increased flexibility for caterers to provide food suited to the needs of prisoners, and greater choice and reduced waste, for example through the use of pre-select menus.

A recent National Audit Office report (published on 7 November 1997) acknowledged these improvements and confirmed that prison caterers do well in difficult conditions. The report also identified a number of areas where further improvement is desirable, and the Prison Service is currently considering its recommendations.

1982 ANC Offices Bombing

Mrs. Ann Cryer: To ask the Secretary of State for the Home Department, pursuant to his letter of 30 August 1992 to the hon. Member for Neath (Mr. Hain), what progress there has been in the inquiry into the bombings, in 1982, of the African National Congress offices in London; and what representations his Department has received on this matter. [17624]

Mr. Straw *[holding answer 26 November 1997]:* The Metropolitan Police are continuing to monitor the situation in South Africa in relation to revelations made to the Truth and Reconciliation Commission. It is their intention to interview more people in the course of their investigation into the bombing in due course. As for representations received in the Home Office, records relating to the period between 1982 and the end of 1991 are not kept centrally and I will therefore write to my hon. Friend as soon as it is possible to check the relevant papers.

Fire Safety

Mr. Heppell: To ask the Secretary of State for the Home Department what progress he has made in considering legislation on fire safety. [18334]

Mr. George Howarth: In my reply to the right hon. Member for Berwick-upon-Tweed (Mr. Beith) on 23 June 1997, *Official Report*, column *360*. I indicated that the Government strongly support the aims of the Fire Safety Bill which my hon. Friend the Member for Nottingham, East (Mr. Heppell) introduced in the last Parliament. Since then. I have received advice from the Central Fire Brigades Advisory Council on the main principles incorporated in that Bill and officials have held discussions with a number of key stakeholders.

On 28 November, the Government intend to publish a consultation document entitled "Fire Safety Legislation for the Future" and copies will be placed in the Library. The consultation document sets out proposals for a new fire safety regime based on the main principles included in the Fire Safety Bill which in turn picked up many of the recommendations of the June 1994 Inter-Departmental Review of Fire Safety Legislation and Enforcement.

The proposed new regime should enable rationalisation and consolidation of existing legislation. It would be based on a new universal duty of fire safety care on the occupiers and owners of almost all premises (except single private dwellings) to provide and maintain fire precautions. There would be additional requirements for high risk premises and enforcement would generally be by fire authorities. To combat the deaths and casualties in people's homes, we are attracted to the possibility of a new statutory duty on fire authorities to undertake community fire safety.

The consultation document generally covers fire safety in England and Wales and in Scotland. But where there are differences in the situation or proposals for Scotland these have been stated in a separate chapter.

We intend that this consultation document should be a first step towards a legislative regime which will serve to meet the fire safety challenges of the future. The proposals also form one strand of the Home Office Comprehensive Spending Review and are interrelated to other aspects of that review on the funding and structure of the fire service and the potential for more flexible standards of fire cover.

The consultation period lasts until the end of February 1998. The proposals at this stage are cast in broad terms. We will consider carefully the responses to them and, if we then seek to proceed with new legislation, there will be further consultation on detailed and costed proposals.

Religious Discrimination

Ms Beverley Hughes: To ask the Secretary of State for the Home Department if he will introduce legislation to make discrimination on religious grounds unlawful. [18559]

Mr. Straw: The Government are alive to concerns about religious discrimination. This issue raises many difficult, sensitive and complex questions, which need to be carefully considered before we reach conclusions. My current priority is the forthcoming legislation on racial harassment, violence and other racially motivated crimes. In the meantime, I am happy to receive views on whether legislation in due course would be desirable.

Telephone Tapping

Mr. Baker: To ask the Secretary of State for the Home Department, pursuant to his answer of 17 November 1997,

Official Report, column *39*, what factors underlay the interval between the signing of the Memorandum of Understanding, concerning international user requirements for the lawful use of interception by law enforcement agencies, and its being deposited in the Library. [17867]

Mr. Straw: The Memorandum of Understanding concerning international user requirements for the lawful use of interception by law enforcement agencies was placed in the Library on 3 March 1997 in response to a Question from Lord Lester of Herne Hill.

Mr. Baker: To ask the Secretary of State for the Home Department if MI5 is obliged to apply for a warrant of authorisation to tap a telephone in a public phone box. [17868]

Mr. Straw: Under the Interception of Communications Act 1985, a warrant authorised by a Secretary of State is required by the Security Service to intercept any communications in the course of their transmission by means of a public telecommunications system. The Interception of Communications Act applies irrespective of the type of telephone which is intercepted.

Unsupervised Children

Mr. Beith: To ask the Secretary of State for the Home Department what research undertaken by his Department has identified a problem of unsupervised under-10-years-olds being on the streets at night; if he will publish that research; and if he will make a statement. [17774]

Mr. Michael: There is considerable research within the Home Office and elsewhere which indicates those influences which are strongest on young people, particularly in relation to commencement of offending. One of the strongest of these is poor parental supervision. This was dealt with in some detail in the 1995 Home Office Research Paper 145 "Young people and crime". The need for more responsible parenting is supported in a survey which was carried out for the Audit Commission in 1996 for its report "Streetwise Effective Police Patrol". Similar surveys for that report also revealed that there was a public concern about the need to deal with issues of juvenile nuisance and anti-social behaviour.

The objectives of the Government's youth justice reform programme seek, amongst other things, to address these concerns. That is why one of the measures in the reform programme is the proposal to give local authorities the power, following consultation with the police and local community, to introduce local child curfews for unsupervised children under 10 who are out on the streets late at night. The aim of such curfews is two-fold. Not only will they address the need to protect young children from being drawn into anti-social or criminal behaviour, but they will protect communities from the misery and distress which can be so often caused by groups of unsupervised children acting in this way.

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department (1) what assessment he has made of the recommendations of the National Anti-Vivisection Society's report "Accountability—Animal Experiments and Freedom of Information"; and what steps he plans in response; [17775]

(2) if he will set out the procedures for *(a)* appointing members to and *(b)* reviewing the membership of the Animal Procedures Committee; if the Public Appointments Unit list is consulted; and if he will make a statement. [17777]

Mr. George Howarth: We will be meeting with representatives of the National Anti-Vivisection Society next week and expect to discuss a number of issues with them, including their Accountability report.

Copies of the report have also been given to all members of the Animal Procedures Committee.

Much of the report is taken up with criticism of the membership of the Animal Procedures Committee, the way new members are appointed and the ways in which the Committee works.

The procedures for appointing members to the Committee have been reviewed in the light of the recommendations made by the Nolan Committee: We have recently written to a number of professional bodies, representative organisations and animal protection groups seeking nominations for new Committee members. The field of potential candidates will then be considered by an advisory panel.

In deciding whom to appoint, the requirements set down in section 19 of the Animals (Scientific Procedures) Act 1996 must be met and we must maintain the necessary breadth of expertise needed by the Committee. All appointments are announced publicly.

We have no plans to review the current membership. The existing members do an excellent job and bring to the Committee a valued mix of skills and expertise. However, four members will complete their second (and final) term on the Committee at the end of the year and we will be making a number of new appointments shortly. We have already announced our intention to increase the number of animal welfare experts on the Committee.

Mr. Baker: To ask the Secretary of State for the Home Department how many project licences, and for what projects, have been awarded which involve experimentation on monkeys at the Institute of Neurology in London since 1 January 1995. [17776]

Mr. George Howarth: Since 1 January 1995, no new licences under the terms of the Animals (Scientific Procedures) Act 1986 have been granted which authorise the use of primates at the Institute of Neurology.

Juvenile Justice

Mr. Beith: To ask the Secretary of State for the Home Department what United Nations standards his Department recognises in relation to *(a)* the administration of juvenile justice and *(b)* the welfare of children; and if he will make a statement. [17773]

Mr. Michael: The United Kingdom signed the United Nations Convention on the Rights of the Child in December 1991. In doing so, the then Government gave a commitment to implement and disseminate the Convention's terms and principles, subject to certain reservations which it entered. The United Kingdom made its first report to the Committee on the Rights of the Child in January 1995. In formulating policy on juvenile justice

and child welfare, the Government aim to take into account the United Nations Convention on the Rights of the Child, and other similar instruments, guidelines and rules.

New Prisons

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department if he will list the new prison building projects *(a)* he has authorised and *(b)* he has assessed prior to authorisation since 2 May. [18047]

Ms Quin: Since 2 May, authorisation has been given to proceed with the building of four new prisons:

800 place Category B prison on the site of the former Agecroft Power Station, Salford;

400 place Young Offender Institution on the site of the former remand centre at Pucklechurch near Bristol;

600 place Category B prison adjacent to the current prison establishment at Onley, Warwickshire;

600 place Category B prison at Marchington, Staffordshire.

All four are to be built under the Private Finance Initiative.

Planning approval has been obtained for a low security establishment to be built on land between Parkhurst and Albany prisons on the Isle of Wight, although no final decision has been taken to pursue this option. In addition, a planning application was made for a temporary prison at Middleton Tower, Heysham.

Since 2 May, agreement has also been given to the Prison Service pursuing to the formal planning application stage possible new prison sites at Ashworth (Maghull), Belmarsh (in Woolwich), Peterborough and Winwick (near Warrington).

World Cup

Ms Roseanna Cunningham: To ask the Secretary of State for the Home Department if he will list the proposed membership of the committee established to liaise with the police in advance of next year's FIFA World Cup, separately identifying Scottish representation; what relationship this Committee will have with *(a)* the Scottish Office, *(b)* Scottish police and *(c)* the Scottish Football Association; what responsibility it will have for liaising with the World Cup authorities on behalf of Scottish football fans; and if he will make a statement. [17848]

Mr. Michael: The World Cup Co-ordination Group had its first meeting on 21 November 1997. Membership of the group includes officials from the Home Office, the Foreign and Commonwealth Office (including representation from the British Embassy, Paris), the Scottish Office, the Department for Culture, Media and Sport and the Football Licensing Authority. Representatives of the Football Association and the Scottish Football Association are members. There is police representation from the Association of Chief Police Officers of England, Wales and Northern Ireland, the Association of Chief Police Officers in Scotland, the National Criminal Intelligence Service and the British Transport Police. The group is chaired by the Home Office.

The aim of the group is to co-ordinate the interests and responsibilities of those on the group into a strategy for the World Cup finals in 1998. The strategy will help to: promote and foster an enjoyable, positive and safe World Cup for British supporters travelling to France; minimise the potential for trouble and football hooliganism; and ensure that the French authorities are made fully aware of intelligence and information which would assist them in dealing with Scotland and England supporters travelling to and attending matches.

The group will provide a co-ordinating function and a forum to discuss and seek solutions to potential difficulties. It is the responsibility of individual members of the group to liaise, in conjunction with other members of the group where appropriate, with the relevant French authorities in respect of their particular areas of interest.

A committee has been formed in Scotland to draw up a strategy for the safety and security of Scotland fans travelling to France. Membership consists of the Scottish Office, senior police officers and the Scottish Football Association.

Charities

Mr. Chidgey: To ask the Secretary of State for the Home Department what restrictions are placed on registered charities controlling the use of their title, style or logo by their subsidiary trading companies or other associates in *(a)* promoting, *(b)* marketing and *(c)* selling goods or services unrelated to their declared charitable aims. [18048]

Mr. Michael: There are no such restrictions. It is for the trustees of a charity to determine how its title, style or logo could be used by its subsidiary. Charity trustees are obliged to act in the best interests of their charity. Consequently, they should ensure that any use of the logo by a trading subsidiary, or any other licensee, does not put the charity's funds at risk or being negative publicity to the charity.

Charities are permitted to the same legal protection for their intellectual property rights as any other person or body, and have the same powers as any other person or body to license others to exploit those rights, provided, of course, that the licensing arrangements are in the charity's interests (which includes economic interests).

The Charity Commission has certain powers to act to protect the property of a charity—including its intellectual property.

FOREIGN AND COMMONWEALTH AFFAIRS

Euro (Dependent Territories)

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from dependent territories and what consultations he plans with them over the euro; and if he will make a statement. [17209]

Mr. Fatchett: The Gibraltar Government have raised with us the possibility of issuing commemorative coins denominated in Euros. No other dependent territory had made representations, and no consultations are planned.

Spain

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ensure that United Kingdom acceptance of the integration of Spain within the NATO structure is conditional on the dropping by Spain of restrictions on United Kingdom civil and military flights over its territory. [17193]

Mr. Doug Henderson *[holding answer 24 November 1997]:* We are currently negotiating with Spain over arrangements for military air access to Gibraltar. We will be dealing separately with civil air access, which is not part of NATO negotiations.

Turkey

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Government of Turkey concerning their military activity in Iraq; and if he will make a statement. [17833]

Mr. Doug Henderson *[holding answer 26 November 1997]:* I raised this issue with the Turkish Foreign Minister during my visit to Ankara on 14 October, and made further representations to him on 27 October. We have told the Turkish government that their involvement in the inter-factional Kurdish fighting in northern Iraq is not compatible with their role as a co-sponsor of the Ankara process of reconciliation.

General Pinochet

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings members of his Department have held with General Pinochet over the last three years. [17825]

Mr. Tony Lloyd *[holding answer 26 November 1997]:* There have been no meetings between members of the Foreign and Commonwealth Office and General Pinochet over the last three years. British Embassy staff in Santiago have attended several official state and military functions in Chile at which General Pinochet was also present, in his capacity as Commander-in-Chief of the Chilean Army. No discussions took place between these staff and General Pinochet at these events.

EU General Affairs Council

Mr. Bayley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will report on the outcome of the General Affairs Council in Brussels on 24 and 25 November. [18542]

Mr. Doug Henderson: At the General Affairs Council in Brussels on 24–25 November, the nine A points in document 12483/97 were approved, and the European Parliament resolutions of 5–6 November in document 11487/97 were noted. The texts of both documents will be placed in the libraries of the House as soon as they become available.

Agenda 2000

Ministers held their first discussion of the report to the Luxembourg European Council in December on Agenda 2000. Ministers re-stated their positions on enlargement (with the majority still in favour of differentiation), future financing and policy reform. Discussion will continue, and we hope substantial progress will be made at the next meeting of the Council on 8 December.

Turkey

The Council discussed Turkey's participation in the European Conference and the Commission's proposals for strengthening relations with Turkey by building on the Customs Union. Most Member States expressed support in principle for both.

EC/Israel Trade Issues

The Council agreed that the EC/Israel Co-operation Committee with Israel on 28 November should address the issue of miscertification of goods from third countries under the EC/Israel Interim Association Agreement, notably orange juice.

Transatlantic relations

The Council took note of the preparations for the EU/US and EU/Canada Summits which will take place in Washington and Ottawa in December and agreed that the EU should agree a statement of general principles governing electronic commerce with the US. The Council also encouraged the Commission to continue its efforts to negotiate with the US an agreement to ban leg-hold traps.

Former Yugoslavia

The High Representative, Carlos Westendorp, briefed the Council on progress in peace implementation in Bosnia and Herzegovina. The Council also discussed the situation in the FRY in light of forthcoming Presidential elections in Serbia, expressing its concern at the authorities' failure to respect fundamental democratic principles.

Switzerland

The Council reiterated its wish to conclude bilateral sectoral negotiations with Switzerland but highlighted the outstanding problems in certain areas, including transport. The Council instructed COREPER to reconsider proposals to resolve this issue and called on the Swiss to exercise some flexibility in pursuit of their common objective.

Mid term review of Overseas Countries and Territories Decision

The mid-term review of the Decision on the association of Overseas Countries and Territories with the EU was formally agreed.

MEPP

Following discussions at the Foreign Ministers' dinner in the margins of the Special European Council on Employment on 20 November, the Council discussed developments in the Middle East peace process following the visit to the region by the President of the Council and Vice President Marin of the European Commission from 11–14 November. The Council confirmed the importance of close co-ordination with the US Administration, and that the Middle East peace process would be discussed at the 5 December EU/US Summit. The Council also reviewed the importance of EU aid to the Palestinians, and took note of the Commission's forthcoming communication on the programme.

Russia: Preparation for first Co-operation Council

The Council emphasised the importance that the EU attaches to EU-Russia relations. In light of this, the Presidency asked Ministers to confirm whether they would be able to attend the inaugural Co-operation Council under the terms of the Partnership and Co-operation Agreement (PCA) on 15 December (Primakov being unable to attend on 8 December as originally planned). If this is not possible, the Co-operation Council will fall to the UK Presidency. Preparations in the meantime would continue in COREPER.

EU-Jordan

The Association Agreement between the EU and Jordan was signed on 24 November by EU Foreign Ministers, the Commission and Crown Prince Hassan.

Yemen

The EC/Yemen agreement was signed on 25 November by the Commission and the Yemeni Deputy Prime Minister.

Afghanistan

The Council exchanged views on the conflict in Afghanistan and took note of the Conference of donors which will take place in New York on 3 December. The Council confirmed that the UN has the principal role and expressed its support for the efforts of the UN Secretary General and his special envoy Lakhdar Brahimi.

European Economic Area Council

The 8th Council of the European Economic Area (EEA) was held on 25 November. Ministers welcomed the continued development of the EEA. Conclusions were agreed which took stock of developments and looked forward to future work (Commission Press Release EEE 1608/97 Presse 368).

European Council (Amsterdam)

Mr. Hayes: To ask the Secretary of State for Foreign and Commonwealth Affairs at what time he left the European Council at Amsterdam. [18034]

Mr. Doug Henderson: The Fourth Session of the European Council Meeting in Amsterdam broke up at 0340 hours, and my right hon. Friend the Foreign Secretary left the closing Press Conference when it finished at about 0400 hours on Wednesday 18 June. He departed for the UK from Valkenburg Naval Air Base 1010 hours that same day.

Social Chapter

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff in Directorate General V of the European Commission are engaged in work relating to future Social Chapter legislation. [17070]

Mrs. Beckett *[holding answer 24 November 1997]:* I have been asked to reply.

This is a matter for the Commission. We do not keep this information.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Publicity and Advertising

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the total expenditure on all forms of publicity and advertising by *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies for (i) 1993–94, (ii) 1994–95, (iii) 1995–96, (iv) 1996–97, (v) the 1997–98, year to date, (vi) 1997–98, full year estimate and (vii) the 1998–99 planned expenditure. [15233]

Angela Eagle *[holding answer 11 November 1997]:* Advertising and publicity expenditure by my Department for the years requested is as follows:

£000s

	DoE	DoT	VI	HA	DVLA	DSA	VCA	MSA	CA	PI	QE2
1993–94	12,227	8,275	18	—	1,882	58	nil	—	nil	nil	209
1994–95	9,028	8,039	21	n/a	1,807	53	nil	104	241	nil	167
1995–96	7,670	8,356	40	546	2,171	67	8	63	297	16	167
1996–97	4,665	9,679	55	1,100	1,966	63	9	79	311	17	180

£000s

	DETR	VI	HA	DVLA	DSA	VCA	MSA	CA	PI	QE2
1997–98 to date	4,574	58	546	1,219	46	nil	65	214	17	52
1997–98 full year estimated outturn	13,725	111	1,300	3,584	111	5	100	280	17	196

DoE—Department of the Environment DoT—Department of Transport
DETR—Department of the Environment, Transport and the Regions
VI—Vehicle Inspectorate
HA—Highways Agency
DVLA—Driver and Vehicle Licensing Agency
DSA—Driving Standards Agency
VCA—Vehicle Certification Agency
MSA—Marine Safety Agency
CA—Coastguard Agency
PI—Planning Inspectorate
QE2—Queen Elizabeth II Conference Centre

The Department of the Environment and the Department of Transport were amalgamated on 16 June 1997. Figures are shown separately for 1993–97 but aggregated for the current fiscal year.

Figures quoted include expenditure on statutory advertising (recruitment, official notices etc.) where applicable.

Expenditure figures for Executive Agencies have been compiled and supplied by the Agency concerned.

Information on publicity and advertising expenditure by non-departmental public bodies is not held centrally and could be compiled only at disproportionate cost.

Plans for 1998–99 have yet to be finalised.

Road Accidents

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions how many motorway and trunk road cross-over accidents have occurred in the past five years involving the rupture or crossing of safety barriers; and what form of construction was used for those road barriers. [17171]

Ms Glenda Jackson: The total number of accidents involving rupture or crossing of safety barriers on motorways and trunk roads is not known. However, the numbers of injury accidents which involved one or more vehicles striking or crossing the central safety barrier are as shown below. No information is available regarding the form of construction of the barriers involved in these accidents.

Injury accidents on motorways and trunk roads in Great Britain

	Year of Accident				
	1992	*1993*	*1994*	*1995*	*1996*
One or more vehicles hit central safety barrier	1,388	1,490	1,594	1,621	1,736
One or more vehicles crossed central reservation	230	182	188	171	156
One or more vehicles hit central safety barrier and crossed the central reservation.	46	57	56	64	61

Mr. Plaskitt: To ask the Secretary of State for the Environment, Transport and the Regions how many drivers have *(a)* been involved in and *(b)* suffered (i) serious injury and (ii) death from road traffic accidents within 12 months of passing their test in each of the last five years. [17635]

Ms Glenda Jackson: The information is not available in the form requested. However, it is estimated that:

(a) about one driver in five has an accident involving at least damage within 12 months of passing the driving test;

(b) about one in five casualties (to all road users) occur when at least one driver involved is within three years of passing the driving test;

(c) there are around 25,000 casualties per year (to all road users), of which around 3,500 are fatal or serious, in accidents involving a driver aged 17–25 and within 12 months of passing the driving test.

Telecommunications Masts

Mrs. Ballard: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 2 June 1997, *Official Report*, columns *48–49*, on applications for telecommunications masts, if he will list the types of serious threat to amenity which might give sufficient grounds for rejecting an application. [17567]

Mr. Raynsford: An application for prior approval determination allows the local planning authority the opportunity to say whether they wish to approve, within 28 days, details of the siting and appearance of a telecommunications mast permitted under the Town and Country Planning (General Permitted Development) Order 1995. It is for the local planning authority to determine whether the siting or appearance of the development would pose a serious threat to amenity on a case by case basis. Guidance on factors the authority may take into consideration when determining whether to give or refuse such approval is contained in Planning Policy Guidance note 8 and Appendix E to Circular 9/95. The answer given by my hon. Friend the Minister for the Regions, Regeneration and Planning on 4 November 1997, *Official Report*, columns *152–53*, announced a further factor for consideration in these circumstances.

Mrs. Ballard: To ask the Secretary of State for the Environment, Transport and the Regions how many local authority planning refusals for telecommunications masts were overturned on appeal by planning inspectors in *(a)* 1994–95, *(b)* 1995–96 and *(c)* 1996–97. [17530]

Mr. Raynsford: The number of appeals allowed against local authority refusals for telecommunications masts/towers information is as follows:

Year	*Total number of mast appeals*	*Number of appeals allowed*
1994–95	58	23
1995–96	55	37
1996–97	85	37

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions how many redundant telecommunications masts have been removed; and if he will list their locations: [17751]

(2) if he will make a statement on the procedures in place to monitor the removal of redundant telecommunications masts. [17752]

Mr. Raynsford: Development carried out by a telecommunications code system operator under the Town and Country Planning (General Permitted Development) Order 1995 is subject to the condition that apparatus shall be removed as soon as reasonably practicable after it is no longer required for telecommunications purposes. Where telecommunications development requires a planning application to the local planning authority, it is open to the authority to impose a similar condition on any planning permission granted. It is for the local planning authority to take any necessary enforcement action where they consider that planning conditions have not been observed. In addition, the provisions of the Telecommunications Act 1984 allow occupiers of land to require the removal of redundant apparatus from their land where access for the purposes of installing that apparatus was originally

granted to the operator under the Code Powers granted to them by that Act. Data on the number of redundant masts removed are not held centrally.

Mr. St. Aubyn: To ask the Secretary of State for the Environment, Transport and the Regions how many telecommunication posts *(a)* under 15 metres and *(b)* over 15 metres were erected in the United Kingdom in each of the years since 1993 to the latest available date. [17633]

Mr. Raynsford: This information is not collected centrally. We attach considerable importance to minimising the environmental impact of telecommunications mast development. It is for the that reason that my hon. Friend the Minister for the Regions, Regeneration and Planning recently stated our expectation that operators will provide evidence to local authorities that they have carefully considered the use of existing masts, buildings and other structures before seeking to erect any new mast.

Waste-derived Compost

Mr. Eric Clarke: To ask the Secretary of State for the Environment, Transport and the Regions what measures he is taking to improve the markets for waste-derived compost. [18127]

Angela Eagle: I am today announcing the publication of two guides which are aimed at improving the markets for waste-derived compost. The first contains practical guidance for large-scale producers of waste-derived compost, such as local authorities and the waste industry, setting out how they can design and market their product effectively to a variety of end users, particularly those in the horticulture and landscaping industries. The second guide is aimed at potential users, such as landscape architects and contractors, and explains the benefits of using waste-derived compost in their operations.

One of our major environmental objectives is to promote sustainable waste management across the country. Every nine months we produce enough waste in the United Kingdom to fill lake Windermere. And of the estimated 26 million tonnes of municipal solid waste produced in 1995–96, around 85 per cent. was landfilled. It is therefore vital that, in future, we choose waste management options which preserve and enhance our environment and safeguard human health. We are therefore committed to increasing the quality and quantity of organic waste which is composted. This means a greater degree of centralised composting by local authorities and the waste management industry. But to make such schemes viable, we also need to expand the markets for waste-derived compost and thereby increase the demand for the product.

We hope that these guides will make a valuable contribution to this by providing practical advice to compost producers and specifiers. They will be widely distributed free of charge to local authorities in England, waste management companies, composting organisations, landscaping architectural practices and selected landscaping contractors.

Copies of the guides have been placed in the house Libraries.

Fire Safety

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions what measures he is taking to improve fire safety in homes. [17554]

Mr. Raynsford: Part B of Schedule 1 to the Building Regulations 1991 makes requirements with regard to fire safety when building work is undertaken with regard to all buildings, including homes. Guidance on ways of meeting these requirements is given in Approved Document B. This Document is currently being revised and changes will be proposed that will improve fire safety in the home. The draft Approved Document will be issued for public consultation in the near future. Most relevant to homes there will be additional guidance on the siting and installation of smoke alarms, including in loft conversions to two storey houses, and on means of escape, in particular the provision of suitable windows in habitable rooms.

Unoccupied Homes

Mr. Tom King: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the total number of unoccupied homes in England (i) in 1990 and (ii) at the latest date for which figures are available; and what proportion was owned by *(a)* local authorities, *(b)* central government departments, *(c)* the private sector, *(d)* housing associations and *(e)* others. [17711]

Mr. Raynsford: Estimates are given below of the numbers of vacant dwellings in England on 1 April in 1990 and, the latest date for which figures are available, in 1996.

	1990		*1996*	
	Number	*Proportion*	*Number*	*Proportion (per cent)*
Local authority	99,400	14	79,600	10
Housing associations	19,700	3	23,600	3
Other public sector	17,000	2	20,000	3
Private sector	587,000	81	667,000	84
Total	723,000	100	790,000	100

Sources:
HIP1 returns from local authorities.
Housing Corporation HAR10/1 returns from housing associations
Government Departments and HIP1 returns from local authorities.

There are doubts about the quality of some authorities' estimates of the number of private sector vacants; independent survey data suggest that the HIP1 figures may over-estimate the total number of these vacants. Total vacants have been falling in recent years after increasing by around 20 per cent. between 1990 and 1993, and at any one time around half of the private sector vacants are empty as a function of the housing market.

Council Tax (Home Annexes)

Mr. Tom King: To ask the Secretary of State for the Environment, Transport and the Regions what financial incentives are available through the local authority council tax system which encourage elderly or young relatives to live in annexes adjoining the main family home. [17709]

Mr. Raynsford: An annex which is classed as a separate dwelling for council tax purposes is exempt from council tax if a resident is a dependent relative. A relative is regarded as dependent if they are aged 65 or over, if they have a severe mental impairment, or if they are substantially and permanently disabled. In addition, there are exemptions for dwellings occupied only by those under the age of 18 or only by students.

EU Environment Council

Mr. Streeter: To ask the Secretary of State for the Environment, Transport and the Regions what measures were agreed at the Luxembourg European Environment Council meeting of 16 October; and what are the projected compliance costs to the United Kingdom. [17081]

Mr. Meacher *[holding answer 24 November 1997]*: I informed the House of the outcome of the Environment Council in Luxembourg in October in the answer I gave to my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) on 19 November 1997, *Official Report*, column *199*.

One measure was agreed at the Environment Council in October: the proposal for a revised Drinking Water Directive. The current best estimate for the total capital or non-recurring costs of this for the UK is in the range £2,200 to £3,500 million at current prices with the majority of expenditure over 15 years from adoption of the Directive. This estimate was provided to the House in this Department's Compliance Cost Assessment under cover of Explanatory Memorandum 7208/95 in September 1996. The costs of measures will continue to be covered in the Department's explanatory memorandum to Parliament.

Local Authority Elections

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to bring forward proposals for annual elections for local authorities; and if he will make a statement. [17592]

Mr. Raynsford: A wide ranging consultation exercise on the agenda for modernising local democracy will begin in the coming few weeks. This will include options for the introduction of annual elections. The consultation process will feed into a comprehensive White Paper on Local Government in the late Spring or early Summer 1998.

Smoke Alarms

Mr. Burden: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the proportion by region of local authority owned dwellings fitted with smoke alarms. [17616]

Mr. Raynsford: In 1996 the proportion of local authority homes in each region estimated to be fitted with smoke alarms was as follows:

Region	*Percentage with smoke detectors 1996*
North-east	55
Yorkshire and the Humber	54
North-west	69
East Midlands	66
West Midlands	68
South-west	71
Eastern	56
South-east	80
London	41
Merseyside	55
England[a]	66

Local Authorities (Housing Strategy)

Mr. Hinchliffe: To ask the Secretary of State for the Environment, Transport and the Regions what action he plans to take to support local authorities wishing to convert derelict land, vacant offices and difficult-to-let shops, in town and city centre areas, into housing units. [17240]

Mr. Raynsford: Local authorities are responsible for drawing up housing strategies that set out how they intend to meet local housing needs. In drawing up these strategies, they have to assess the need for additional housing as well as other housing needs. They then have to consider how to use the resources available to them, both financial and other, to meet those needs. It is for the local authority to decide the best way of using available resources to the benefit of their residents and tenants while achieving the best value for money.

To assist local authorities meet housing needs we have recently made available additional resources through the Capital Receipts Initiative to assist with housing and housing related regeneration. Over £600 million will be available in England in 1998–99.

More specifically, as far as local authority assets are concerned, in April this year the capital finance system was relaxed so that if an authority disposes of certain assets, more of the capital receipt can be recycled into regeneration schemes in deprived areas rather than being set aside for debt redemption. Assets covered by the concession are unoccupied council dwellings (except those sold under right-to-buy or large scale voluntary transfer), occupied industrial estates, docks and harbours, leisure facilities, shops and offices and land for development. Receipts from the sale of these assets can be applied to regeneration schemes in listed wards and wards adjacent to listed wards.

In addition, planning policy guidance notes, both on housing (PPG3) and on town centres and retail developments (PPG6), advise local planning authorities, where appropriate, to reallocate land allocated for other uses to housing, and to encourage conversions of vacant offices and vacant accommodation over shops by taking a flexible approach to residential car parking and other standards.

Local Authority Duties

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish his proposals to place on councils a new duty to

promote the economic, social and environmental well-being of their area; and what plans he has to consult on the scope of the duty. [18121]

Mr. Raynsford: We will shortly be publishing a consultation paper on democracy and community leadership, which will include details of our proposals to place a duty on councils to promote the economic, social and environmental well-being of their area. It will be one of a series of consultation papers on local government matters including best value, the ethical framework and finance, that will feed into a comprehensive White Paper on local government next Spring. We will consult widely on our proposals, including with the Local Government Association, local authorities, business, the voluntary sector and other interested organisations.

Regional Airports

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his policy towards the granting of transatlantic fifth freedom rights from regional airports in cases where the granting of such rights would contribute materially to the development of other long-haul services from that airport. [17782]

Ms Glenda Jackson: The Department takes many factors into account in preparing its strategy for air services negotiations, including the granting of transatlantic fifth freedom rights from regional airports.

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions what assessment was undertaken of the wider benefits to the economy of north-west England of increased flights between Manchester and Pakistan with onward connections to the USA in connection with the recent negotiations between his Department and representatives of the Government of Pakistan; what criteria and methodology were used in the assessment of regional benefits; and if he will publish the study. [17772]

Ms Glenda Jackson: The CAA carried out an economic analysis on behalf of the Department before the recent negotiations with Pakistan. It was made available to all members of the UK delegation before the talks, including representatives of Manchester Airport, and taken into account when Ministers agreed the strategy for the negotiations. It is not our policy to publish such analyses, given their bearing on the UK negotiating position in air services negotiations.

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions if his Department will carry out a comprehensive study of industrial and tourism development benefits to regional economies of improved access to global air services. [17783]

Ms Glenda Jackson: The Government welcomes increased international services to regional airports. As the economic impact of a new air service is dependent on the characteristics of an individual route the Department considers it a more effective use of resources to ask the CAA to carry out a specific economic analysis before air services negotiations with bilateral partners.

Air Services (Malaysia)

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions when his officials plan to meet representatives of the Malaysian government to discuss the project of commencing air services between Manchester and Kuala Lumpur before the 1998 Commonwealth Games. [17784]

Ms Glenda Jackson: My officials have no current plans to meet representatives of the Malaysian government for discussions on air services.

Fly Tipping

Mr. Paice: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the incidence of fly tipping since the introduction of the landfill levy. [18096]

Angela Eagle: I refer the hon. Member to the answer I gave to the hon. Member for Ceredigion (Mr. Dafis) on 19 November 1997, *Official Report*, column *198*.

Lewes-Uckfield Railway Line

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his assessment of the viability of the financial case and of the arguments advanced in the Mott Macdonald Report on the possible reopening of the Lewes-Uckfield railway line. [17780]

Ms Glenda Jackson: I understand that the financial case will be presented to the Franchising Director very shortly and it will be for him to consider using his Criteria for the Appraisal of Support for Passenger Rail Services, a copy of which my right hon. Friend the Minister of Transport placed in the Library on 6 November.

Building Regulations

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions when he will announce the results of his consultations on the extension of Part M of the building regulations; and if he will make a statement. [18120]

Mr. Raynsford: I expect to announce my conclusions on Part M next month.

Water Quality

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for the use of economic instruments to improve water quality; and if he will make a statement. [18473]

Mr. Meacher: My right hon. Friend the Deputy Prime Minister made clear on World Environment Day our determination to find the best way to address environmental concerns and to make polluters pay for necessary remedial action. Regulation has achieved a good deal but it may not represent the most cost-effective means by which environmental objectives can be achieved, nor does it always make polluters pay for the cost of their activities.

We want to find a mix of instruments that will be environmentally effective and economically efficient. Many of these will be regulatory in nature. Others may

be voluntary. But we believe that economic instruments have a role to play in improving the environment. So, as my right hon. Friend the Chancellor announced in the Budget, we are actively considering their role as part of our environmental policy and as a contribution to reform of the tax system.

Today, we are setting out ideas for the use of such instruments to protect and enhance the quality of our rivers and other waters. A copy of the consultation paper has been placed in the library. This is an important initiative. Water is of enormous environmental and economic importance and water pollution causes great concern to the public. We look forward to a period of active debate on these issues.

Drink Drive Casualties

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions what new measures he proposes to introduce to achieve further reductions in drink drive casualties. [18517]

Dr. Strang: The Government will be publishing a consultation paper in the New Year setting out a range of proposals for discussion, including the reduction of the legal blood alcohol limit and measures to deal with serious or persistent drink drive offenders.

SCOTLAND

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his estimate of the expenditure by *(a)* his Department, *(b)* its agencies and *(c)* its non-departmental public bodies on official hospitality for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997. [15246]

Mr. Dewar *[holding answer 11 November 1997]:* Expenditure on official hospitality by The Scottish Office and its departmental agencies is shown in the table.

Year	*The Scottish Office* £	*Scottish Office agencies* £
1980–81	18,427	not applicable
1987–88	41,983	not applicable
1990–91	65,123	nil
1991–92	83,836	5,700
1992–93	[1]125,118	4,979
1993–94	76,088	24,145
1994–95	79,510	28,603
1995–96	[2]82,978	27,635
1996–97	86,167	20,200
1997–98 (May to September)	19,774	12,046

[1] This figure includes expenditure on hospitality during the EC Council Meeting in Edinburgh in December 1992.

[2] In addition, in 1995–96 The Scottish Office spent £34,680 on hospitality as part of the Government's contribution to the VE Day and VJ Day commemorations.

Information on hospitality spending by non-departmental public bodies is not held centrally and could be collected only at disproportionate cost.

Nursery Education

Mrs. Fyfe: To ask the Secretary of State for Scotland what arrangements he intends to put in place to increase the level of pre-school provision once the pre-school education voucher scheme is withdrawn in June 1998. [18474]

Mr. Wilson: We believe that every child should have the chance of good pre-school education. That means a major expansion of services. We have pledged, first, to make a good-quality, part-time education place available, without charge, to every child in the pre-school year; and we aim to achieve this by the winter of next year. After that, and as new resources are found, we will set staged targets for three-year-olds. This is an ambitious and exciting programme.

For too long in some areas, pre-school education was neglected and ignored. Then it was subjected to the experiment of vouchers. Pre-school education needs a fresh start. It needs clear national priorities and targets, a fair and stable funding system, strong support for quality, and a framework for consultation and planning that will strengthen co-operation amongst providers.

I am delighted today to announce the launching of a major consultation paper, *Education in Early Childhood: The Pre-school Years*. Through this paper, I am initiating a national debate about the future of pre-school education in Scotland. The paper sets out our policy priorities; it discusses how services should be planned and funded, how providers, parents and others can work together in mutually rewarding ways, and how high standards of service can be assured. It also asks questions about the educational needs of three-year-olds and the kind of provision that parents want for them; and how best we should plan to offer learning to these very young children. The consultation paper also lays the foundations for more integrated early years services linking education to daycare and other services for children.

Football

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what arrangements he is putting in place in respect of Scottish police liaison with *(a)* FIFA, *(b)* the French authorities and *(c)* the French police over the World Cup; and if he will make a statement. [17849]

Mr. McLeish: The police in Scotland are represented on the World Cup Co-ordinating Group, set up by my right hon. Friend the Home Secretary, to co-ordinate arrangements at UK level. In addition, a committee consisting of officials from The Scottish Office, senior police officers and representatives from the Scottish Football Association has been established to draw up a strategy for the safety and security of Scottish fans travelling to France. The committee will liaise with the French authorities after the draw on 4 December when venues for matches will be known. The Scottish Football Association will then deal directly with FIFA. The police plan to contact their counterparts in France where the Scotland team will play to exchange intelligence and invite representatives to attend matches in Scotland to gain first-hand experience of Scottish supporters who have a world wide reputation for good behaviour.

Attendance Allowance

Mr. Maclennan: To ask the Secretary of State for Scotland in what circumstances local authorities, in assessing ability to pay for domiciliary services which do not include personal care, *(a)* should discount attendance allowance benefit and *(b)* have discretion to exclude from consideration attendance allowance benefit. [17917]

Mr. Galbraith: Local authorities in Scotland have similar powers to charge for domiciliary services to those which apply in England. I therefore refer the hon. Member to the answer given by the Under-Secretary of State for Health on 17 November 1997, *Official Report*, column *63*.

Dounreay Nuclear Plant

Mr. McGrady: To ask the Secretary of State for Scotland what action will be taken to prevent further contamination of land and sea adjacent to the Dounreay nuclear plant. [14302]

Mr. Battle: I have been asked to reply.

Contamination in and around the Dounreay site is an historic legacy and one that the UKAEA is urgently addressing, subject to strict independent regulation by the Nuclear Installations Inspectorate and the Scottish Environmental Protection Agency. Government continues to monitor the situation closely.

NORTHERN IRELAND

Royal Ulster Constabulary

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many RUC officers have been seconded to other jurisdictions inside and outside the United kingdom over the past year; and how many officers of other jurisdictions have been seconded to the RUC over the same period. [13073]

Mr. Ingram *[holding answer 6 November 1997]:* During the past year seven RUC officers have been seconded to other jurisdictions and one officer is presently seconded to the Royal Ulster Constabulary from a GB force.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will list the principal functions of E4A squads, special support units, headquarters, mobile support units and special military intelligence units within the RUC; the annual cost of each; the numbers of officers and administrative staff employed; and the composition of each based on gender and religious/community origin. [13075]

Mr. Ingram *[holding answer 6 November 1997]:* The information sought is confidential to the Chief Constable.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what are the terms of reference of the joint RUC and Police Authority for Northern Ireland working group to address the under-representation of women, Catholics and minorities within the RUC; and when it is expected to report. [13069]

Mr. Ingram *[holding answer 6 November 1997]:* The terms of reference of the joint Royal Ulster Constabulary, Police Authority for Northern Ireland and Civilian Working Group are:

- to review the representation of Catholics, women and ethnic minorities within the RUC;
- to assess the reasons for any under-representation and to make recommendations how suitable applicants from all communities can be encouraged to apply;
- to examine selection procedures and satisfy the group that they assure equality of opportunity.

The group is expected to report to the Chief Constable in early 1998.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what were the staffing levels of the RUC in September *(a)* 1995, *(b)* 1996 and *(c)* 1997 (1) in total and (2) broken down (i) into numbers and percentages of full-time, reserve full-time and part-time staff (ii) by gender and (iii) by perceived religious/community origin. [13071]

Mr. Ingram *[holding answer 6 November 1997]:* The information sought is set out below:

Date	*CB*[1]	*CB*[2]	*CB3*[3]	*Total*	*Percentage CB1*	*Percentage CB2*	*Male*	*Female*	*Total*	*Percentage female*
Royal Ulster Constabulary										
1 September 1995	7,536	672	256	8,464	89.04	7.94	7,589	875	8,464	10.3
2 September 1996	7,447	677	260	8,384	88.82	8.07	7,494	890	8,384	10.6
1 September 1997	7,522	701	273	8,496	88.54	8.25	7,576	920	8,496	10.8
Full-time reserve										
1 September 1995	2,780	199	166	3,145	88.39	6.33	2,994	151	3,145	4.8
2 September 1996	2,653	196	162	3,011	88.11	6.51	2,859	152	3,011	5.0
1 September 1997	2,567	200	156	2,923	87.82	6.84	2,706	217	2,923	7.4
Part-time reserve										
1 September 1995	1,447	77	21	1,545	93.66	4.98	1,009	536	1,545	34.7
2 September 1996	1,411	79	21	1,511	93.38	5.23	972	539	1,511	35.7
1 September 1997	1,297	68	17	1,382	93.85	4.92	899	483	1,382	34.9

Date	CB[1]	CB[2]	CB3[3]	Total	Percentage CB1	Percentage CB2	Male	Female	Total	Percentage female
Combined										
1 September 1995	11,763	948	443	13,154	89.43	7.21	11,592	1,562	13,154	11.9
2 September 1996	11,511	952	443	12,906	89.19	7.38	11,325	1,581	12,906	12.3
1 September 1997	11,386	969	446	12,801	88.95	7.57	11,181	1,620	12,801	12.7

[1] Perceived to be from the Protestant community.
[2] Perceived to be from the Catholic community.
[3] Other.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will publish the rules relating to the display by a uniformed RUC officer of clear personal identification. [15898]

Mr. Ingram *[holding answer 18 November 1997]:* RUC instructions require that Sergeants and Constables display numerals on the epaulettes of all outer garments. All other officers are required to display their badge of rank.

Mr. McNamara: To ask the Secretary of State for Northern Ireland (1) what her policy is on the RUC indicating adherence to the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials adopted by the 8th UN Congress on the Prevention of Crime and the Treatment of Offenders in September 1990; [15903]

(2) what her policy is on the RUC indicating adherence to the UN Rules for the Protection of Juveniles Deprived of their Liberty, adopted by the General Assembly Resolution 45/113 of 14 December 1990; [15904]

(3) what her policy is on the RUC indicating adherence to the United Nations Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions recommended by the Economic and Social Council Resolution of 24 May 1989; [15905]

(4) what her policy is on the RUC indicating adherence to the United Nations Body of Principles for the Protection of All Persons under any form of Detention or Imprisonment adopted by the General Assembly Resolution of 9 December 1988; [15906]

(5) what her policy is on the RUC indicating adherence to the United Nations Standard Minimum Rules for the Treatment of Prisoners, approved by the Economic and Social Council of 13 May 1977. [15907]

Mr. Ingram *[holding answer 18 November 1997]:* The instruments to which my hon. Friend refers, which are not legally binding as their wording shows, are recommendatory in nature. None carries a requirement or mechanism for indications of adherence. However, the importance of the recommended standards has been acknowledged by the United Kingdom's support for their adoption.

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many applications for employment in the RUC were made in each year since 1993; from which community they came; and how many from each community were recruited. [15897]

Mr. Ingram *[holding answer 18 November 1997]:* The number of applications for membership of the RUC for each year since 1993 is shown in the following tables together with the community background of the applicants and the numbers accepted from each community.

Royal Ulster Constabulary

Year	CB1[1]	CB2[2]	CB3[3]	Total	Percentage CB1	Percentage CB2	Percentage CB3
1993	518	86	129	733	70.67	11.73	17.60
Acceptances	58	3	4	65	89.23	4.62	6.15
CompA 1994	2,836	442	339	3,617	78.41	12.22	9.37
Acceptances	62	9	5	76	81.58	11.84	6.58
CompB 1994	1,704	512	165	2,381	71.57	21.50	6.93
Acceptances	86	17	8	111	77.48	15.32	7.21
CompC 1995	1,448	467	143	2,058	70.36	22.69	6.95
Acceptances	98	20	9	127	77.17	15.75	7.09
CompD 1995	1,774	438	188	2,400	73.92	18.25	7.83
Acceptances	128	28	14	170	75.29	16.47	8.24
CompE 1996	1,573	367	155	2,095	75.08	17.52	7.40
Acceptances	67	9	6	82	81.71	10.98	7.32
CompF 1996	2,058	403	268	2,729	75.41	14.77	9.82
Acceptances	126	12	5	143	88.11	8.39	3.50
CompG 1997	2,166	412	212	2,790	77.63	14.77	7.60
Acceptances	Not yet processed		—	—	—	—	—

CompF 1996 is still subject to withdrawals by applicants.
[1] Perceived to be from the Protestant community.
[2] Perceived to be from the Roman Catholic community.
[3] Other.

Full-time reserve

Year	CB1[1]	CB2[2]	CB3[3]	Total	Percentage CB1	Percentage CB2	Percentage CB3
1993	1,039	111	124	1,274	81.55	8.71	9.73
Acceptances	95	8	11	114	83.33	7.02	9.65
1994	No vacancies advised for FTR			—	—	—	—
CompB 1995	1,042	282	130	1,454	71.66	19.39	8.94
Acceptances	19	4	3	26	73.08	15.38	11.54
CompC 1996	1,075	255	101	1,431	75.12	17.82	7.06
Acceptances	129	24	8	161	80.12	14.91	4.97
CompD 1997	1,154	184	135	1,473	78.34	12.49	9.16
Acceptances	51	7	2	60	85.00	11.67	3.33
CompE 1997	613	105	55	773	79.30	13.58	7.12
Acceptances	Not yet processed			—	—	—	—

CompD 1997 not yet fully processed.
[1] Perceived to be from the Protestant community.
[2] Perceived to be from the Roman Catholic community.
[3] Other.

Part-time reserve

Year	CB1[1]	CB2[2]	CB3[3]	Total	Percentage CB1	Percentage CB2	Percentage CB3
1993	830	90	38	958	86.64	9.39	3.97
Acceptances	123	13	2	138	89.13	9.42	1.45
CompA 1994	451	45	15	511	88.26	8.81	2.94
Acceptances	59	6	3	68	86.76	8.82	4.41
CompB 1994	1,416	236	102	1,754	80.73	13.45	5.82
Acceptances	128	19	5	152	84.21	12.50	3.29

[1] Perceived to be from the Protestant community.
[2] Perceived to be from the Roman Catholic community.
[3] Other.

Police Authority

Mr. McNamara: To ask the Secretary of State for Northern Ireland what is the total work force of the Police Authority, including staff seconded from the Civil Service; and what is their gender and perceived religious/community origin. [13074]

Mr. Ingram *[holding answer 6 November 1997]:* The Police Authority for Northern Ireland provides an annual monitoring return to the Fair Employment Commission in respect of the gender and perceived religious affiliation of its work force.

The review includes employees directly recruited by PANI and those staff on secondment from the NICS, Department of Finance and Personnel. The last review was completed on 1 Janaury 1997, when the breakdown was as follows:

	Number
Total number of employees	3,489
(a) Gender	
Male	1,242
Female	2,247
(b) Perceived religious affiliation	
Protestant	2,885
Roman Catholic	414
Not determined	190

Robert Hamill

Mr. McNamara: To ask the Secretary of State for Northern Ireland what inquiries are presently under way into the circumstances of the death of Robert Hamill in Portadown town centre on 27 April; and what assurances she has given the nationalist community that the RUC will protect the right to life of all citizens without prejudice. [13064]

Mr. Ingram *[holding answer 6 November 1997]:* Inquiries into the death of Robert Hamill are on-going and papers have been submitted to the Director of Public Prosecutions.

The Royal Ulster Constabulary has given and will continue to give all the citizens the full protection of the law without prejudice.

Hoax Bomb Alert, Markethill

Mr. McNamara: To ask the Secretary of State for Northern Ireland what was the result of the police investigation into the hoax bomb alert in Markethill on 27 September; and what action the Director of Public Prosecutions intends to take. [15900]

Mr. Ingram *[holding answer 18 November 1997]:* The Police have conducted a thorough enquiry into the events in Markethill on 27 September 1997.

The file is now with the Director of Public Prosecutions for consideration.

Southern Area Health and Social Services Board

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if she will list the names of the members of the Southern Area Health and Social Services Board. [17022]

Mr. Worthington: The membership of the Southern Health and Social Services Board is:

Mr. W. F. Gillespie—Chairman

Non-Executive members

Mr. J. Brown

Mrs. M. K. P. Hagan

Mr. S. T. Hogan

Mrs. S. G. Ingram

Mrs. J. Power

Mr. D. J. Ryan

Executive members

Mr. B. Cunningham—Chief Executive

Dr. A. Telford—Director of Public Health

Mrs. S. Reid—Director of Commissioning and Planning

Mr. S. McKeever—Director of Finance

Mr. R. Blair—Director of Social Services

Telecommunications Masts

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if the proposed Orange telephone mast at Portavogie has received planning permission; if the Ards Borough Council was consulted; what representations she received in connection with this mast; and if she will make a statement. [17433]

Mr. Paul Murphy: Responsibility for this matter has been delegated to the Planning Service under its Chief Executive, Mr. T. W. Stewart. I have asked him to arrange for a reply to be given.

Letter from T. W. Stewart to Mr. John D. Taylor, dated 26 November 1997:

The Secretary of State has asked me to reply to your recent Question about the proposed Orange telephone mast at Portavogie.

The mast in question has planning permission as it is permitted development by virtue of Article 3 and Part 17 of Schedule 1 to the Planning (General Development) Order (Northern Ireland) 1993. Ards Borough Council was not consulted on the proposal, and no written representations have been received by Planning Service in connection with this mast.

I do hope this clarifies the position.

Royal Victoria and City Hospital

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if she will refer the rationalisation of the Royal Victoria and City Hospital to the National Audit Office to examine the reasons for proposed capital expenditure at a time when beds are vacant. [17768]

Mr. Worthington *[holding answer 25 November 1997]:* No. The Eastern Health and Social Services Board with the Royal Group of Hospitals and Dental Hospitals Health and Social Services Trust and the Belfast City Hospital Health and Social Services Trust, as part of the on-going process of rationalisation, are currently considering a range of options for the utilisation of capacity being freed up at Belfast City Hospital.

Ambulances

Mr. William Ross: To ask the Secretary of State for Northern Ireland at what (i) age and, (ii) mileage an ambulance is expected to have reached the end of its normal working life; how many and what percentage of ambulances are beyond that normal span *(a)* in Northern Ireland and *(b)* in each health and social services board area. [17357]

Mr. Worthington *[holding answer 25 November 1997]:* DHSS Guidelines for the replacement of accident and emergency ambulances stipulate that those vehicles should be replaced after they have reached seven years of age or whenever they have covered 140,000 miles, whichever is the sooner. For non-emergency ambulances this is five years or 70,000 miles.

In Northern Ireland, 22 representing 17 per cent. of Accident and Emergency Ambulances are beyond the normal span of age and mileage. Seventy-four non-emergency ambulances representing 88 per cent. are beyond the normal span of age and mileage.

The position in each Board area is given in the following table.

Accident and Emergency Ambulances

Number in Board area	*North*	*South*	*East*	*West*	*Total*
Number in board area	37	30	39	27	133
Exceed on both	14	1	3	4	22
Age and mileage (per cent.)	38	3	8	15	17

Non-emergency Ambulances

	North	*South*	*East*	*West*	*Total*
Number in board area	16	14	38	16	84
Exceed on both	16	13	30	15	74
Age and mileage (per cent.)	100	92	79	93	88

Health Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland if she will estimate the total real level of her Department's planned expenditure on health in 1995–96 prices in *(a)* 1997–98 and *(b)* 1998–9; and what such figures were for (i) 1997–98 and (ii) 1998–99, following the November 1996 budget on the basis of the estimates of the GDP deflator contained in that Budget. [17566]

Mr. Worthington *[holding answer 25 November 1997]:* The figures requested are as follows: *(a)* £1,565 million, *(b)* £1,544 million, (i) £1,576 million and (ii) £1,570 million. The figure for *(b)* reflects the spending plans of the previous Government as 1998–99 public expenditure reallocations for the individual Northern Ireland programmes will not be announced until early December.

Jubilee Maternity Hospital

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many job losses the proposed transfer of the Jubilee Maternity Hospital will entail. [17767]

Mr. Worthington *[holding answer 25 November 1997]:* I have asked the Royal Group of Hospitals and Dental Hospitals HSS Trust and the Belfast City Hospital HSS Trust to work closely together to take forward the arrangements for the transfer of services from the Jubilee. There are no indications of job losses at this early stage of the process.

Regional Cancer Centres

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland when the proposed cancer centre at the Belfast City Hospital will be operational. [17764]

Mr. Worthington *[holding answer 25 November 1997]:* The time scale for the establishment of a regional cancer centre will be considered when consultation on the future location of radiotherapy services has been completed and a detailed business case agreed for the capital investment required.

Belvoir Park Hospital

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if the funding provided for updating Belvoir Park Hospital will result in increased funds for treatment of cancer patients. [17766]

Mr. Worthington *[holding answer 25 November 1997]:* No specific funding has been identified for updating Belvoir Park Hospital. Bids essential for the maintenance of a quality service at Belvoir will, however, be considered sympathetically.

Judicial Procedures

Mr. McNamara: To ask the Secretary of State for Northern Ireland, pursuant to her answer of 18 November 1997, *Official Report,* column *174,* if she will list the colleagues and those with responsibility for judicial matters whom she consulted on certifying procedures, indicating the positions they held; and which other bodies she consulted on this matter. [17572]

Mr. Ingram: My right hon. Friend the Secretary of State consulted with the Attorney-General, the Lord Chief Justice for Northern Ireland and the Lord Chancellor on the matter of certifying procedures; these consultations were confidential. Before making final decisions on the matter, my right hon. Friend the Secretary of State charged officials to confer with the Chief Constable's office and the office of the Director of Public Prosecutions (Northern Ireland); she then advised the Attorney-General, the Lord Chief Justice for Northern Ireland and the Lord Chancellor of her decision.

WALES

Nursery Education

Mr. Evans: To ask the Secretary of State for Wales (1) how many four year olds were receiving 50 per cent. nursery education in May (i) 1997 and (ii) 1996 in *(a)* the public and *(b)* the private sector; [17304]

(2) what is his estimate of the number of four year olds who will be receiving 50 per cent. nursery education in 2000 in *(a)* the public sector and *(b)* the private sector. [17305]

Mr. Hain: The information is not available in the form requested. The January 1997 Schools census showed 35,313 pupils aged four were receiving at least half-time education in maintained nursery, primary and special schools, compared with 35,251 at January 1996. Nursery Voucher redemption statistics indicate that 2,407 four year olds were receiving at least half-time nursery education in private and voluntary sectors in the Summer term 1997.

The intention is that from September 1998 local authorities should fund at least half-time education places for all four year olds whose parents want them, either in maintained schools or through partnerships with the private and voluntary sectors. The number of 4 year olds who will receive nursery education in each sector in 2000 will depend on arrangements adopted in each local authority area.

Coal Industry

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on assistance for the coal industry in Wales. [17638]

Mr. Hain: I am holding a workshop with a wide range of organisations on 5 December to discuss development opportunities for the Welsh coal industry to which I attach great importance. The outcome of this will be carefully considered.

Anti-social Neighbours

Mr. Barry Jones: To ask the Secretary of State for Wales what is his estimate of the number of complaints involving anti-social neighbours in each of the last two years; and what advice and assistance his Department gives to social housing landlords. [17640]

Mr. Win Griffiths: In 1996, 46 written complaints were received by the Welsh Office about anti-social behaviour by neighbours. To date, in 1997, 50 have been received. We have no information on the number of complaints received by social landlords.

We are determined to take and support measures which protect the majority of citizens who respect the law and the rights of others. The proposed Crime and Disorder Bill will contain a number of measures to reduce petty crime and neighbourhood disorder. These include such measures as community safety orders to restrain the behaviour of individuals; and a new responsibility on local authorities to develop statutory partnerships to help prevent crime and enhance community safety.

There are a number of legal measures, including eviction, which landlords can use against tenants guilty of anti-social behaviour. The Welsh Office has issued good practice guidance (entitled 'Getting the Best Out of the Court System in Possession Cases') to all local authorities in Wales to help them make more effective and speedier use of these measures. In addition, the Housing Act 1996 contains provisions to improve the legal processes and strengthen the powers available to landlords to deal with anti-social behaviour by tenants and their visitors.

Guidance on these provisions was issued to local authorities earlier this year in Welsh Office circulars 2/97 'Conduct of Tenants—Introductory Tenancies and Repossession for Secure Tenancies' and 38/97 'Conduct of Tenants—Injunctions Against Anti-Social Behaviour'. Guidance on anti-social behaviour for housing association landlords is contained in paragraph 8.4 of 'The Regulatory Requirements' issued by Tai Cymru.

Under the Environmental Protection Act 1990, the Noise and Statutory Nuisance Act 1993 and the Noise Act 1996, local authorities have responsibility for investigating incidents of noise nuisance in their area. Should a statutory nuisance be detected, local authorities have wide-ranging powers to prevent or abate noise from premises (including land) and vehicles. Guidance on the duties and powers of local authorities in implementing the Noise Act 1996 and the Noise and Statutory Nuisance Act 1993 is provided in Welsh Office Circulars 41/97 and 42/97.

Beef Industry

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on prospects for the beef industry in Wales. [17636]

Mr. Win Griffiths: The government has continued to support various initiatives to help restore and improve consumer confidence in beef. As a result we have seen significant increases in the level of beef consumption. Every effort is being made to have the export ban lifted and that should see a further improvement in prospects for the industry. Nevertheless, the beef sector remains in long term structural surplus and reform of the CAP beef regime is essential.

CELTEC

Dr. Marek: To ask the Secretary of State for Wales if he will make a statement on his Department's inquiring into CELTEC and its associated holding companies. [17929]

Mr. Hain: Copies of the letter which I sent to my hon. Friend the Member for Conwy (Mrs. Williams) on 29 October pursuant to her question of 11 July, *Official Report* column *629*, have been placed in the Library of the House. The letter encloses a note by my officials on the investigations made into the various allegations received. Subject to checking of the final accounts of Hightown Holdings and its subsidiary companies for the financial year 1996–97, these investigations have found no evidence of loss or impropriety in the handling of public funds.

Dr. Marek: To ask the Secretary of State for Wales what safeguards he has put in place to ensure the debts of CELTEC's associated companies do not become a charge upon public funds. [17930]

Mr. Hain: CELTEC has associated undertakings with "The Careers Company" and "Careers Plus", the Careers Service Companies for North West Wales and North East Wales respectively. CELTEC's liability is limited to £1 in each case.

CELTEC also has a trading relationship with the subsidiary companies of the Hightown Holdings Group—Alkemy and Business Advance. CELTEC is currently negotiating the integration of Alkemy and Business Advance Functions into the TEC by means of a Business Transfer Agreement. This will involve the acquisition by CELTEC of defined assets and liabilities of both companies. Welsh Office officials will not approve the transfer unless CELTEC acquires sufficient assets from those companies to cover any liabilities transferred. This should ensure that any liabilities do not become a charge upon public funds.

It is also intended that, following the planned transfer, the Hightown Holdings Group will then be wound up with any residual assets, after all liabilities have been met, being transferred to the TEC.

Regional Selective Assistance

Mr. Rhodri Morgan: To ask the Secretary of State for Wales if he will list each regional selective assistance offer made to former privatised utility companies in Wales. [17955]

Mr. Ron Davies: There have been none.

Cardiff Bay Development Corporation

Mr. Rhodri Morgan: To ask the Secretary of State for Wales if he will list the urban development grants made by the Cardiff Bay Development Corporation since its inception by *(a)* year agreed and *(b)* amount agreed. [17956]

Mr. Ron Davies: This is an operational matter for the Corporation and I have asked the Chief Executive to provide the information my hon. Friend has requested; a copy of his letter will be placed in the Library of the House.

AGRICULTURE, FISHERIES AND FOOD

Food Safety

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what *(a)* research and *(b)* opinion surveys his Ministry has conducted to determine the current level of public confidence in safety of (i) British, (ii) European, (iii) non-European produced food and procedures for dealing with food safety issues. [17533]

Dr. John Cunningham: My department has a research programme into the management of risk which has examined public perceptions of food safety risk. We also take note of other relevant opinion surveys.

Safe Food

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what is his Ministry's definition of safe food. [17532]

Mr. John Cunningham: The Food Safety Act 1990 makes it an offence to sell food which is injurious to health; unfit for human consumption; or so contaminated that it would not be reasonable to expect it to be used for human consumption.

Milk Development Council

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what representations he has made to the Department of Trade and Industry concerning the impact of proposed tax changes for non-profit making research organisations on the Milk Development Council. [18066]

Mr. Rooker: The Department has drawn to the attention of the President of the Board of Trade our assessment of the potential impact on the Milk Development Council of the proposed changes to the guidelines on granting exemption from corporation tax to scientific research association.

Aeron Valley Creameries

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what representations he has received on Milk Marque's acquisition of Aeron Valley Creameries; and if he will make a statement. [18065]

Mr. Rooker: The Department has received representations from the Dairy Industry Federation and from a major UK dairy company.

Dietary Supplements

Mr. David Atkinson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the consideration of dietary supplements by *(a)* the Codex Alimentarius Committee, *(b)* the European Commission, and *(c)* the Committee on Toxicity, indicating his Department's policy in respect of each body. [18124]

Mr. Rooker: The Codex Committee on Nutrition and Foods for Special Dietary Uses is in the process of drawing up guidelines on supplements containing vitamins and minerals. The current draft, which addresses a number of issues, including the setting of maximum vitamin and mineral content of supplements, is due to be discussed again in September 1998. Codex standards and guidelines are advisory and it is for individual Governments to decide what use, if any, they wish to make of them.

In June of this year, the EU Commission issued a discussion document on the possible harmonisation of national controls on vitamin and mineral supplements and foods with added vitamins and minerals. This reviewed the current situation and presented for consideration various issues relating to the control of these products, including the question of the need for establishing maximum limits on their vitamin and mineral content. It made no proposals for action on this or on any of the other issues covered. Nor did it commit the Commission to bringing forward proposals for legislation. A copy of the UK's response has been deposited in the Library.

The Committee on Toxicity of Chemical in Food, Consumer Products and the Environment (COT) have not considered dietary supplements as a class of products but have provided advice on the safety of supplements containing vitamin B6. After reviewing the data from scientific literature, the COT advised that the level of vitamin B6 in dietary supplements sold under food law should be limited to a maximum of 10 mg per daily dose. The Government has accepted this recommendation. A copy of the statement issued by the COT is already available in the Library.

In each case, the products being considered are those sold as foods: products classified as medicines are not affected.

The Government's main concern is to ensure the safety of dietary supplements sold under food law. In the case of the Codex guidelines and the EU discussion document, we have argued that any controls should be based on safety considerations. The proposed controls on supplements containing vitamin B6 are wholly consistent with this policy.

Unpasteurised Milk

Mr. Jenkin: To ask the Minister of Agriculture, Fisheries and Food what plans his Department has to introduce a ban on the sale of unpasteurised milk; and if he will make a statement. [18039]

Mr. Rooker: We have initiated public consultations on a proposal to ban sales of raw cows' milk for drinking in England, Wales and Northern Ireland. Such milk is already banned in Scotland. These consultations have no effect on sales of unpasteurised cows' milk for further processing.

I cannot predict the outcome of public consultation. We shall take careful stock of the responses before proposing how we wish to proceed.

Mr. Jenkin: To ask the Minister of Agriculture, Fisheries and Food what procedures exist for the monitoring of unpasteurised milk. [18040]

Mr. Rooker: All production holdings and processing establishments are inspected regularly to check milk is produced hygienically and to monitor compliance with the Dairy Products (Hygiene) Regulations 1995, as amended.

Enforcement authorities monitor the microbiological status of unpasteurised milk at all stages of distribution and check the conditions under which the milk is handled and packaged. Samples of milk from all registered sellers of unpasteurised cows' milk are officially tested on average on two occasions each year.

Processors themselves are required to monitor and control critical points in the production and packaging of unpasteurised milk.

Mr. Jenkin: To ask the Minister of Agriculture, Fisheries and Food how many farms are currently selling unpasteurised milk; and what is the volume sold each day. [18041]

Mr. Rooker: The majority of milk producers sell unpasteurised milk for further processing. Statistics are not collected and so the exact number of these is not known.

Production statistics for raw cows' drinking milk are not collected.

There are currently 578 registered producers of raw cows' drinking milk in England and Wales. Production, in some cases, is known to be linked to seasonal demand.

Production of raw cows' drinking milk is thought to be in the region of 1,000 litres per day.

Israeli Goods

Dr. Starkey: To ask the Minister of Agriculture, Fisheries and Food (1) what discussions he has had with food retailers marketing goods labelled "Made in Israel" on measures to verify their attribution; [17543]

(2) what response he has made to the representations from the government of Israel on alleged abuses of the preferential rate applied to fruit juice imports; [17544]

(3) what plans he has to stop abuses of the preferential rate applying to fruit juice imports from Israel. [17541]

Mr. Doug Henderson: I have been asked to reply.

I refer my hon. Friend to the answer I gave to her on 26 November 1997, *Official Report*, column *544*.

EDUCATION AND EMPLOYMENT

Tuition Fees

Mr. Welsh: To ask the Secretary of State for Education and Employment what assistance will be given to students beginning courses in 1998 lasting longer than three years towards the cost of their tuition fees for the additional years. [17866]

Dr. Howells: Under our plans, students from lower-income families resident in England will have the whole of their tuition fees paid for them in the fourth as in the previous three years, whilst others from middle-income families will have part of their fees paid, depending on an assessment of their parents' spouses' or own income. Medical and dental students in their fifth and subsequent years will have their fees paid.

Mr. Welsh: To ask the Secretary of State for Education and Employment at what *(a)* net and *(b)* gross parental or household income level English students will be required to pay full university tuition fees. [17862]

Dr. Howells: The rates for student awards and loans, and the associated contribution scales, for academic year 1998–99 have not yet been determined.

It is therefore not possible at this stage to give precise figures about contributions to tuition fees in the 1998–99 academic year. However, had tuition fee contributions been in effect in academic year 1997–98, English students with a residual (ie net) parental income after allowable deductions of about £26,500 would have been assessed as due to pay the full £1,000.

It is not practicable to give precise individual figures for the equivalent gross income at which the full £1,000 fee will become payable in 1998–99, as this will depend on the circumstances of the family concerned. However, because it may not be immediately clear to prospective students and their parents what is meant by "residual income," we have illustrated the sort of gross family income above which the full £1,000 will be payable. In 1998–99 it will be about £35,000 a year.

Mr. Welsh: To ask the Secretary of State for Education and Employment what estimate he has made of the cost of financing tuition fees for the fourth year of study for English domiciled students studying at Scottish universities. [17861]

Dr. Howells: I refer the hon. Member to the reply given on 18 November 1997, *Official Report*, column *162*.

Student Fees

Mr. Rowlands: To ask the Secretary of State for Education and Employment pursuant to his answer of 24 November 1997, *Official Report*, column *362*, if he will list the certificate, diploma or other academic awards comparable to a first degree which will be subject to the new arrangements for student support in autumn 1998. [17953]

Dr. Howells: A list of these courses is not maintained centrally.

INTERNATIONAL DEVELOPMENT

Transnational Corporations (Code of Conduct)

Sir Alastair Goodlad: To ask the Secretary of State for International Development what progress her Department has made in establishing an international code of conduct for transnational corporations in developing countries. [17753]

Clare Short: We are working with the Department of Trade and Industry and other Departments on initiatives aimed to introduce codes of conduct for transnational corporations. We are considering whether the OECD guidelines for multinational enterprises, at present covering operations in OECD member countries only, should extend world wide when they are revised next year.

I have recently approved a grant for the Ethical Trading Initiative which will bring together a group of development NGOs, major private sector interests and non-profit organisations in the UK in a joint effort to produce a set of ethical guidelines for businesses.

Aid Programmes (Audit)

Sir Alastair Goodlad: To ask the Secretary of State for International Development what changes she proposes to make in the methods used to audit aid programmes. [17746]

Clare Short: Our audit of our aid delivery systems is continually under review but there are no current proposals for improving the methods used by my Department to audit aid programmes.

TRADE AND INDUSTRY

Laser Pens

Mr. Gordon Marsden: To ask the President of the Board of Trade what plans she has to ban or impose restrictions on the sale and use of laser pens. [13353]

Mr. Nigel Griffiths *[holding answer 30 October 1997]:* I met Trading Standards Officers on 23 October to discuss the safety of laser pens. Heriot-Watt University was asked to test these products. The results were available to me on 28 October. I immediately issued a press notice urging Trading Standards Officers to remove all dangerous laser pens from sale.

Laser pens in classes 3a, and 3b and 4 as classified in BS EN60825, part 1, 1994 would present an unacceptable risk when used by the general public and are unsafe under the General Product Safety Regulations 1994. Those supplying them to the general public could be prosecuted.

Export Credits

Mr. Flynn: To ask the President of the Board of Trade what amount of money underwritten by the ECGD for defence equipment has been claimed by manufacturers, but not recovered from the Governments of *(a)* Venezuela, *(b)* Jordan, *(c)* Kenya, *(d)* Egypt and *(e)* Algeria. [15981]

Mrs. Beckett *[holding answer 14 November 1997]:* The amounts of money paid in claims but not yet recovered for guarantees to defence ministries are as follows:

	£ million
Venezuela	Fully Recovered
Jordon	214.4
Kenya	27.3
Egypt	52.5
Algeria	97.8

Export Licences

Mrs. May: To ask the President of the Board of Trade how many export licence applications are outstanding; and how many have been outstanding for more than *(a)* one month, *(b)* three months and *(c)* more than three months. [16320]

Mrs. Roche: At 18 November, a decision had not yet been taken on 2,306 applications for new individual export licences received since 2 May 1997. These are broken down as follows:

	Applications received between 2 May 1997 and 17 August 1997	*Applications received between 18 August 1997 and 17 October 1997*	*Applications received between 18 October 1997 and 18 November 1997*
Standard individual export licences	447	835	869
Open individual export licences	75	54	26

However, this information should be considered in the light of my answer to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *256–58*.

Ministerial Responsibilities

Mr. Paterson: To ask the President of the Board of Trade if she will make a statement on ministerial responsibilities in her Department. [16355]

Mrs. Beckett: Ministerial responsibilities in my Department are as follows:

MINISTER FOR TRADE AND COMPETITIVENESS IN EUROPE

Lord Simon of Highbury

Lord Simon is a Minister of State in both Treasury and the DTI.

Responsible for internal EU issues including business preparations for EMU the European single market, enlargement and plans for the UK Presidency of the EU; for the co-ordination of EU issues generally within the DTI; and for insurance.

Chairman of the inter-departmental taskforce on competitiveness in Europe. Attends the Internal Market Council. Responsible with Lord Clinton-Davis for DTI issues in the Lords.

Responsible jointly with Ian McCartney for corporate governance, corporate affairs and relations with the City of London. Lord Simon has specific responsibility for corporate governance.

MINISTER FOR COMPETITION AND CONSUMER AFFAIRS

Nigel Griffiths MP

Responsible for competition and consumer affairs and investigations. Supports John Battle on environment issues. Responsible with Mr. Battle for the Competition Bill.

Responsible for the Insolvency Service.

MINISTER FOR SMALL FIRMS, TRADE AND INDUSTRY

Barbara Roche MP

Responsible for small firms; Business Links; regional policy; Regional Selective Assistance; Structural Funds; communications and information industries and deregulation within the DTI. Attends the Industry and Telecommunications Council. Supports Ian McCartney on inward investment, and Lord Clinton-Davis on trade and export matters in the Commons.

Responsible for the Radiocommunications Agency.

PRESIDENT OF THE BOARD OF TRADE AND SECRETARY OF STATE FOR TRADE AND INDUSTRY.

The right hon. Margaret Beckett MP

Overall responsibility for the Department of Trade and Industry and the Export Credits Guarantee Department. Special responsibility for competitiveness and science and technology.

MINISTER FOR TRADE

Lord Clinton-Davis

Responsible for the export promotion of goods and services, including oil and gas projects, and for overseas investment and international trade policy; Projects Export Promotion; export control and non-proliferation issues; and the Export Credits Guarantee Department. Attends the GAC on trade policy matter.

Responsible jointly for DTI business in the Lords.

MINISTER FOR SCIENCE, ENERGY AND INDUSTRY

John Battle MP

Responsible for the Office of Science and Technology; the British National Space Centre; technology and standards; design and innovation. Attends the Research Council.

Responsible for the Competition Bill (with Mr. Griffiths); manufacturing and services, including engineering, automotive and metals, consumer goods and services, chemicals and biotechnology, and aerospace. Takes an over-arching view of Information Society issues. Also responsible for energy and energy policy including electricity, nuclear fuels, oil and gas, energy technology, renewables and industry sponsorship aspects of the Oil, Gas and Petrochemicals Supplies Office; and for environment issues. Attends the Energy Council.

MINISTER OF STATE

Ian McCartney MP

Responsible for the labour market; inward investment; and the Post Office. Attends the Social Affairs Council.

Responsible jointly with Lord Simon for corporate governance, corporate affairs and relations with the City of London. Mr. McCartney has specific responsibility for corporate affairs.

Responsible for the Employment Tribunals Service, Patent Office and Companies House.

Mr. Prior: To ask the President of the Board of Trade if she will make a statement on the responsibilities of *(a)* the Minister for Trade and *(b)* the Minister for Small Firms, Trade and Industry. [16525]

Mrs. Beckett: The Minister for Trade's responsibilities are for the export promotion of goods and services, including oil and gas projects, and for overseas investment and international trade policy; Projects Export Promotion; export control and non-proliferation issues; and the Export Credits Guarantee Department. He attends the GAC on trade policy matter.

He is responsible jointly for DTI business in the Lords.

The Minister for Small Firms, Trade and Industry's responsibilities are for small firms; Business Links; regional policy; Regional Selective Assistance; Structural Funds; communications and information industries and deregulation within the DTI. She attends the Industry and Telecommunications Council. She supports the Minister of State, my hon. Friend the Member for Makerfield (Mr. McCartney), on inward investment, and Lord Clinton-Davis on trade and export matters in the Commons.

She is responsible for the Radiocommunications Agency.

Formula One Racing

Mr. Redwood: To ask the President of the Board of Trade what estimate she has made of the number of job losses which would result from the withdrawal of Formula One racing in the United Kingdom; and if she will provide a breakdown of her estimate. [16939]

Mrs. Beckett *[holding answer 20 November 1997]:* There are no official figures for employment in the motor sport industry. However, about 8,000 jobs are believed to depend on the supply of equipment and services related to Formula One. Many of these jobs would be at risk if Formula One were to withdraw from the United Kingdom. There would also be an unquantifiable adverse effect on the whole motor sport industry, which is estimated to provide around 50,000 full-time jobs.

Amsterdam Treaty

Sir Teddy Taylor: To ask the President of the Board of Trade in respect of which sections of the Treaty of Amsterdam his Department contributed to the drafting. [17009]

Mrs. Beckett *[holding answer 20 November 1997]:* The United Kingdom position on the draft Treaty of Amsterdam was reached after consultation between relevant Departments.

Late Payments Green Paper

Mrs. Gillan: To ask the President of the Board of Trade if the Minister for Small Firms, Trade and Industry will place in the Library a copy of all responses to her Green Paper on Statutory Interest on Late Payment Debts. [17441]

Mrs. Roche *[holding answer 24 November 1997]:* In line with recent guidance from the Library of the House, we will place in the Library a schedule of all responses received except where the author has specifically requested that we do not publish their response.

HEALTH

Dental Amalgam

Mrs. Ballard: To ask the Secretary of State for Health what research his Department has conducted into the toxic effect of mercury in dental amalgam. [16859]

Mr. Milburn: The Department is advised by an independent Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment (COT). In 1986 the COT conducted a review and concluded that the use of dental amalgam is free from the risk of systemic toxicity and only a few cases of hypersensitivity occur. Similar reviews by national and international expert bodies have reached the same conclusions. COT is currently preparing an updated opinion.

Sussex Ambulance Service

Mr. Flight: To ask the Secretary of State for Health what are the funding procedures for the pension scheme of the Sussex Ambulance Service; what contributions are provided by the *(a)* employees and *(b)* employers; what is the median age of retirement for ambulance men; and what assessment he has made of the structure of the fund relative to the retirement profile of the service. [17213]

Mr. Milburn: In common with all other National Health Service employees the Sussex Ambulance Service personnel are eligible to join the NHS Pension Scheme. The scheme is based on a notional fund assumed to be invested entirely in gilts.

The Government Actuary reviews the fund at quinquennial intervals. Factors such as the scheme's retirement profile form part of his valuation reports in which he recommends an appropriate rate of employer contribution. Currently this is 4 per cent. of pensionable earnings.

Employee contributions are levied at the rate of 5 per cent. for manual employees and 6 per cent. for non-manuals.

The median retirement age for ambulance men is not known because within the valuation data they are included with other employment groups. The scheme's normal retirement age is 60.

Kidderminster Hospital

Mr. Gill: To ask the Secretary of State for Health how many people are employed at Kidderminster hospital

(a) as doctors or consultants, *(b)* as nursing staff, *(c)* providing domestic services and *(d)* in other capacities. [17178]

Mr. Milburn: Information is not available in the form requested. Such information that is available is shown in the table.

National Health Service Hospital and Community Health Service staff directly employed by Kidderminster Healthcare NHS Trust as at 30 September 1996

whole-time equivalents

	Kidderminster Health Care NHS Trust
Medical staff	90
Nursing, midwifery and health visiting staff[1]	540
Support staff in the hotel and property area of work	80
Other staff	530
All directly employed staff	1,230

Notes:
[1] Excludes learners who are counted within "Others".
Figures are rounded to the nearest ten.
Source:
Department of Health Non-Medical Workforce Census.

Community Pharmacists

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 17 November 1997, *Official Report*, column *61*, on community pharmacists, when he plans to publish the Department's evaluation of the pilot projects and his proposals for promoting best practice among community pharmacists. [17176]

Mr. Milburn: The Department is keen to make better use of community pharmacists' skills where this is cost effective.

The funding of these pilot projects is a part of that commitment. We will consult with representatives of the profession about any proposals for additional pharmaceutical services.

We have not made any decisions yet about whether or how the project results will be given wider dissemination.

Health Action Zones

Mr. Matthew Taylor: To ask the Secretary of State for Health (1) by what methods Ministers intend to take account of differing rural and urban needs when reviewing applications for health action zones; [17252]

(2) if health action zones can apply in rural areas; and if he will make a statement. [17251]

Mr. Milburn: Health Action Zones will include areas of pronounced deprivation and poor health and will, therefore, be targeted at those parts of the country where health inequalities are greatest. We will look to identify those bids, whether from urban or rural areas, that promise to have the greatest impact in delivering measurable and sustainable improvements in the health of the public and in the outcomes and quality of services.

Computers (Century Date Change)

Mr. David Atkinson: To ask the Secretary of State for Health what is his estimate of the cost of reprogramming or replacing computer systems in the NHS which are not millennium compliant; and if he has issued guidance to health authorities on how the expenditure involved should be kept within existing budgets. [17434]

Mr. Milburn: The likely cost to the National Health Service of ensuring that systems are millennium compliant is difficult to forecast accurately. Guidance has recently been issued to Chief Executives in the NHS outlining the action they are expected to take to deal with the millennium problem. Much of the work required is likely to be funded from budgets already allocated to supporting NHS information management and technology needs.

Drug Addiction

Mr. Hinchliffe: To ask the Secretary of State for Health what proposals he has for the co-ordination of services to deal with the problems of young people addicted to heroin and other similar drugs. [17238]

Ms Jowell: The current drugs strategy "Tackling Drugs Together" makes young people a priority. On 25 November three new documents about young people were launched by the Standing Conference on Drug Abuse following consultation with the Department and service providers. My hon. Friend the Parliamentary Under-Secretary of State was present and endorsed the documents. They outline the need for services which are appropriate for children and young people, which take a holistic approach, and which have staff with appropriate training for working with young people. They also provide detailed information about good practice, models of services and information about critical success factors. All three documents emphasise the necessity of inter-agency partnerships to deal with the problems of young people who misuse drugs.

Mr. Hinchliffe: To ask the Secretary of State for Health what treatments are available from the National Health Service for heroin and other opiate addictions. [17239]

Ms Jowell: A wide range of treatment services is available through the National Health Service ranging from substitute prescribing to intensive residential rehabilitation. The Department of Heath does not have a central record of services provided. It is for health authorities to determine what services to commission from the NHS and voluntary agencies according to their assessment of local needs and priorities.

Mental Health Services

Mr. Simon Hughes: To ask the Secretary of State for Health how many patients were seen by *(a)* acute and *(b)* community mental health services in each health authority in each of the last five years. [17385]

Mr. Boateng: Information in the form requested is not available centrally. Between June and September 1997, approximately 640,000 people were receiving care from specialist mental health services but there is no breakdown centrally of the type of care provided to these patients. Data are available on specific services but these will involve an element of double counting since some patients will have received more than one service or, in the case of hospital in-patient episodes, have had more than one episode in hospital. The table shows figures for England for the last five years for numbers of in-patient finished consultant episodes, first attendances in the year at out-patient clinics, first contacts in the year with

community psychiatric nurses and first attendances in the year at National Health Service day centres. These figures are published for hospital trusts in the following publications:

Ordinary and day cases admissions, England, Financial year 1996–97

Out-patient and ward attenders, England, Financial year 1996–97

NHS day care facilities, England, Financial year 1996–97

Patient care in the community, community psychiatric nursing, summary information for 1995–96, England.

Copies of all these publications are available in the Library.

Contacts with NHS services for mentally ill people: 1992–93 to 1996–97

England

Thousands

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Finished consultant episodes	233	236	237	240	239
First out-patient attendances	238	254	257	271	285
First contacts with community psychiatric nurses	406	475	493	530	566
First attendances at NHS day centres	92	105	97	100	99

Sources:
KP70, KH09, KC57, KH14.
Note:
[1] Provisional.

Winter Funding Initiative

Mr. Burstow: To ask the Secretary of State for Health if he will list for each health authority the amounts allocated to each social services department under the winter funding initiative. [18123]

Mr. Milburn: Details of individual agreements between health authorities and local authority social services departments are not held centrally. However, initial estimates indicate that, nationally, between £35 million and £40 million of the additional resources made available to meet winter pressures in 1997–98 will be transferred to social services departments.

Pig Organs

Mr. Baker: To ask the Secretary of State for Health what assessment he has made of the dangers posed by viruses in pig organs identified for possible use in pig-to-human transplants. [17778]

Mr. Boateng: "Animal Tissue into Humans", the Report of the Advisory Group on the Ethics of Xenotransplantation, published in January 1997, concluded that there was insufficient knowledge of the risks associated with the transmission of infectious diseases, including viruses, for clinical trials involving humans to be ethically acceptable. Research into these and other relevant issues is continuing.

The Government is advised by the United Kingdom Xenotransplantation Interim Regulatory Authority (UKXIRA) on these issues and on the acceptability of any application to undertake trials in xenotransplantation involving humans. Any application will be expected to include a full assessment of the microbiological risk of any proposed procedure. Within the United Kingdom we will allow clinical trials involving humans to take place only if and when we are satisfied that the risks associated with such procedures are acceptable. The UKXIRA will take the latest evidence available into account in its advice. The Advisory Committee on Dangerous Pathogens is also working with the UKXIRA on microbiological issues involved in xenotransplantation.

Mr. Baker: To ask the Secretary of State for Health what discussions he has had with Imutran concerning the transplantation of organs from pigs to humans; and if he will make a statement. [17779]

Mr. Boateng: The United Kingdom biotechnology industry is at the forefront of international research and development into xenotransplantation. The views of industry are important to the development of a regulatory structure and have been formally sought through consultation exercises. The United Kingdom Xenotransplantation Interim Regulatory Authority, established to advise on and oversee developments in xenotransplantation, is in contact with Imutran, and other companies in the field, and has visited some of Imutran's animal facilities. My noble Friend the Minister of State, Baroness Jay of Paddington, at Imutran's invitation, recently visited its facilities during which she was advised of the developments in its work.

NHS Vacancies

Sir Brian Mawhinney: To ask the Secretary of State for Health how many NHS trusts and health authority non-executive positions fell to be filled on 1 November; how many were filled on that date; and how many are currently vacant. [18051]

Mr. Milburn: Five hundred and seventy non-executive appointments to National Health Service trusts fell to be made by 1 November. Two hundred and eight had been made by that date. Eighty-five vacancies remained on 26 November.

Mr. Simon Hughes: To ask the Secretary of State for Health how many vacant posts there are currently by region for *(a)* hospital doctors, *(b)* general practitioners and *(c)* nurses. [17391]

Mr. Milburn: The available information on vacant posts by region is as follows:

(a) National Health Service hospital and community health services: doctors vacancies in England at 30 September 1996:

England

	Number
Northern and Yorkshire	180
Trent	130
Anglia and Oxford	110
North Thames	350
South Thames	160

(a) National Health Service hospital and community health services: doctors vacancies in England at 30 September 1996: England

	Number
South and West	120
West Midlands	110
North West	260
Special hospitals	10
Total	1,410

Source:
The Medical and Dental Workforce Census 30 September 1996.
Notes:
1. All figures are whole-time equivalents rounded to the nearest ten.
2. Totals may not agree due to rounding.
3. Vacant posts are not collected for all grades—the figures above cover the following grades: Consultant, Staff Grade, Senior Registrar (including Specialist Registrar), Registrar and Senior House Officer.

(b) Information relating to general practitioner vacancies is collected by the Medical Practices Committee. However, this does not include regional data comparable to that above.

(c) Figures on vacancies for Hospital and Community Health services nurses and midwives are collected by the Office of Manpower and Economics and published in the annual reports of the Review Body for Nursing Staff, Midwives, Health Visitors and Professions Allied to Medicine. Copies of these documents are in the Library.

NHS Staff

Sir Brian Mawhinney: To ask the Secretary of State for Health if he will list the names of those NHS trust and health authority members, in post on 30 October, who are no longer in post because they failed to comply with the terms of his Department's guidance to regional health authorities relating to *(a)* political allegiance and *(b)* personal allegiance to the NHS. [18050]

Mr. Milburn: The only guidance issued by the Department on political allegiance and personal allegiance to the National Health Service is that contained in the information pack sent to all applicants for posts on trust and health authority boards. The guidance makes clear that candidates must have a strong personal commitment to the NHS but a candidate's political activity will not be a factor in their appointment. New candidates and those applying for reappointment are considered against all the criteria set out in the information pack.

Psychiatric Beds

Mr. Simon Hughes: To ask the Secretary of State for Health how many psychiatric beds have closed in each year since 1980–81. [17386]

Mr. Boateng: The Department does not collect information on bed closures.

Data are, however, collected centrally on the average daily number of available beds. These figures are shown in the table:

Average daily number of available beds in mental illness wards in National Health Service hospitals in England, 1980 to 1996–97

Year	Mental illness
1980	87,396
1981	85,436
1982	83,831
1983	81,786
1984	78,911
1985	75,866
1986	72,402
1987–88	67,127
1988–89	62,999
1989–90	59,290
1990–91	55,239
1991–92	50,278
1992–93	47,308
1993–94	43,532
1994–95	41,827
1995–96	39,477
1996–97	37,624

Source:
DH form SH3—1980 to 1986.
DH form KH03—1987–88 rds.
Note:
[1] The return was revised and included a count of NHS managed beds in residential care. Several trusts reclassified beds previously counted as mental illness beds in hospitals, and counted them as residential. These figures are not included in the table. The average daily number of mental illness bed days in residential care is 1,155.

Nurses

Mr. Simon Hughes: To ask the Secretary of State for Health what is his estimate of the shortfall in nurses in each specialty. [17387]

Mr. Milburn: In submitting evidence to the 1998 Review Body for Nursing Staff, Midwives, Health Visitors and Professions Allied to Medicine, the Department said there was growing evidence of work force pressures in mental health, nursing in the larger conurbations and specialist nursing posts in areas of high dependency care.

In addition to the comprehensive collection of work force information to support national workforce planning, the National Health Service Executive is running a quarterly survey seeking information about recruitment and retention difficulties and examples of good practice across a sample of trusts. This will provide more systematic information on work force pressures across England.

GP Fundholders

Mr. Simon Hughes: To ask the Secretary of State for Health what have been the payments made to GP fundholders in each region in each year since 1990–91 in *(a)* management allowances and *(b)* computer costs. [17388]

Mr. Milburn: Available data on general practitioner fundholders' management allowances (PFMA) since 1990–91 are set out in the tables, which distinguish PFMA (general) from PFMA (computing).

The PFMA (general) coverage was increased in 1995–96, to include an element for the running costs of fundholding computer systems, which had previously been paid separately.

PFMA (computing) was introduced as a separate component of PFMA in 1996–97 to cover the costs of purchase or lease of fundholding computer systems. Up until April 1996 GP fundholders received reimbursement for these computer costs via the Statement of Fees and Allowances. As a result, audited information is not held

centrally which identifies GP fundholding costs. However, estimates of moneys allocated to support GP fundholding computing costs from 1991–92 to 1994–95 are also shown.

Practice Fund Management Allowance by RHA in England—1990–91 to 1995–96

£000

Regional health authorities	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96
Northern and Yorkshire	1,082	2,343	4,466	6,040	8,254	14,859
Trent	425	1,356	3,432	6,279	8,003	11,647
Anglia and Oxford	1,015	2,210	4,816	7,212	9,278	13,163
North Thames	287	944	2,115	3,364	5,558	12,511
South Thames	515	1,500	3,139	6,262	9,354	16,504
South West	724	1,708	3,377	5,315	6,921	11,537
West Midlands	334	1,412	3,288	6,466	9,233	15,067
North West	856	1,997	3,987	6,663	8,205	14,377
England	5,238	13,470	28,620	47,601	64,806	109,668

Practice Fund Management Allowance by NHS Executive RO in England—1996–97 and 1997–98

£000

Regional office	1996–97		1997–98	
	General	Computing	General	Computing
Northern and Yorkshire	17,886	2,175	19,186	294
Trent	15,953	1,350	15,439	0
Anglia and Oxford	13,771	1,200	13,853	294
North Thames	21,193	1,850	22,130	420
South Thames	18,937	1,425	19,486	0
South West	15,389	2,800	16,258	0
West Midlands	18,070	650	18,034	63
North West	19,371	1,325	19,633	294
England	140,564	12,775	144,019	1,365

Source:
1990–91 to 1995–96: annual accounts of Family Health Services Authorities.
1996–97: FDL(96)35 and FDL(96)42, revised slightly.
1997–98: FDL(97)32.
Note:
Data for 1990–91 to 1994–95 presented on Regional Office boundaries.

Estimated spend on Information Technology to support GP Fundholding by Regional Health Authority in England— 1991–92 to 1994–95

£000

Regional health authorities	1991–92	1992–93	1993–94	1994–95
Northern and Yorkshire	2,099	3,093	2,129	2,717
Trent	1,337	2,949	2,395	2,662
Anglia and Oxford	1,446	1,989	2,144	1,894
North Thames	836	1,809	1,665	1,819
South Thames	1,812	2,371	3,028	2,659
South West	2,117	1,747	2,088	1,906
West Midlands	1,152	2,371	2,413	3,129
North West	824	1,725	2,643	2,060
England	11,623	18,054	18,505	18,846

Source:
Estimates taken from FIS4 returns by FHSAs.

Bed Occupancy Rates

Mr. Simon Hughes: To ask the Secretary of State for Health what are the bed occupancy rates for *(a)* acute, *(b)* psychiatric and *(c)* care of the elderly wards for each of the last 10 years. [17389]

Mr. Boateng: Figures on bed occupancy were collected in 1996–97 for the first time since 1986. The information is based on broad ward type and is contained in "Bed Availability and Occupancy, England: 1996–97", copies of which are available in the Library.

Data for 1986 were collected on a different basis and are not directly comparable. The figures were 75 per cent. for the acute specialties, 85 per cent. for psychiatric and 89.2 per cent. for geriatric.

Cancelled Hospital Operations

Mr. Simon Hughes: To ask the Secretary of State for Health how many hospital operations were cancelled by *(a)* quarter and *(b)* region for the last 10 years; and how many of these were (i) hip replacements, (ii) cataract operations and (iii) heart bypasses. [17390]

Mr. Boateng: Information on the number of operations cancelled on the day they were due to take place, or after patients had arrived in hospital is available in the Library. This goes back to 1994–95, the first year that data were collected. Details of the type of operation are not recorded centrally.

Domiciliary Care

Mr. Burstow: To ask the Secretary of state for Health when he will publish his proposals for the independent inspection and regulation of domiciliary care. [18122]

Mr. Boateng: The Government intend to publish a White Paper in the spring of 1998 outlining proposals for the independent inspection and regulation of domiciliary care.

Paedophile Treatment Centres

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of paedophile treatment centres, with particular reference to the Faithfull Foundation's Wolvercote Clinic. [17536]

Ms Quin: I have been asked to reply.

The following two studies published by the Home Office include an assessment of treatment programmes for sex offenders who are in the community: "Community-based treatment for sex offenders: an evaluation of seven programmes" (1994) and "Does treating sex offenders reduce offending?" (1996). Both are in the Library. The effectiveness of the treatment programme now running at the Wolvercote Clinic, which receives Home Office financial support, is currently being evaluated for the Home Office by the researchers who wrote the 1994 study.

TREASURY

Public Expenditure

19. **Mr. Loughton:** To ask the Chancellor of the Exchequer if he will make a statement on future public expenditure planning. [16603]

Mr. Darling: The Government have set up a Comprehensive Spending Review (CSR) to examine all areas of Government spending. New public expenditure plans will be announced after the conclusion of this review.

Financial Services (Regulation)

20. **Mr. St. Aubyn:** To ask the Chancellor of the Exchequer which *(a)* EU and *(b)* G8 countries have a single regulator responsible for every aspect of financial services. [16604]

Mr. Darling: Within the EU and G8 countries only Sweden presently has a single regulator for financial services.

The Government's proposed regulatory reforms based around a single regulator, the Financial Services Authority, will therefore make the United Kingdom a world leader in financial regulation amongst the major financial centres.

Economic and Monetary Union

22. **Mr. Ainger:** To ask the Chancellor of the Exchequer what steps he is taking to help business prepare for a single currency. [16606]

Kali Mountford: To ask the Chancellor of the Exchequer if he will make a statement on the steps he is taking to prepare for economic and monetary union. [16599]

Mr. Gordon Brown: The Government are committed to ensuring that British business is well equipped to take advantage of the introduction of the euro in other member states from 1999. We have set up a new Standing Committee, the Members of which include the President of the CBI and the President of the British Chamber of Commerce, alongside the existing Business Advisory Group, to co-ordinate and press forward the preparations agenda. I will be publishing a summary of the Advisory Group's findings early in the New Year.

I have also arranged for the Treasury to publish a practical guide on EMU for business, and 55,000 copies have already been issued to a wide range of businesses.

27. **Mr. Caplin:** To ask the Chancellor of the Exchequer what representations he has received from business about preparations for the single European currency. [16611]

32. **Mr. Hutton:** To ask the Chancellor of the Exchequer what plans he has to help business prepare for the use of the euro in the period before the United Kingdom joins economic and monetary union. [16616]

Mr. Gordon Brown: I refer my hon. Friends to the answer given today to my hon. Friend the Member for Dudley, North (Mr. Cranston).

34. **Mr. Rhodri Morgan:** To ask the Chancellor of the Exchequer what recent representations he has received concerning the introduction of economic and monetary union. [16618]

Mr. Gordon Brown: I refer my hon. Friend to the answer given to my hon. Friend the Member for Loughborough (Mr. Reed).

Mr. Jenkin: To ask the Chancellor of the Exchequer what measures he is pursuing to ensure that the United Kingdom economic cycle is harmonised with other potential EMU countries; and when he estimates that this aspect of convergence will be achieved. [15765]

Mrs. Liddell *[holding answer 13 November 1997]:* My right hon. Friend the Chancellor's pre-Budget Report describes a range of measures designed to promote economic stability and achieve high levels of growth and employment. The policies set out there will contribute to the settled period of stability which is needed in order that Britain will be in a position to join the single currency, should we wish to, early in the next Parliament.

Mr. Mitchell: To ask the Chancellor of the Exchequer how will *(a)* exchange costs and *(b)* fluctuations in the rate of the pound against the euro be dealt with when the use of the euro in the United Kingdom is permitted in the period prior to the United Kingdom becoming a member of the single currency. [15925]

Mrs. Liddell: It is currently possible to use foreign currencies for an extensive range of activities in the United Kingdom. After 1 January 1999, this facility will also apply to the euro. My right hon. Friend the Chancellor has announced publicly that, as with the dollar today, firms will be able to file company accounts, issue shares, have bank accounts and pay taxes in euro.

However, the Government consider that use of the euro is likely to be more widespread than with other major foreign currencies. We are considering steps that the Government might take to ensure that British firms are able to use the euro as effortlessly as possible where it makes commercial sense and they choose to do so. This includes, for example, developing with the banking sector a "seal of approval" so that firms and individuals can recognise those banks which offer reliable information and allow customers to bank in euro without paying high charges.

Sir Richard Body: To ask the Chancellor of the Exchequer, pursuant to his answer of 4 November 1997, *Official Report*, column 98, what research his Department has undertaken into the ease with which the euro currency symbol will be distinguishable from that for sterling where physical display of coin or note is not involved. [17277]

Mrs. Liddell: The Treasury has not carried out research aimed specifically at the ease with which the euro currency symbol is distinguishable from the pound sterling symbol. However, through the work of the Business Advisory Group, we are involved with business and consumer groups to discuss how the changeover to the single currency could be made with minimum confusion, were the United Kingdom to join the single currency.

Interest Rates

23. **Mr. Spring:** To ask the Chancellor of the Exchequer if he will make a statement on the changes in interest rates since 1 May. [16607]

Mr. Gordon Brown: I increased interest rates by $\frac{1}{4}$ point in May. On 6 May I gave the operational responsibility for setting interest rates to the newly formed

Monetary Policy Committee of the Bank of England. Since then, the Committee has raised rates by a further 1 percentage point in four equal stages.

26. **Mr. Lansley:** To ask the Chancellor of the Exchequer what assessment he has made of the impact of interest rate rises since 1 May on average personal disposable income. [16610]

Mr. Gordon Brown: Interest rates are set by the Bank of England in order to achieve the Government's inflation target, taking account of all relevant economic indicators.

29. **Mr. Hawkins:** To ask the Chancellor of the Exchequer if he will make a statement on trends in interest rates since 1 May; and what is his policy on interest rate levels. [16613]

Mr. Gordon Brown: Since May, interest rates have been increased by $1\frac{1}{4}$ per cent. to $7\frac{1}{4}$ per cent. In the new framework for monetary policy, the Bank of England has the operational responsibility for setting interest rates to meet the Government's inflation target.

31. **Sir Sydney Chapman:** To ask the Chancellor of the Exchequer if he will make a statement about his responsibility for interest rate levels. [16615]

Mr. Gordon Brown: In the new framework for monetary policy the responsibilities are absolutely clear. The Government's role is to set the economic objectives and, in particular, the inflation target. The Bank of England's role is to take the operational decisions to meet the inflation target. The Government are satisfied that the new monetary policy arrangements will deliver long-term price stability, and prevent a return to the cycle of boom and bust.

33. **Mr. Campbell-Savours:** To ask the Chancellor of the Exchequer what forecasts he has evaluated on the prospects for long-term interest rates. [16617]

Mr. Gordon Brown: Long-term interest rates have fallen in recent months, partly reflecting the fall in inflation expectations that arose as a result of the introduction of the new monetary policy framework.

37. **Ann Clwyd:** To ask the Chancellor of the Exchequer what representations he has received on the effect of EMU going ahead in Europe on interest rates in the United Kingdom. [16621]

Mr. Gordon Brown: I have received many representations on economic and monetary union and my statement on 27 October 1997, *Official Report*, columns 583–604, has been widely welcomed in this country and in the rest of Europe. Official interest rates in the UK are set in order to achieve our inflation target.

Welfare to Work

24. **Mr Barry Jones:** To ask the Chancellor of the Exchequer what recent representations he has received about his welfare to work strategy. [16608]

35. **Mr. Fitzpatrick:** To ask the Chancellor of the Exchequer what discussions he has had with industry about his welfare to work strategy. [16619]

Mr. Gordon Brown: The participation of employers is crucial to the success of the welfare to work initiative. Since I launched the New Deal for unemployed people at a business breakfast at No. 11, the Government have had extensive contacts with a wide range of employers—nationally and locally—in small firms and large—and in every sector of the economy and every region of the country.

The response and good will have been extremely encouraging. Sainsburys, Tesco, BT, Lloyds Bank, Ford, Rover, Marks and Spencer, Unipart, WH Smith—and many others—are coming up with ways that they can help the New Deal.

They realise that helping the unemployed people move from welfare to work is in the interest of business as well as the unemployed people themselves. It is only by helping to improve skills and employability, that we can address the long-standing weaknesses of our economy and allow businesses to thrive.

Financial Services Authority

25. **Miss McIntosh:** To ask the Chancellor of the Exchequer what assessment he made of financial regulation in other countries when drawing up his proposals for the new Financial Services Authority. [16609]

Mr. Darling: The Government are aware of the approaches to regulation taken in other countries but are working to develop the best solution for the United Kingdom. Our plan is for a modernised and harmonised system of financial regulation based around a single regulator, the Financial Services Authority. The reforms will make the United Kingdom a world leader in financial regulation.

Inflation

30. **Dr. Harris:** To ask the Chancellor of the Exchequer what estimate he has made of the effect of higher than planned inflation on the real value of public expenditure plans in *(a)* the current and *(b)* the next financial year. [16614]

Mr. Darling: Public expenditure planning is carried out on a cash basis. The plans announced in July for the Control Total will be adhered to. Departments need to keep a tight grip on their pay and other costs in order to provide the best possible services to the public.

39. **Mr. Greenway:** To ask the Chancellor of the Exchequer if he will make a statement on the operation of his inflation target regime. [16623]

Mr. Gordon Brown: I am satisfied that the new monetary policy arrangements will deliver long-term price stability, and prevent a return to the cycle of boom and bust.

Charities

36. **Mr. Swayne:** To ask the Chancellor of the Exchequer what measures he proposes in respect of the tax treatment of charities. [16620]

Dawn Primarolo: A review of Charities' Taxation was announced in the Budget. A public consultation document is due to be published in spring 1998, and a consultation process will follow. It is too early to say what the outcome of the review will be.

Dividend Tax Credits

38. **Mr. Syms:** To ask the Chancellor of the Exchequer what assessment he has made of the impact on those shareholders who have no liability for income tax of his decision to end their eligibility for dividend tax credits from April 1999. [16622]

Mr. Geoffrey Robinson: All relevant factors were considered when deciding whether shareholders should continue to receive payment of tax credits on their dividend income, including the position of those individual shareholders who are not liable to tax. Given that pension providers and most UK companies are no longer entitled to payment of tax credits on dividends paid on or after 2 July, it would not have been sensible to leave part of the incentive for companies to distribute profits through a payable tax credit to other investors. Nevertheless, tax credits will continue to be paid to non-liable individual shareholders until 1999, when they will have the opportunity to switch into Individual Savings Accounts, which will provide a tax-favoured environment for savings.

Fiscal Policy

40. **Mr. Gareth R. Thomas:** To ask the Chancellor of the Exchequer what new fiscal measures he is taking to assist business. [16624]

Mr. Geoffrey Robinson: The Government are committed to a tax system that encourages employment opportunities and work incentives for all; promotes savings and investment; is fair and is seen to be fair. This is good for the UK and for UK business. The level of taxation on business in the UK is the lowest of any major EU economy and lower than the OECD average.

The Pre-Budget Report presented to Parliament on Tuesday launched a pre-Budget debate on the policies needed to deliver high and stable levels of growth and employment. My right hon. Friend the Chancellor announced further reform of corporation tax including another 1p cut in the main corporation tax rate and the abolition of advance corporation tax in 1999 together with a move to quarterly payments by larger companies. The spring Budget will include measures to reform capital gains tax to promote long-term investment.

International Trading (Internet)

28. **Mr. Barnes:** To ask the Chancellor of the Exchequer what assessment he has made of potential losses of tax revenues due to international trading on the Internet. [16612]

Dawn Primarolo: The Government are examining the tax implications of international trading on the Internet in close consultation with other Governments, at OECD and in other forums, and with the business community. The Government's objective, shared with our trading partners, is to ensure that tax revenues are protected without inhibiting the growth of trading on the Internet.

Insurance Industry

Mr. Caplin: To ask the Chancellor of the Exchequer if he will assess the advantages of establishing a single professional body for the insurance industry under his review of financial services regulation. [17941]

Mrs. Liddell: Our planned reforms will create a single statutory regulator for the financial services industry. We have no plans to set up other bodies in this area.

Departmental Payments

Ms Lawrence: To ask the Chancellor of the Exchequer when he proposes to publish the league table of Departments' payment performance. [18471]

Mr. Geoffrey Robinson: Departments' performances in paying invoices within the agreed credit terms, or 30 days where no such terms exist, for the period 1 June 1996 to 31 March 1997 are contained in the following table:

Government Departments' (including agencies) payment performance 1996–97

Departments	*1995–96 Percentage*	*1996–97 Percentage*
National Investment and Loans Office	100.0	100.0
Privy Council Office	0.0	100.0
Office of Electricity Regulation	99.6	99.9
Defence, Ministry of	99.9	99.4
Foreign and Commonwealth Office	93.3	99.0
Land Registry	0.0	99.0
Office of the National Lottery	89.0	98.0
Office of Fair Trading	96.0	98.0
Office of Water Services	—	98.0
Ordnance Survey	91.0	98.0
Trade and Industry, Department for	93.0	97.9
National Savings Department	99.2	97.6
Office of the Rail Regulator	98.7	97.4
Exports Credit Guarantee Department	0.0	97.3
Government Actuary's Department	0.0	97.0
Serious Fraud Office	92.0	96.9
Health and Safety Executive	93.8	96.8
Crown Prosecution Service	94.3	96.7
Welsh Office	95.0	96.7
Office of Telecommunications	94.0	96.0
Registry of Friendly Societies Commission	96.0	95.9
Public Record Office	0.0	95.8
HM Treasury	86.0	95.6
Office of Passenger Rail Franchising	97.4	95.4
Treasury Solicitors Department including Law Office Department	0.0	95.3
Inland Revenue	92.3	95.2
Northern Ireland Departments	96.6	95.2
Forestry Commission	86.0	95.0
Office of Gas Supply	99.8	95.0
Social Security, Department of	96.0	95.0
Office for Standards in Education	0.0	94.0
Royal Mint	0.0	93.0
Home Office	91.0	92.9
Health, Department of	95.2	92.6
International Development, Department for	90.0	92.4
Education and Employment, Department for	—	92.2
Education	75.2	—
Employment	97.8	—
Department of the Environment, Transport and Regions:		
Environment	92.0	92.2
Transport	90.3	91.4
Agriculture, Fisheries and Food	83.0	91.8
Crown Office, Scotland (including Lord Advocates Department)	0.0	91.5
Culture, Media and Sport, Department for	91.0	91.1
Charity Commission	88.8	90.6
Lord Chancellor's Department including Public Trustee Office	93.9	90.6
National Statistics, Office for	88.0	88.7
Intervention Board for Agricultural Produce	0.0	88.6

Departments	1995–96 Percentage	1996–97 Percentage
Cabinet Office (including Office of Public Services)	84.0	88.4
Customs and Excise	94.0	86.0
Scottish Office	94.0	83.6

[1] Under Department of the Environment. The figures for 1995–96 and 1996–97 are not directly comparable due to differences in the method of calculation.

The figures for 1996–97 cover a 9 month period from 1 June 1996, from the introduction of the revised method of calculation.

The figures for 1996–97 overlap those in the interim table published on 17 December 1996. This table covers a 9 month period to allow closer comparison to future full year tables.

Questions on individual department's results should be addressed to the relevant department.

Tax Law Rewrite Project

Mr. Timms: To ask the Chancellor of the Exchequer if he will make a statement on the current progress on the Tax Law Rewrite Project. [18472]

Dawn Primarolo: The Tax Law Rewrite project aims to bring clarity to our direct tax legislation, making the tax system more accessible to taxpayers and their advisers. The project is continuing to make good progress, and the publication today of a Technical Discussion Document testing how well the rewrite techniques work on complex legislation is a further step towards a clearer and more user friendly tax system. Copies of the document have been placed in the Libraries of the House.

I am keen that anyone with an interest takes this opportunity to comment on the rewrite techniques being used. Consultation with all those involved in taxation is the key to successfully producing a clear and logical structure for tax legislation.

Cattle Slaughter Scheme

Mr. Paice: To ask the Chancellor of the Exchequer what assessment the Inland Revenue has made of the impact on herd valuation of *(a)* the reduction in payment rates and *(b)* the introduction of a maximum weight limit for all cull cows through the over 30 months scheme. [18064]

Dawn Primarolo: None. The Inland Revenue has no business need to assess this and has not done so.

SOCIAL SECURITY

Cold Weather Payments

Ms Abbott: To ask the Secretary of State for Social Security what estimate she has made of the additional costs which would arise from the use of wind-chill factor on cold weather payments if payments in respect of properties not affected by wind-chill remained the same. [14940]

Mr. Denham: This option was among a number which have been considered. Full details are contained in the Building Research Establishment's report, copies of which are available in the Library.

Lone Parents

Mr. Webb: To ask the Secretary of State for Social Security how many of the lone parents who received initial letters as part of the New Deal pilots were in receipt of income support three months later. [14736]

Mr. Keith Bradley *[holding answer 7 November 1997]:* The New Deal for Lone Parents will fulfil the Government's commitment to help lone parents to get off benefit and into work. The programme is currently running in eight areas in England, Scotland and Wales. The New Deal for lone parents will be rolled out nationally from October next year.

The programme was launched on 21 July. In the period to the 10 August, 2,672 lone parents had been invited to participate in the programme. Of these, at the 10 November, 2,421 were in receipt of income support.

Mr. Webb: To ask the Secretary of State for Social Security if she will set out, in respect of the calculation that lone parents are on average £50 per week better off in work than on benefit, *(a)* the sample size, *(b)* the proportion of lone parents in the sample with zero child care costs, *(c)* the proportion with positive receipt of child maintenance, *(d)* their average ages and *(e)* their average travel-to-work costs. [18053]

Mr. Keith Bradley: The average £50 a week "better off" figure refers to the additional income in work lone parents currently on Family Credit are likely to receive over and above the corresponding estimate of their out of work incomes.

The figure is based on the 1994 PSI survey of lone parents, updated to take into account recent benefit changes.

The sample size was 375, of which 79 per cent. were not paying for child care. 37.5 per cent. received child maintenance and their average age was 35. The average travel-to-work costs were £4.93 per week.

Mr. Webb: To ask the Secretary of State for Social Security for how many of the 433 lone parents who were helped to obtain jobs by the New Deal pilot scheme she currently has information on the amount by which they were better off in work; and what was the average gain for these people. [18097]

Mr. Keith Bradley: Up to the end of October, 542 lone parents had been helped into work in the first eight areas of the New Deal for Lone Parents. Lone parents can ask for in-work "better off" calculations obtained by New Deal Advisers from the Integrated Benefit Information System (IBIS). This system provides estimates of the likely entitlements to in-work benefits such as Family Credit, but we do not know the amount by which they are actually better off in work. The evaluation of the programme includes a quantitative survey of a sample of participants in all eight areas of the scheme which will collect systematic information from lone parents on how much better off they will actually be in work.

Research has shown that most lone parents want to work and the New Deal will provide the opportunities to do so. The advantages of work for lone parents are in terms of not only financial gain but improving self-esteem for the parent and providing a more positive role model for the children.

Industrial Disablement Benefit

Mr. Dismore: To ask the Secretary of State for Social Security how much was recouped from accident victims' compensation in respect of industrial disablement benefit in each of the last three years. [16396]

Mr. Denham: Reform of the Compensation Recovery scheme took place on 6 October. The compensator is now liable for the repayment of benefits paid as a consequence of an accident, injury or disease. The reforms also mean that compensation for pain and suffering will be paid to the victim in full.

The administration of the Compensation Recovery Unit is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Andrew Dismore, dated 26 November 1997:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how much was recouped from accident victims' compensation in respect of Industrial Disablement benefit in each of the last three years.

The information is not available in the format requested. The overall amount of Industrial Injuries Disablement benefit recouped from both accident and disease victims, in the last three financial years, is given in the table below:

Financial year	*Amount recovered £ million*
1994–95	12.5
1995–96	16.4
1996–97	28.9

Figures are provisional and subject to change.

In the first half of the current financial year £9.4. million has been recovered.

I hope you find this reply helpful.

Disability Living Allowance

Mr. Hinchliffe: To ask the Secretary of State for Social Security what estimate she has made of the number of families who would receive mobility component disability living allowance if children under the age of five years were assessed and their mobility needs in the same way as DLA care component recipients. [17235]

Mr. Denham: The information is not available in the format requested.

If the current entitlement conditions for receipt of the mobility component were to be extended to children under the age of five an estimated 40,000 children might benefit.

Notes:

The figure is highly speculative.

Source:

Department of Social Security Analytical Services Division.

Mr. Hinchliffe: To ask the Secretary of State for Social Security how many persons who receive DLA mobility component are aged between 65 and 80 years. [17236]

Mr. Denham: As at 31 August 1997, there were 370,000 people aged between 65 and 80 receiving the mobility component of disability living allowance.

Disability living allowance is available for people who become disabled before the age of 65. Once awarded there are no upper age limits and benefit continues for as long as the disabled person continues to satisfy the conditions of entitlement.

Notes:

Ages go from 65 to 80 inclusive.

Source:

Department of Social Security Analytical Services Division—5 per cent. data.

Benefit Fraud

Mr. Hinchliffe: To ask the Secretary of State for Social Security by what methods she monitors the efficiency of cross-agency working to combat social security and child maintenance fraud. [17237]

Mr. Denham: The efficiency and effectiveness of cross-Benefits Agency/Child Support Agency working are monitored in a variety of ways and at a number of levels. These include quarterly meetings of senior officials of both agencies, regular meetings of operational and headquarters staff, and the recording and analysis of management information.

Written Answers to Questions

Friday 28 November 1997

ATTORNEY-GENERAL

Crown Prosecution Service

Mr. Bermingham: To ask the Attorney-General if he will make a statement about his proposals to restructure the Crown Prosecution Service. [18857]

The Attorney-General: My written answer on 21 May 1997, *Official Report*, columns *73-74*, to my hon. Friend the Member for Salford (Ms Blears) outlined the plans drawn up at my request by the Director of Public Prosecutions with a view to dividing England and Wales into 42 Areas, each having its own Chief Crown Prosecutor designated by 1 April 1998. These plans included establishing selection boards to advise the DPP in appointing CCPs. In order to facilitate speedy progress, this exercise was taken forward concurrently with the work of the independent Review of the Crown Prosecution Service which the Government had also decided to establish. The planning of the move to 42 Areas was to be informed by any views expressed by the Review Team led by Sir Iain Glidewell.

The selection boards have now been held but no appointments will be made as a result of this. This follows unanimous advice from the Review Team to me and the DPP to the effect that such appointments would be premature. They consider it essential that the eventual selection of Chief Crown Prosecutors should take full account of important recommendations they will wish to make about the character and responsibilities of those posts as well as the service as a whole. They have also made it clear that their eventual recommendations will maximise the opportunity to build on the move to 42 Areas and provide an improved infrastructure more suitable to a truly locally based service within a national framework. Consideration has been given to deferring appointments rather than abandoning the competition. This would have meant on any view a delay of at least five months. After consulting widely I concluded that such a period of uncertainty would be unacceptable.

This decision has inevitable consequences for the overall programme and the move to 42 operational Areas cannot now take effect until 1 December 1998 at the earliest. The precise time scale will be dependent on the full recommendations of the Review Team which I now expect to receive early next year and the Government response to them. No further steps towards appointments will be taken pending receipt of that report and its consideration. I regret the further period of uncertainty which this decision creates for the candidates concerned and all CPS staff. I am, however, convinced that it is in the best overall and long-term interests of the Service to proceed in this way.

CABINET OFFICE

Food Standards Agency

Mr. Tyler: To ask the Minister without Portfolio if he will list his responsibilities with respect to the Food Standards Agency. [17964]

Mr. Mandelson: I am a member of the Ministerial Committee on Food Safety, the Cabinet Sub-Committee in which collective discussion of issues arising from the establishment of a Food Standards Agency takes place.

Mr. Tyler: To ask the Minister without Portfolio if he will make a statement on his policy with respect to the dietary remit of the proposed Food Standards Agency. [17966]

Mr. Mandelson: As my right hon. Friend the Minister of Agriculture, Fisheries and Food said in the House on 17 November 1997, *Official Report*, column *22*, the Government's White Paper on food standards will be published as soon as possible.

Food Industry

Mr. Tyler: To ask the Minister without Portfolio if he will list the meetings he has held with food industry representatives since 1 May. [17965]

Mr. Mandelson: I have held no such meetings, nor have I received any representations from the food industry.

AGRICULTURE, FISHERIES AND FOOD

Public Appointments

Mr. Vaz: To ask the Minister of Agriculture, Fisheries and Food how many public appointments he has made since 1 May; and how many and what percentage of these *(a)* receive remuneration and *(b)* are of (i) Afro-Caribbean and (ii) Asian origin. [16778]

Mr. Morley: My right hon. Friend has made 211 public appointments since 1 May. Of these:

(a) 46 (21 per cent.) receive remuneration (salary or fees);

(b) The information about ethnic origin cannot be provided since to do so would risk identifying individuals without their consent. My right hon. Friend the Chancellor of the Duchy of Lancaster has provided information for all departments in an aggregated form.

Sea Defences (Waveney)

Mr. Blizzard: To ask the Minister of Agriculture, Fisheries and Food which areas of coastline in the Waveney constituency the Environment Agency has assessed as most vulnerable to breaches of sea defence. [17598]

Mr. Morley: Environment Agency long-term plans indicate a potential need for improved capital defence works at Southwold, Easton Broad and Kessingland to Benacre within the Waveney constituency. Schemes will be promoted if it is technically sound, environmentally acceptable and economically viable to do so, and timing will depend on the Agency's assessment of priorities. In the meanwhile, the Agency will be responsible for maintaining existing defences.

DUCHY OF LANCASTER

Public Appointments

Mr. Vaz: To ask the Chancellor of the Duchy of Lancaster how many public appointments he has made since 1 May; and how many and what percentage of these *(a)* receive remuneration and *(b)* are of (i) Afro-Caribbean and (ii) Asian origin. [16772]

Dr. David Clark: I have made 33 appointments since the 1 May to bodies listed in the Cabinet Office publication "Public Bodies". One (3 per cent.) receives remuneration.

I have agreed to provide information about ethnic origin for all Departments in an aggregated form. For individual Departments to give the number of appointments they have made to people of ethnic origin would risk identifying individuals without their consent. The number of public appointments made since 1 May of people of (i) Afro-Caribbean origin is 18 and the number of public appointments made of people of (ii) Asian origin is 49.

HOME DEPARTMENT

Crime Control

Mr. Yeo: To ask the Secretary of State for the Home Department what is the estimated cost to local authorities of their enhanced role in tackling crime, as set out in the consultation paper "Getting to Grips with Crime". [17961]

Mr. Michael: We do not expect these proposals to have any significant net cost to local authorities. They are not about requiring local authorities or the police to deliver a new service; rather, they will simply require them to put crime prevention and community safety issues at the heart of delivery of existing services, where they have always belonged. Furthermore, effective and well-targeted crime-prevention strategies should generate significant savings for local authorities and the police, through reduced crime levels.

Prison Service

Mr. Beith: To ask the Secretary of State for the Home Department if he will make a statement on the key changes made in the strategic aims for the Prison Service in the 1997–98 Business Plan of the Prison Service from those set out in the previous corporate plan, indicating the reasons for each change. [16537]

Ms Quin: The previous Corporate Plan set out six strategic aims for 1996–99. The present Business Plan continues those aims for this year, 1997–98, with only minor amendments to three aims. The text of these are as follows, with the changes underlined:

Strategic Aim 1

Previous Corporate Plan: "To achieve unit cost reductions of 10.2 per cent.; and to contain capital spending by encouraging greater private sector involvement; while maintaining the balance between security, control, purposeful regimes and support for staff".

Current Business Plan: "To achieve unit cost reductions *of 5.3 per cent. in real terms over 1997–2000*: and to contain capital spending by encouraging private sector involvement *where appropriate*: while maintaining the balance between security, control, purposeful regimes, and support for staff".

The reasons for these changes are first to reflect the new targets for unit cost reduction set by the 1996 Public Expenditure Settlement, and secondly to emphasise that private sector involvement should be sought not as an end in itself, but only where it is appropriate.

Strategic Aim 2

Previous Corporate Plan: "To sustain a balanced step improvement in performance on escapes, building on what we achieved in 1995–96; in particular, to complete the programme of work to enhance security for Category A and high profile Category B prisoners, and to achieve a significant reduction in escapes from escort".

Current Business Plan: "To sustain *the reduction in the escape rate already achieved*: and, in particular, to complete the programme of work to enhance security for Category A and high profile Category B prisoners, and to achieve a significant further reduction in escapes from escort".

The reason for the change is that it would be odd to continue to refer back to 1995–96, particularly where there had been further improvement in performance since then.

Strategic Aim 5

Previous Corporate Plan: "To meet basic health care needs of the population, and to target particularly the transfer of mentally ill prisoners to hospital".

Current Business Plan: "To *maintain the primary (general practitioner level)* health care needs of the population, referring prisoners to National Health Service specialists for treatment as appropriate and to target particularly the transfer of mentally ill prisoners to hospital".

As the Business Plan states, the reason for the change was to describe policy more accurately.

Strategic aims 3, 4 and 6 remain unchanged as follows:

Strategic Aim 3

To maintain control and a safe environment for staff and prisoners in the face of cost reductions and operational pressures; specifically, to carry through work on incentives, the drugs strategy and prevention of suicide.

Strategic Aim 4

To maintain balanced regimes which support control and include affordable, effective activities to reduce the risk of re-offending.

Strategic Aim 6

To strengthen effectiveness of staff at all levels and specifically to increase the effectiveness of financial controls and systems.

Copies of the Prison Service's Business Plan are in the Library.

New Prisons

Mr. Beith: To ask the Secretary of State for the Home Department if he will list all new prison projects currently being assessed by his Department indicating the progress to date in the development of each establishment; and if he will make a statement. [18095]

Ms Quin: At present, the Prison Service is actively considering four possible sites for the construction of new prisons. These are at: Ashworth (Maghull); Belmarsh (Woolwich); Winwick (near Warrington); and Peterborough. In the case of the latter, the Service's planning application was refused by Peterborough City Council on 19 November. Formal planning applications have yet to be prepared for the other three sites.

PRIME MINISTER

Industrialists (Meetings)

Mr. Amess: To ask the Prime Minister how many industrialists have been invited to hold one-to-one meetings with the Prime Minister at No. 10 Downing Street since 2 May to discuss the situation of their business. [18136]

The Prime Minister: I have nothing further to add to the reply I gave to the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) on 25 November 1997, *Official Report*, column *459*.

Child Care

Mr. Burstow: To ask the Prime Minister what steps Her Majesty's Government have taken since 1 May to develop a comprehensive child care strategy. [18274]

The Prime Minister: The Government made a manifesto commitment to produce a national child care strategy which will help parents, especially women, to balance family and working life. Since 1 May, important steps have been taken across a number of Departments to carry forward this commitment, including this week's major announcement by my right hon. Friend the Chancellor of the Exchequer of a £300 million investment in out-of-school child care over the next five years.

This initiative is intended to deliver an out-of-school club in every community across the UK. We have already announced in the Budget that the disregard for child care costs in Family Credit, Disability Working Allowance, Housing Benefit and Council Tax Benefit will be increased from a maximum of £60 to £100 a week from June 1998, as well as a £4 billion new deal package, including provision of work experience and training for young unemployed people who wish to work in child care and help for lone parents wanting to go back to work.

My right hon. Friend the Chancellor announced this week that, to ensure that work pays for families with children, we will consider a working families tax credit, building on successful elements of family credit and involving better help through the tax system for child care costs.

We are currently working on a range of features of a national child care strategy and will be publishing proposals in the Spring.

British Film Industry

Mr. Maude: To ask the Prime Minister pursuant to his answer of 24 November 1997, *Official Report*, column *409*, to the right hon. Member for Wells (Mr. Heathcoat Amory), if he will list the representatives of the British film industry with whom he has had discussions. [18331]

The Prime Minister: I have nothing further to add to the reply I gave to the right hon. Member for Wells on 24 November 1997, *Official Report*, column *409*.

LORD CHANCELLOR'S DEPARTMENT

Royal Family

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will release for public scrutiny File F0372/7708 relating to the Duke of Edinburgh's visit to Argentina in 1962. [16991]

Mr. Hoon: One extract from this item was previously unavailable because it was closed for 100 years. It has now been opened, and is available in the Public Record Office.

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will review those documents relating to the Royal Family which came up for review before the publication of the White Paper on Open Government of 1993 (Cm 2290) with a view to their release under the current criteria relating to such documents. [17000]

Mr. Hoon: The 1993 White Paper, "Open Government", (Cm 2290) stated that records relating to the Royal Family would be treated in the same way as all other records and only closed for longer than 30 years if they fell into one or more of the three criteria governing closure (para. 9.22). It also stated (para. 9.28) that all departments would, as resources could be made available, review all material currently withheld for longer than 30 years to see whether its sensitivity had passed and to release it, if possible. One such release, relating to the Royal Family, is referred to in a later Answer. Questions of access to closed records are a matter for the Ministers of the Departments concerned.

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will review the papers held, relating to the abdication of Edward VIII, with a view to releasing them for public scrutiny. [16998]

Mr. Hoon: Papers on the Abdication of King Edward VIII are at present closed until the year 2037. They may, however, be reviewed under the provisions of the 1993 White Paper, "Open Government", (Cm 2290), before that time. Many will continue to be personally sensitive for some time to come, but it is not ruled out that it may be possible to release them before 2037.

Whaling

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department for what reasons papers relating to International Whaling Agreement 1939 (FO 371/23661) are closed to the public; and if he will review their status. [16997]

Mr. Hoon: The previously retained extracts from this item have now been transferred, and are available in the Public Record Office.

British Council

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will bring records held by the British Council under the terms of the Public Records Act 1967. [16999]

Mr. Hoon: No. The British Council, as a Body operating under a Charter, independently of government, is not appropriate to be brought under the Public Records

Act. However the Council has, since 1977, made arrangements for making available in the Public Record Office those of its records which can be made available after 30 years.

Public Appointments

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many public appointments the Lord Chancellor has made since 1 May; and how many and what percentage of these *(a)* receive remuneration and *(b)* are of (i) Afro-Caribbean and (ii) Asian origin. [16771]

Mr. Hoon: One hundred and thirty five non-judicial appointments have been made to the Lord Chancellor's non-departmental public bodies since 1 May. Of these, six (i.e 4.4 per cent.) receive remuneration for their work on the NDPB.

The information about ethnic origin cannot be provided since to do so would risk identifying individuals without their consent. My right hon. Friend the Chancellor of the Duchy of Lancaster has provided information for all departments in an aggregated form.

Court Service Costs

Mr. Hill: To ask the Parliamentary Secretary, Lord Chancellor's Department when he expects to publish the study undertaken by the Court Service to analyse the economic cost of activities relating to existing charging points. [18171]

Mr. Hoon: The question concerns a matter which has been assigned to the Court Service under the terms of its framework document. I have therefore asked the Chief Executive to write to the hon. Member.

Letter from M. D. Huebner to Mr. Keith Hill, dated 28 November 1997:

The Parliamentary Secretary has asked me to reply to your Question about the publication of a study of the economic cost of activities relating to existing charging points.

The Court Service has not yet made such a study. However, we will undertake an analysis of the economic costs of charging points as part of the revision of the fees structure for the civil courts, which will be necessary in the context of the implementation of the civil justice reforms in April 1999.

TREASURY

Duty Free Trade

Mr. Gale: To ask the Chancellor of the Exchequer what proposals he has to seek a material damage derogation from the European Commission to permit the cross-channel duty-free trade to continue in perpetuity. [18061]

Dawn Primarolo *[holding answer 27 November 1997]:* None. The decision to allow intra-EU duty free sales to continue until 30 June 1999 was taken by the Council of Finance Ministers in 1991 so as to give all the economic sectors concerned time in which to adapt gradually to the new situation.

Amsterdam Treaty

Mr. Streeter: To ask the Chancellor of the Exchequer what measures to strengthen customs co-operation will be agreed to take account of the Treaty of Amsterdam. [17075]

Dawn Primarolo *[holding answer 24 November 1997]:* Article 116 of the Amsterdam Treaty is designed to provide a clear and specific legal basis for strengthened customs co-operation between member states on matters which already fall within Community competence, for example, in relation to administrative co-operation on customs duty issues. A variety of measures in this area have already been agreed under Article 100a of the Treaty of Rome. The new Article makes it clear that customs co-operation in relation to criminal matters, such as drug smuggling, remains a matter for the inter-governmental third pillar.

Museums (VAT)

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer if he will calculate the rates of value added tax which would be payable for a museum which has *(a)* no admission charge, *(b)* a charge set at zero pence, *(c)* a one penny charge and *(d)* a £5 charge. [17580]

Dawn Primarolo: In the first two cases no VAT would be chargeable.

In the other two cases the VAT rate would be $17\frac{1}{2}$ per cent.

EU Budget Council

Mr. Timms: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the Budget Council. [18812]

Mrs. Liddell: I attended a meeting of the Budget Council yesterday to consider the Council's second reading of the 1998 EC draft budget. As a result, the level of payments in the draft budget has been reduced by approximately 1,1000 million ecu from the European Parliament's first reading. This represents an increase of approximately 1.4 per cent. over the 1997 EC budget, compared with 2.7 per cent. following the Parliament's first reading. The draft budget as amended will now be transmitted to the European Parliament, which will adopt the final budget for 1998 at its second reading in December.

SOCIAL SECURITY

Sickness and Incapacity Benefit

Mr. Rooney: To ask the Secretary of State for Social Security what is the average duration per claimant of receipt of *(a)* statutory sick pay, *(b)* the lower rate of short-term incapacity benefit, *(c)* the higher rate of short-term incapacity benefit and *(d)* the long-term rate of incapacity benefit. [18281]

Mr. Denham: The Department does not routinely collect information on the duration of claims to Statutory Sick Pay. However, information produced by the

Association of British Insurers suggests that the average duration of a claim to Statutory Sick Pay is around three weeks.

The other information requested is in the table.

	Average duration of claim
Incapacity Benefit short term lower rate	13 weeks
Incapacity Benefit short term higher rate	18 weeks
Incapacity Benefit long term rate	5.26 years

Source:
DSS 1 per cent. sample of recipients in Great Britain.

Mr. Rooney: To ask the Secretary of State for Social Security, pursuant to the answer to the hon. Member for Gravesham on 29 July, *Official Report*, column *248*, if she will publish those statistics on which the calculation of an approximate £120 million cost of extending statutory sick pay to employees earning below the lower earnings limit was made. [18293]

Mr. Denham: The Government Actuary Department's best estimates of current weekly Statutory Sick Pay (SSP) beneficiaries are 305,000. The 1996–97 Office of National Statistics Labour Force Survey estimated the total number of employees earning above the lower earnings limit to be 19.6 million, and the number below this limit to be 2.6 million.

A rate of sickness of 1.6 per cent. derived from the SSP caseload estimate is applied to the total employees below the lower earning limit and multiplied by the 1996–97 rate of SSP of £54.55, multiplied by 52 weeks to give an annual total of £120 million.

Note: Figures are approximate and are subject to some margin of error.

Disability Living Allowance

Mrs. Browning: To ask the Secretary of State for Social Security if she will make a statement on her plans for the future benefit status of people awarded disability living allowance for life. [18223]

Mr. Denham: For those benefits where an award is made for life the individual is considered likely to continue to satisfy the relevant qualifying conditions. If evidence of change becomes available such an award will be reviewed in the normal way.

Jobseeker's Allowance

Mr. Rooney: To ask the Secretary of State for Social Security if she will estimate the annual number of new claims for jobseeker's allowance where the claimant had been in class one employment but contribution conditions were not satisfied, how many of these received *(a)* income-related jobseeker's allowance and *(b)* credits only; and how many of each group failed to meet contribution conditions because their earnings were below the lower earnings limit. [18282]

Mr. Bradley: The information is not available in the format requested, as the Benefits Agency Management Information Statistics can only provide information on the numbers of claims allowed and disallowed on an annual basis. However, the Jobseeker's Allowance Quarterly Statistical Inquiry shows a snap-shot of the stock of claims by benefit reason. Such information as is available is as follows.

In February 1997, 1,473,000 claimants were not in receipt of contribution-based Jobseeker's Allowance. Of these, 986,000 did not qualify because of a contribution deficiency, of whom 940,000 claimants were in receipt of income-based Jobseeker's Allowance and 46,000 claimants were receiving credits only.

It is not known how many of these claimants had been in Class 1 employment, or had earnings below the lower earning limit.

Notes:

1. Figures rounded to the nearest thousand.

2. Sample size 5 per cent.

Source:

Jobseeker's Allowance Quarterly Statistical Enquiry—February 1997.

SCOTLAND

Prisoner Transfers

Mr. Ancram: To ask the Secretary of State for Scotland, pursuant to his answer of 17 November 1997, *Official Report*, column *76*, if Jason Campbell's application for transfer made to the local management at Her Majesty's Prison Shotts on 10 September was notified to the Northern Ireland Office before it was sent to the Scottish Prison Service Headquarters on 25 September. [17459]

Mr. Dewar *[holding answer 24 November 1997]:* As a result of inquiries made to SPS officials, the Northern Ireland Prison Service was aware that an application had been made to local management at HM Prison Shotts but had not been sent to SPS Headquarters for consideration.

Mr. Ancram: To ask the Secretary of State for Scotland, pursuant to his answer of 17 November 1997, *Official Report*, column *76*, (1) to what extent the priority accorded to the wider peace process in the transfer of Jason Campbell is consistent with the terms of the Home Office memorandum on inter-jurisdictional transfers dated 27 October; [17457]

(2) if the transfers of prisoners *(a)* from Scotland to Northern Ireland and *(b)* from England to Northern Ireland complied with the terms of paragraph 5 of the Home Office memorandum on inter-jurisdictional transfers dated 27 October. [17458]

Mr. Dewar *[holding answer 24 November 1997]:* Jason Campbell's application for transfer was considered under section 27 of the Criminal Justice Act 1961, the legislation in force at the time. This was repealed by Schedule 6 of the Crime (Sentences) Act 1997, which came into force on 1 October. The policy statement to which the question refers relates to the procedures introduced by the Crime (Scotland) Act 1997. No prisoners have yet been transferred from Scotland to Northern Ireland under those procedures. Transfers from England to Northern Ireland are a matter for my right hon. Friends the Home Secretary and the Secretary of State for Northern Ireland.

Local Government Finance

Mr. Swinney: To ask the Secretary of State for Scotland what plans he has to compensate local authorities in Scotland in respect of the abolition of tax credits for pension funds dividends. [17233]

Mr. Chisholm *[holding answer 25 November 1997]:* My right hon. Friend will announce the 1997–98 Local Government Finance settlement in due course.

TRADE AND INDUSTRY

Post Office Facilities

Mr. Hancock: To ask the President of the Board of Trade if she will make a statement on Government policy concerning the provision of Post Office facilities within retail multiples, chains and franchises; and what changes there have been in this aspect of Government policy in the last 12 months. [17886]

Mr. Ian McCartney: Decisions on the location and nature of post office facility provision are the operational responsibility of the Post Office. The Government are committed to the maintenance of a nationwide network of post offices and, in response to widespread concern about the Post Office programme of converting Crown post offices to agency status, in May asked the Post Office Chairman to suspend this programme until the review of the Post Office is complete and we are in a position to make informed decisions.

Disability Discrimination Act

Mr. Dismore: To ask the President of the Board of Trade what training is given to chairmen and members of industrial tribunals and the Employment Appeals Tribunal on the provisions of the Disability Discrimination Act 1995. [18329]

Mr. Ian McCartney: Training on the Disability Discrimination Act is a regular feature on the national refresher course for chairmen of industrial tribunals, and has been delivered to all the experienced chairmen who will be dealing with these cases. Training on the Act is also a part of the national programme of training for members of industrial tribunals.

The President of the Employment Appeal Tribunal (EAT) is planning a seminar on the Act for February for all lay members of EAT.

Mr. Dismore: To ask the President of the Board of Trade what steps the Employment Tribunal Service has taken to ensure that regional Employment Tribunal offices comply with the Disability Discrimination Act 1995. [18328]

Mr. Ian McCartney: Since the introduction of the Disability Discrimination Act, the Employment Tribunals Service (ETS) has reviewed all its premises and taken steps to comply with the Act by making alterations where necessary.

All ETS leaflets are available in Braille, audio tape, disc and large print. The national Inquiry Line is equipped with a minicom textphone and is answered by RNID-trained staff. In addition, each office has a Customer Services Officer, trained by the RNID and the RNIB, who will inform the Chairman of a tribunal if a person with special needs is attending a hearing.

Tobacco Sponsorship

Mr. Redwood: To ask the President of the Board of Trade what estimate she has made of the impact on employment of the removal of tobacco sponsorship from *(a)* darts and *(b)* snooker. [16938]

Mrs. Beckett *[holding answer 20 November 1997]:* We have always made it clear that we are pursuing twin objectives of reducing smoking and of safeguarding sport from any effects arising from the loss of tobacco sponsorship. We are therefore looking very carefully at how best to achieve an end to the advertising and promotion of tobacco at sports events in a way which will minimise any damage to the sports concerned. Discussions are under way within Government on how best to achieve this. Plans for the removal of tobacco sponsorship include a transitional period to allow darts and snooker to find alternative sponsors. The Government will publish a White Paper next year setting out measures to tackle tobacco consumption.

FOREIGN AND COMMONWEALTH AFFAIRS

Public Appointments

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many public appointments he has made since 1 May; and how many and what percentages of these *(a)* receive remuneration and *(b)* are of (i) Afro-Caribbean and (ii) Asian origin. [16781]

Mr. Fatchett: My right hon. Friend the Foreign Secretary has made or approved six public appointments since 1 May: Director General of the British Council (paid), Director General of the Commonwealth Institute (paid), and four members of the Board of Governors of the Westminster Foundation for Democracy (unpaid).

The information about ethnic origin cannot be provided since to do so would risk identifying individuals without their consent. My right hon. Friend the Chancellor of the Duchy of Lancaster has provided information for all Departments in an aggregated form.

NATO Expansion

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimates of the cost of NATO expansion he plans to provide to the House. [18030]

Mr. Fatchett: NATO is currently conducting an assessment of the military and financial implications of enlargement. This will be the most authoritative study of the issue to date. Once this has been completed and considered by NATO Ministers in December we will publish as much information as possible as soon as we can.

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of NATO's cost study on enlargement after it has been approved by NATO Foreign Ministers on 16 December. [18028]

Mr. Fatchett: The publication of NATO documents is a matter for NATO Member States collectively. The handling of NATO's assessments of the military and financial implications of enlargement is still under consideration at NATO.

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether NATO is keeping Russia informed of the financial implications of NATO enlargement. [18029]

Mr. Fatchett: No. The NATO/Russia Founding Act, which provides the basis for consultation between NATO and Russia on matters of European Security, does not provide for discussion on any aspect of NATO enlargement. Enlargement, including its financial implications, is a matter for members of the Alliance and those countries who have been invited to seek accession.

Kaliningrad Enclave

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy on relations between the European Union and the Kaliningrad enclave. [17907]

Mr. Doug Henderson: As an integral (albeit geographically separate) part of the Russian Federation, Kaliningrad enjoys no special relations with the European Union other than those established between the EU and the Russian Federation itself.

The EU's economic and commercial relations with Russia are governed by the provisions of the Partnership and Co-operation Agreement (PCA) which was signed on 24 June 1994 and comes into force on 1 December 1997. Since 1 February 1996, the trade aspects of the PCA have been applied provisionally under the Interim Agreement. The inaugural Co-operation Council under the terms of the PCA is likely to take place during the UK presidency.

EU Membership

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons he visited the Czech Republic, Hungary and Poland; and what assessment he has made of the time scale for the admission to EU membership of *(a)* the Czech Republic, *(b)* Hungary, *(c)* Poland, *(d)* Slovenia, *(e)* Cyprus and *(f)* Estonia. [18031]

Mr. Doug Henderson: My right hon. Friend the Foreign Secretary visited Central Europe as part of the UK's continuing close bilateral relationship with the countries of that region (it is our fastest growing export market). He also set out our strong support for EU and NATO enlargement. Looking ahead to our EU presidency, he made it clear that we want the Luxembourg European Council to take the decisions necessary to allow accession negotiations to begin as early as possible next year.

Negotiations will be conducted on an individual basis with each candidate. Progress will depend on each applicant's preparations for membership. So it would be misleading to set any firm deadlines for accession.

Gibraltar

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he or his officials have had recently with their Spanish counterparts concerning *(a)* the status of Gibraltar in the new NATO command structure and *(b)* United Kingdom military access to Gibraltar; and if he will make a statement. [18032]

Mr. Doug Henderson: My right hon. Friend the Foreign Secretary discussed this subject with the Spanish Foreign Minster most recently on 21 November in the margins of the Special Employment Summit in Luxembourg, and again on 24 November in the margins of the EU General Affairs Council. Further discussions between UK and Spanish officials took place on 27 November.

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the UK and EU enactments that would need amendment for Gibraltarians to be enfranchised for European Parliamentary elections. [18333]

Mr. Doug Henderson: An amendment would be required to the EC Act concerning the election of the representatives of the European Parliament by direct universal suffrage, which was annexed to a Council Decision of 20 September 1976. An amendment would also be needed to the UK European Parliamentary Elections Act 1978.

Export Licence (Range Rover)

Mr. Bayley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the approval of an export licence for the supply of an armoured Range Rover to the Office of the High Representative in Bosnia. [18540]

Mr. Tony Lloyd: We recently approved the export of a light armour-plated Range Rover to the Office of the High representative (OHR) in Bosnia to help protect staff and visitors at the OHR who need to travel in the region as part of their normal duties. Given the important contribution made by the OHR to the international community's peacekeeping efforts in Bosnia, we were glad to be able to approve this export as an exception to our interpretation of the EU arms embargo on the former Yugoslavia. This decision does not affect our continued support of the EU common position on arms exports to the former Yugoslavia.

Small Arms Report

Mr. Bayley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make available a copy of the Report of the UN Panel of Governmental Experts on Small Arms. [18541]

Mr. Tony Lloyd: A copy of the report of the UN Panel of Experts on Small Arms has been placed in the Library of the House. We endorse the panel's recommendations and urge other States to do likewise. The ready availability of small arms in several regions across the world contributes to serious problems of instability. Illicit transfers are the most common sources of supply. We strongly support the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms and intend to take it forward vigorously during the UK presidency of the EU in the first half of 1998. As an initial

step, the Department for International Development will fund a seminar in Southern Africa to look at how we and others might assist affected countries in practical measures to combat the problems caused by illicit small arms trafficking.

Afghanistan

Ms Shipley: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is his policy to maintain an arms embargo on Afghanistan in line with the EU's common position of 17 December 1996. [18275]

Mr. Fatchett: We remain committed to the EU arms embargo against Afghanistan which the UK interprets as covering all goods and technology entered on Part III to Schedule 1 to the Export of Goods Order 1994, as amended.

Following consultation with this Department and the Ministry of Defence, the Department of Trade and Industry recently approved a licence for the export of bomb disposal equipment for use by the Untied Nations Office for the Co-ordination of Humanitarian Assistance to Afghanistan in its demining operations. The grant of this licence is for humanitarian purposes, and is consistent with the purpose of the embargo.

Entry Clearance Applications

Mr. Rooney: To ask the Secretary of State for Foreign and Commonwealth Affairs when a decision will be made on the application for entry clearance by Sabreen Sarwar, in Islamabad (Ref. E4928). [18283]

Mr. Fatchett: We have asked our High Commission in Islamabad to provide a detailed account of the position. My noble Friend the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs will write to my hon. Friend within one week of receiving that account.

Mr. Rooney: To ask the Secretary of State for Foreign and Commonwealth Affairs when a decision will be made on the application for entry clearance by Nisar Khan, in Islamabad (Ref. E0960). [18284]

Mr. Fatchett: We have asked our High Commission in Islamabad to provide a detailed account of the position. My noble Friend the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs will write to my hon. Friend within one week of receiving that account.

WALES

Public Appointments

Mr. Vaz: To ask the Secretary of State for Wales how many public appointments he has made since 1 May; and how many and what percentage of these *(a)* receive remuneration and *(b)* are of (i) Afro-Caribbean and (ii) Asian origin. [16773]

Mr. Ron Davies: I have made 56 appointments, singly or jointly, since 1 May. Of these appointments 19 (34 per cent.) are remunerated.

The information about ethnic origin cannot be provided since to do so would risk identifying individuals without their consent. My right hon. Friend the Chancellor of the Duchy of Lancaster has provided information for all departments in an aggregated form.

Ritalin

Mr. John Smith: To ask the Secretary of State for Wales how many children have been prescribed Ritalin in the community health area serving the Vale of Glamorgan. [17049]

Mr. Win Griffiths: The information requested is not held centrally.

Health Authorities (Retirements and Redundancies)

Mr. Rowlands: To ask the Secretary of State for Wales how many staff in the family health and health authorities *(a)* took early retirement and *(b)* were made redundant as a result of the reorganisation of the authorities; and what have been the (i) redundancies costs, (ii) costs of enhanced pensions and (iii) transitional costs of the reorganisation. [17435]

Mr. Win Griffiths: The information that is readily available is held in a different form. In 1995–96, District Health Authorities and Family Health Services Authorities made provision of £3.3 million in respect of early retirement and redundancy costs. In 1996–97, the new health Authorities made a further provision of £1.9 million. These will have included (without distinction) costs of early retirements and dismissals on grounds of redundancy or in the interests of the efficiency of the service, but the bulk of these costs can probably be attributed to the reorganisation. Some further transitional costs may be incurred in 1997–98 and 1998–99, as health authorities were given 3 years from 1 April 1996 to reap the full savings. This was to avoid costs that too fast a transition to new staffing levels would have entailed.

Wages

Mr. Barry Jones: To ask the Secretary of State for Wales what is the average wage in Wales; and if he will make a statement. [17639]

Mr. Hain: At April 1997, based on the New Earnings Survey, average gross weekly earnings of full-time employees in Wales were £330.

The consultative document "An Economic Strategy for Wales" (October 1997, copy in the Library of the House) seeks views on the Government's ideas for developing a higher-skilled, higher-waged economy in Wales.

Powered Wheelchairs

Mr. Wigley: To ask the Secretary of State for Wales on what date the multi-disciplinary team under the Aritficial Limb and Appliance Service in Wales commenced its work on establishing the eligibility criteria for the future provision of indoor-outdoor powered wheelchairs in Wales; on what date this work was completed; and when its proposals will be fully implemented. [17938]

Mr. Win Griffiths: The Artificial Limb and Appliance Service commenced work in January 1997 on the detailed eligibility criteria for electrically powered indoor/outdoor wheelchairs (EPIOCs). Following consultation and discussions with organisations for disabled people, wheelchair users and health service professionals, this was completed in September with the first EPIOCs issued to patients in November.

Revenue Support Grant

Mr. Barry Jones: To ask the Secretary of State for Wales when he plans to inform local authorities of their revenue support grant for 1998–99; and if he will make a statement. [17948]

Mr. Ron Davies: I plan to make my provisional local government revenue settlement announcement on 2 December.

Welsh Assembly

Mr. Rhodri Morgan: To ask the Secretary of State for Wales what is the basis for his calculation of the cost of *(a)* refurbishment and *(b)* adaptation of the Cardiff City Hall for the purposes of housing the Welsh Assembly; and if he will place in the Library a copy of the supporting documentation on which this calculation is based. [18522]

Mr. Ron Davies: The full cost of bringing City Hall, Cardiff into a suitable condition for the Assembly was estimated at just over £32 million on the basis of purchase at the District Valuer's market valuation of £3.5 million. The minimum cost of adapting and equipping City Hall for a modern Assembly building would have been £8.5 million taking account of the building's grade 2* listing. Further essential repairs, refurbishment and upgrading would cost £20 million which could be spread over a period of years.

These costings are based upon a schedule of accommodation requirements prepared by my officials covering both refurbishment and adaptation. A calculation was prepared on that basis by my professional property advisers. I have placed a copy of that schedule in the Library.

Mr. Jenkin: To ask the Secretary of State for Wales what discussions he has had with Cardiff City Council concerning the possible use of Cardiff City Chambers for the proposed Welsh Assembly; and what estimate he has made of the costs of establishing the Assembly. [18179]

Mr. Ron Davies: None. Cardiff City Council was abolished on 31 March 1996.

HEALTH

Kent Social Services (Asylum Seekers)

Miss Widdecombe: To ask the Secretary of State for Health what special arrangements he will make to assist Kent county council social services department with the costs incurred in respect of its statutory duties as a result of the recent influx of asylum seekers at Dover. [14496]

Mr. Boateng: Kent, like other local authorities, will be able to claim for reimbursement of its costs in supporting asylum seekers through three Special grants for 1997–98, subject to Parliamentary approval being given for these grants.

For adult asylum seekers, local authorities will be able to claim their full costs up to a limit of £140 per week, averaged out over the year, for each asylum seeker supported. Local authorities will also be able to claim an additional £10 per week for each asylum seeker accommodated in specially commissioned or re-commissioned premises.

For asylum-seeking families Grant, local authorities will be able to recover 80 per cent. of the additional cost above the threshold set in Council tax Band D. This grant is provided in recognition of the additional burden which accommodating such families places on local authorities. The grant recognises that services for children and families have always formed a core part of social service functions, and so it would not be appropriate to meet costs in full.

Responsibilities for unaccompanied asylum seeking children and associated costs have fallen on a limited number of authorities. In recognition of these costs, a special grant of £3 million will be made available to local authorities. The grant is intended as a contribution towards helping local authorities meet their spending on unaccompanied asylum-seeking children and it was never intended that the Government would be responsible for meeting the full costs.

Myalgic Encephalomyelitis

Kali Mountford: To ask the Secretary of State for Health what research his Department has *(a)* commissioned and *(b)* evaluated into the identification and treatment of myalgic encephalomyelitis. [15359]

Mr. Boateng: The main agency through which the Government support medical and clinical research is the Medical Research Council. The Council currently provides support for one Small Project Grant in the area of Chronic Fatigue Syndrome (CFS) entitled "The role of noradrenaline in the neuropsychological pathogenesis of the chronic fatigue syndrome". The total amount awarded is £37,000. The Council is always willing to consider new ideas for research and will consider applications on their scientific merits.

The Department of Health has been funding one project at a cost of £60,000, which was recently completed, which considered whether a particular type of psychological treatment was effective in reducing disability in CFS patients. The Department is also funding another project, costing about £65,000, which is looking at whether general practitioners are best placed to manage CFS patients, the report of which is expected shortly.

Consultant Episodes

Mr. Simon Hughes: To ask the Secretary of State for Health if he will make a statement on the *(a)* elective and *(b)* non-elective activity that took place in the NHS by year for the last five years in the period between 1 October and 31 March. [15673]

Mr. Boateng: The number of general and acute elective and non-elective finished consultant episodes commissioned by health authorities is available for each year from 1992–93, and is given in the table. The information is from the quarterly monitoring of health authorities and has been converted to 1996–97 definitions to aid direct comparison.

The number of general and acute elective and non-elective finished consultant episodes commissioned by health authorities in England in the period between 1 October and 31 March each year since 1992–93, in millions, converted to 1996–97 definitions

Year	*Elective FCEs*	*Non-Elective FCEs*
1992–93	2.0	1.8
1993–94	2.2	2.0
1994–95	2.4	2.0
1995–96	2.5	2.1
1996–97	2.5	2.2

Tobacco Sponsorship

Mr. Maples: To ask the Secretary of State for Health which sports representatives Ministers met; on how many occasions and on what dates to discuss the implications of a ban on tobacco sponsorship of their sports; and what criteria were used when deciding to meet representatives from sporting organisations affected by the proposed ban on tobacco sponsorship. [16733]

Ms Jowell: On 24 June, my hon. Friend the Minister for Sport met Maurice Lindsay of the Rugby Football League, Richard Little of the England and Wales Cricket Board, Jonathan Ashman of the RAC Motorsports Association and Martyn Blake of the World Professional Billiards and Snooker Association. The Central Council of Physical Recreation, as the national association of governing bodies of sport, was invited to put together the delegation.

In addition, my hon. Friend the Minister for Sport was present when I met Max Mosley of the Federation Internationale de l'Automobile on 23 September. This meeting was held at the request of Max Mosley.

Representatives from the Sports Council of Great Britain, the World Professional Billiards and Snooker Association, the Institute of Sports Sponsorship, the English Sports Council, the British Darts Organisation, the Central Council of Physical Recreation and the RAC Motorsports Association were also present at the Government's anti-smoking summit, held on 14 July 1997.

Representatives from the Football Association, the FA Premier League, the England and Wales Cricket Board, the Amateur Athletics Association and the United Kingdom and Scottish Sports Councils were invited to the summit, but did not attend.

Osteoporosis

Mr. Kidney: To ask the Secretary of State for Health what assessment he has made of recent research concerning consumption of milk in childhood reducing the risk of osteoporosis in later life; and whether he has discussed with Ministers in the Department for Education and Employment the availability of milk for children in schools. [17160]

Ms Jowell: An expert group of the Committee on Medical Aspects of Food and Nutrition Policy (COMA) is currently considering the recent research on the nutritional aspects of bone health and COMA is expected to publish a report next year.

The Departments of Health and for Education and Employment, Ministry of Agriculture, Fisheries and Food and the Intervention Board Executive Agency have jointly considered the provision of school milk. Ministers from these Departments have met twice to discuss the issues and we intend to meet again soon.

The Department continues to advise that milk is an important source of calcium and should be included as part of a healthy and balanced diet for children. Physical activity has been shown to be important in preventing osteoporosis in later life and the Department is currently funding the "Active for Life" physical activity campaign.

Nutrition

Mr. Jack: To ask the Secretary of State for Health what proportion of Britain's adult population suffer from nutritionally based diseases. [17582]

Ms Jowell: Diseases which are entirely nutritionally based, that is protein or micro-nutrient vitamin and mineral deficiencies, are rare in the adult population.

However, diet and poor nutrition are the primary causes of obesity; 15.3 per cent. of men and 17.5 per cent. of women were obese in 1995. Obesity itself is a risk factor for cardiovascular disease and diabetes and a number of other diseases. In 1994, 24 per cent. of men and 26 per cent. of women reported having had a cardiovascular disorder. In the same year, 2.9 per cent. of men and 1.9 per cent. of women had diabetes.

Diet and nutritional factors are also thought to account for around one third of all cancers.

Almost one in three women of child-bearing age have low or absent iron stores. This is at least partly due to diet.

Lead Pollution

Mr. Dafis: To ask the Secretary of State for Health what assessment he has made of the extent of the damage to children's health caused by lead pollution. [17298]

Ms Jowell: Clinical lead poisoning in children is now very rare, and is expected to decrease as old leaded paint becomes less common. Controls on exposure to lead from many sources have resulted in a very substantial fall in blood lead levels in children generally. Recent surveys indicate that about 5 per cent. of children have blood lead levels in the range where there is persuasive evidence of subclinical harm to neuropsychological development. In nearly all such children, the estimated effect is a deficit of one to three IQ points. Exposure to lead will continue to decrease as a consequence of current and proposed measures.

Long-term Care

Mr. Burstow: To ask the Secretary of State for Health when he will publish his proposals for a Long-Term Care Charter. [17802]

Mr. Boateng: We hope to make an announcement in the new year.

Mr. Burstow: To ask the Secretary of State for Health if he will publish a summary of the representations he has received concerning the terms of reference of the proposed Royal Commission on Long-Term Care. [17799]

Mr. Boateng: The Department has received views, from both individuals and organisations, in a variety of contexts, concerning the remit of the proposed Royal Commission on Long-Term Care. These representations have been given careful consideration as part of the planning process being undertaken by the Department. There are no plans to publish a summary of representations.

Mr. Burstow: To ask the Secretary of State for Health when he will publish the terms of reference and membership of the proposed Royal Commission on Long-Term Care. [17800]

Mr. Boateng: I refer the hon. Member to the reply my hon. Friend the Minister of State for Health gave the hon. Member for Macclesfield (Mr. Winterton) on 11 November 1997, *Official Report* column *702*.

Correspondence

Mr. Rooney: To ask the Secretary of State for Health when he plans to respond to the letters from the hon. Member for Bradford, North of 17 October and 7 November regarding female genital mutilation. [18285]

Ms Jowell: A reply was sent to my hon. Friend on Wednesday 26 November.

Food Standards Agency

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list the *(a)* food manufacturers and *(b)* other companies he has met with regard to the proposed Food Standards Agency. [18069]

Ms Jowell: Over the past six months, Health Ministers have met representatives from many organisations interested in the proposed Food Standards Agency. These have included academic and consumer groups, as well as those representing the food industry.

Mr. Simon Hughes: To ask the Secretary of State for Health on how many occasions he has met the Minister without Portfolio with regard to the Food Standards Agency. [18054]

Ms Jowell: My hon. Friend the Minister without Portfolio and I are members of the Cabinet Committee MISC 1 which is overseeing the Food Standards Agency project. The Committee has met on five occasions, the last being on 21 October.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Housing

Mr. Tom King: To ask the Secretary of State for the Environment, Transport and the Regions what estimates he has made of the amount of unused or undeveloped space above shops; how much such space, involving how many residential units, has been developed for use in the last five years; and what proposals he has to encourage further residential use of this space. [17712]

Mr. Raynsford: The 1991 English House Condition Survey estimated that there were 26,000 vacant dwellings above shops. Results from the 1996 Survey are still being analysed. My Department does not hold estimates of the potential number of dwellings that could be converted from unused commercial space.

One thousand eight hundred and seventy two flats above shops were brought into use through schemes funded by the Department of the Environment and the Housing Corporation between 1991 and 1995. We do not hold information on schemes developed using other public and private sources of funding.

We support and will encourage activity which makes the most effective us of spare space above shops through our planning and regeneration policies. Research for my Department, published in August 1997, found that flats above shops schemes are most effective as part of co-ordinated regeneration strategies which local authorities have a key role in developing and implementing.

The conversion of space above and the reuse of other upper floor space in town centres is encouraged in our Planning Policy Guidance, especially PPG3 and PPG6.

Mr. Tom King: To ask the Secretary of State for the Environment, Transport and the Regions to what extent the latest housing projections for England take account of estimates of the numbers of individuals who were not included in the 1991 census. [17714]

Mr. Raynsford: A detailed account of the methodology and main statistical assumptions underlying the latest household projections is set out in the annexes of "Projections of Households in England to 2016", published by The Stationery Office in March 1995. In particular, a description of how the number of individuals who were not included in the 1991 census was taken into account in compiling the household projections is given as an appendix to Annexe B. A copy of this publication is in the Library.

Mr. Tom King: To ask the Secretary of State for the Environment, Transport and the Regions to what extent the housing projections for England take account of the increase in *(a)* home-sharing, *(b)* cohabiting and *(c)* rent-a-room arrangements since 1981. [17713]

Mr. Raynsford: A detailed account of the methodology and main statistical assumptions underlying the latest household projections is set out in the annexes of "Projections of Households in England to 2016", published by The Stationery Office in March 1995. A copy of this publication is in the Library.

A household was defined in the household projections, as in the 1981 and 1991 Censuses and official surveys, as one person living alone, or a group of people who share common housekeeping or a living room. People who rent a room or share a house will be regarded as part of the larger household or as a separate household depending on such housekeeping arrangements. Information on the numbers of separate households is obtained from the

Censuses and (at national level) the Labour Force Survey. Additionally, estimates are made of concealed couples and concealed lone parents—those couples and lone parents who are part of another household—but these estimates do not form part of the total number of households. The incidence of cohabitation is taken into account in the compilation of the household projection by its separate categorisation in the underlying marital status projections, provided by the Government Actuary's Department. A detailed description of the treatment of the marital status projections and cohabitation is provided in Annexes D and G of the publication referred to above.

Rail Signalling

Mr. O'Hara: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure improved standards of signalling on the rail network; and if he will make a statement. [17870]

Ms Glenda Jackson: The maintenance, renewal and modernisation of signalling equipment are the responsibility of Railtrack. Details of the company's signalling strategy are in its current Network Management Statement. A recent modification to Railtrack's network licence means that future statements will contain more details of investment plans, including signalling improvements.

Local Government Finance

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions what is the estimated effect on aggregate local authority costs, in a full year, of *(a)* a rise in interest rates from 6 per cent. to 7.25 per cent. and *(b)* a rise in inflation from 2 per cent. to 2.75 per cent. [17968]

Mr. Raynsford: I estimate that English local authorities currently hold about £5 billion in variable rate debt, on which additional interest payments of about £62 million would arise if interest rates rose by 1.25 per cent. generally.

Further, if authorities undertake new borrowing of £2 billion a year, broadly in line with the issue of new credit approvals, then a 1.25 per cent. rise in interest rates would increase interest payments on this new borrowing by £25 million.

Local authorities currently hold around £10 billion in bank deposits and other short term investments and might therefore earn additional interest of up to £125 million, if rates rose by 1.25 per cent.

The additional costs or income arising from the increase in interest rates will tend to be offset over time by compensating changes in Housing Revenue Account subsidy and Revenue Support Grant paid to local authorities by central government.

As far as the effect on local authority costs of a rise in inflation is concerned, I refer the hon. Member to the answer I gave to him on 24 November 1997, *Official Report*, columns *367–68*.

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions (1) what would be the average effect on band D council tax of a national increase in local authority costs of £300 million, assuming *(a)* that this cost is spent equally between authorities according to the number of dwellings chargeable for council tax, *(b)* that there is no increase in central Government grant and *(c)* that the average gearing ratio applies in council spending; [17958]

(2) what would be the effect on band D council tax for each local authority in England of a national increase in local authority costs of £300 million in 1997–98, assuming *(a)* that this cost is spread equally between authorities according to the number of dwellings chargeable for council tax and *(b)* that there is no increase in central government grants. [17959]

Mr. Raynsford: An increase of £300 million in the amount required from council taxes for England is equivalent to an increase in the average band D council tax of £18.37. I have today placed in the Library estimates of the effect on band D council taxes for each local authority area of an increase of £300 million in the amount required nationally from council taxes, assuming that this amount is spread equally between billing authorities according to the estimated number of chargeable dwellings in each area.

Development Plans

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the *(a)* amendments and *(b)* observations made by the Government on (i) county, (ii) district and (iii) unitary development plans since 1 May. [17970]

Mr. Raynsford: When development plans are being prepared, altered or replaced the Secretary of State has powers to direct local authorities to modify their plans and may call all or part of a plan in for his own determination. A direction will indicate the nature of the change required to be made to the plan, but does not otherwise specify the amendment to be made. The Secretary of State can amend a plan he has called in for his own determination; but no plans have been called in since 1 May 1997. Government Offices, acting on behalf of the Secretary of State, are in regular contact with local authorities commenting on draft and deposited plans and proposed modifications. Information on all observations made in that context could be made available only at disproportionate cost.

J. Sainsbury (Planning Appeal)

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions if he has met in an official capacity the objectors to the planning appeal No. APP/X5990/A/96/274698 lodged by J. Sainsbury and Network Housing Association Ltd. which was called in for his determination on 28 May. [18292]

Mr. Prescott: I have not met any of the objectors to discuss this case.

The two week inquiry into the appeals closed last week and we await the Inspector's report.

This case was automatically recovered for decision by Ministers rather than by the Inspector. The criteria for recovery of cases for Ministerial decision are precisely the same as those applied by this Department in which the hon. Member was a Minister before his resignation.

Airports

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each United Kingdom airport *(a)* its current terminal capacity and *(b)* its current runway capacity, together with the dates when the airport is expected to reach those capacity figures. [18176]

Ms Glenda Jackson: The assessment of the capacity of both terminals and runways is a complex matter, depending on factors such as the type and mix of traffic, the extent to which traffic is concentrated in peak times and the quality of service standards applied by each airport. It is for individual airport operators, in consultation with airport users, to monitor both the existing and expected future position, and in the light of that to bring forward investment proposals and take such other steps as may be necessary and desirable.

Ministerial Meetings

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 24 November 1997, *Official Report*, column *369*, if he will publish the minutes of his meeting with Lord Sainsbury on 20 October. [18200]

Mr. Prescott: In accordance with normal and longstanding practice observed by previous Governments as well as this, I do not intend to publish detailed records of my meetings. However, in my previous answer of 24 November 1997, *Official Report*, column *369*, I gave a summary of the issues discussed at my meeting with Lord Sainsbury on 20 October.

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions when he last met Lord MacLaurin in an official capacity; and what subjects were discussed. [18202]

Mr. Prescott: I have not met Lord MacLaurin in my official capacity. However my hon. Friend the Minister for the Regions, Regeneration and Planning met Terry Leahy of Tesco on 31 July. He has also met several other leading retailers who have requested a meeting—in line with the practice of the previous Government.

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions when he last met the Chairman of Safeway plc in an official capacity; and what subjects were discussed. [18201]

Mr. Prescott: I have received no request from the Chairman of Safeway plc for a meeting and I have not therefore met him in my official capacity. Nor have I met him personally with any other major retailers, including the Chairman of Asda, the hon. Member for Tunbridge Wells (Mr. Norman).

Bus Services

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions what percentages of bus passenger miles are provided by municipal bus companies in the public sector; and if he will list the relevant companies. [18181]

Ms. Glenda Jackson: The most recent data available for bus miles operated and passenger journeys made on services provided by municipal bus companies in the public sector are for 1996–97. Approximately 5 per cent. of bus miles and 7 per cent. of passenger journeys were attributed to the services of municipal bus companies in Great Britain. The companies are listed below:

Blackburn Borough Transport Ltd.
Blackpool Transport Services Ltd.
Bournemouth Transport Ltd.
Cardiff City Transport Services Ltd.
Chester City Transport Ltd.
Eastbourne Buses Ltd.
Halton Borough Transport Ltd.
Ipswich Buses Ltd.
Islwyn Borough Transport Ltd.
Lothian Regional Transport plc.
Newport Transport Ltd.
Nottingham City Transport Ltd.
Plymouth City Bus Ltd.
Reading Transport Ltd.
Rossendale Transport Ltd.
Thamesdown Transport Ltd.
Warrington Borough Transport Ltd.

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions what is the public subsidy to local bus services *(a)* for London, *(b)* English metropolitan areas, *(c)* English shire counties and *(d)* England separately identifying the (i) concessionary fare subsidy and (ii) fuel duty rebate. [18182]

Ms Glenda Jackson: The figures requested, for the most recent year, 1996–97, are shown in the table below. These comprise public transport support, concessionary fare reimbursement and fuel duty rebate. Data on fuel duty rebate are recorded for London and England but a more detailed geographic breakdown by English metropolitan areas and English shire counties is not available.

Local bus services: public subsidy by area

(£ million)

1996–97	*London*[1]	*English metropolitan areas*	*English shire counties*	*England*
Public transport support	25	102	88	215
Concessionary fare reimbursement	106	177	102	385
Fuel duty rebate	29	—	—	161
All support	160	—	—	761

[1] Support in London was internally funded by London Transport with no direct revenue support from central government.

Bus Passenger Journeys

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the number of local bus passenger journeys in *(a)* 1994–95 and *(b)* 1995–96 in (i) London, (ii) English metropolitan areas, (iii) English shire counties and (iv) England. [18180]

Ms Glenda Jackson: The figures requested, plus those for the most recent year, 1996–97, are shown in the table. These and other interesting statistics

on the bus industry were published by my department on 30 October 1997 in "Bus and Coach Statistics Great Britain 1996–97".

Local bus services: passenger journeys by area

(millions)

	London	*English metropolitan areas*	*English shire counties*	*England*
1994–95	1,167	1,331	1,277	3,775
1995–96	1,205	1,292	1,265	3,762
1996–97	1,242	1,247	1,269	3,758

Transport Safety

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the regulatory bodies within the United Kingdom which have a responsibility for transport safety. [18174]

Ms Glenda Jackson: Other than the Department, the list of agencies and other non-departmental bodies which regulate for transport safety, and which could therefore be defined as regulatory bodies, are as follows:

The Marine Safety Agency
The Vehicle Inspectorate Executive Agency
The Vehicle Certification Agency
The Driving Standards Agency
The Driver Vehicle Licensing Agency
The Traffic Commissioners
The Civil Aviation Authority
The Health and Safety Commission and Executive
Local Authorities.

Sea Empress Incident

Mr. Ainger: To ask the Secretary of State for the Environment, Transport and the Regions when the International Oil Pollution Compensation Fund 1971 increased compensation payments for claims arising from the Sea Empress incident to 100 per cent. of eligible losses. [18548]

Ms Glenda Jackson: The Executive Committee of the International Oil Pollution Compensation Fund 1971 agreed on Tuesday 21 October that full compensation payments should be made to Sea Empress claimants for substantiated losses. The Government have worked hard for this decision. In particular, we have agreed that our own claim for the cost of clean-up operations arising from the Sea Empress incident should stand at the back of the queue for compensation from the Fund.

Insulin-dependent Diabetics

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions (1) what data his Department has collated on motor vehicle accident rates involving insulin-dependent diabetics; [17611]

(2) what studies his Department has *(a)* commissioned and *(b)* evaluated of the driving behaviour of insulin-dependent diabetics. [17612]

Ms Glenda Jackson *[holding answer 26 November 1997]:* Collection of information at the time of accidents is the responsibility of the Police. The information which they obtain, and which therefore is available to the Department, does not cover medical cause because it is not possible routinely to establish any medical condition and its link to the accident. The Department has not felt it necessary to commission or to evaluate studies of the driving behaviour of insulin-dependent diabetics. There have been a number of studies by experts in the field on the consequences of insulin treatment. These have shown that insulin treatment leads to a significant risk of hypoglycaemia, which can lead to loss of consciousness, as well as other effects such as diminished judgment. It is well established that hypoglycaemia can occur without warning. The provisions on insulin-dependent diabetic drivers included in the Second EC Driver Licensing Directive, adopted by the Council of Ministers in 1991 (and coming into force in the United Kingdom in this respect on 1 January 1998), are based on these considerations. The view that the driving of the heavier vehicles by such drivers presents an unacceptable risk to other road users has been endorsed by the Secretary of State's Honorary Advisory Panel on Diabetes and Driving.

DEFENCE

Eurofighter

Mr. Jack: To ask the Secretary of State for Defence if the numbers of Eurofighters and the timing of their delivery will be included for consideration in his Department's Fundamental Expenditure Review. [16978]

Mr. Spellar: The Strategic Defence Review will be the Ministry of Defence's contribution to the Government's Comprehensive Spending Review. It is our intention to order Eurofighter according to the conditions and numbers previously announced; the first aircraft is scheduled for delivery in December 2001. We are already committed to the purchase of 232 Eurofighter. Eurofighter might be a cost-effective replacement for the Harrier GR7, although no decision needs to be taken yet. Decisions taken during the Defence Review could affect this.

Chatham Dockyard

Mr. Shaw: To ask the Secretary of State for Defence if he will place in the Library a complete list of unplanned incidents and accidents involving individuals of the civilian work force at Chatham dockyard which resulted, or may have resulted, in radiation exposure to one or more individuals. [17429]

Mr. Spellar: I refer my hon. Friend to the reply given by my hon. Friend the Minister for the Armed Forces on 24 June 1997, *Official Report,* column *424.* I am seeking information from my officials as to the practicality of providing such a list and hope to be able to write to my hon. Friend before the end of December. A copy of my letter will be placed in the Library.

Defence Transport and Movements Executive

Ms Squire: To ask the Secretary of State for Defence what are the key targets for the Chief Executive of the Defence Transport and Movements Executive. [18786]

Dr. Reid: The Chief Executive of the Defence Transport and Movements Executive has been set the following Key Targets for Financial Year 1997–98.

Key Target 1—To provide the integrated surface transport and movements element of the logistic support capability in peace, crisis and war.

Key Target 2—To achieve greater value for money through the development of business management systems to support the drive for increased efficiency, economy and effectiveness.

Key Target 3—To promote flexible personnel management to ensure that DTMX's work force is properly managed, motivated and trained to optimize effectiveness, productivity and job satisfaction.

Key Target 4—To improve financial management systems to support the development of resource accounting and budgeting.

These Key Targets take forward the work of the previous year's Key Targets in the context of the Agency's continuing provision of transport and movements services not just to the Armed forces but to other Government Departments as well. By specifically investing in both its people and its infrastructure, the Agency will be able to continue to provide the detailed technical expertise and physical force projection capabilities required to support operations such as the peacekeeping mission in Bosnia and the successful withdrawal from Hong Kong. Given all the pressures on the Agency, not least continual downward financial pressure, I believe these to be challenging but achievable.

Army Base Storage and Distribution Agency

Mr. Peter Bradley: To ask the Secretary of State for Defence what are the Key Targets for the Chief Executive of the Army Base Storage and Distribution Agency for 1997–98. [18813]

Dr. Reid: The Chief Executive of the Army Base Storage and Distribution Agency has been set the following Key Targets for Financial Year 1997–1998.

Key Target 1—To deliver the required level of storage and to process receipts and returns as defined in agreements with the Agency's Customers.

Key Target 2—To meet the Standard Priority System 96 Supply Chain Processing Times for Material authorised for issue.

Key Target 3—To deliver special to task and on the job training for Land Units Employed in the Base.

Key Target 4—To implement the recommendations of the Army Base Storage and Distribution Agency Information Systems strategy.

EDUCATION AND EMPLOYMENT

New Deal

Mr. Keetch: To ask the Secretary of State for Education and Employment what support New Deal participants will receive after their six months placement has finished. [18290]

Mr. Alan Howarth: New Deal options are designed to help young people to find work and be better able to sustain employment. Young people who need support to find work after their option will receive intensive help through the New Deal follow-through strategy. The strategy is detailed in "Design of the New Deal for 18–24 year olds", published on 9 October, which is available in the Library.

Mr. Keetch: To ask the Secretary of State for Education and Employment what measures have been taken to make the Environment Task Force and voluntary sector options attractive to applicants for the New Deal. [18291]

Mr. Alan Howarth: We have consulted widely on the Environment Taskforce and Voluntary Sector options to ensure that they will provide New Deal participants with high-quality work experience placements. Young people on these options will undertake real work, improving their local communities and the environment, and will receive training towards approved qualifications and jobsearch help. They will also receive either a wage, or a grant of up to £400 over the six months in addition to their benefits.

Mr. Keetch: To ask the Secretary of State for Education and Employment what measures have been taken to ensure that employers taking on subsidised applicants through the New Deal are creating additional jobs. [18289]

Mr. Alan Howarth: Employers will be asked to give an undertaking that they have not made an existing employee redundant to make way for a New Deal participant. If there is evidence to suggest that this has happened, it will be investigated.

It is not the principal purpose of the subsidy to create additional jobs. The main aim is to encourage employers to consider, when recruiting, people they would normally reject because of the time they have spent in unemployment. By doing this, the New Deal will help to create the conditions under which the economy can continue to grow and produce new jobs.

In addition, some employers may be motivated to increase their workforce, in answer to real business needs, by the availability of a subsidy which offsets initial costs of recruitment and training.

Mr. Keetch: To ask the Secretary of State for Education and Employment what estimate he has made of the number of people aged over 25 years and unemployed for two or more years who will benefit from the New Deal. [18288]

Mr. Alan Howarth: No such estimate has been made. The design of the New Deal for people aged 25 years or over and unemployed for two years or more is being considered.

Mr. Keetch: To ask the Secretary of State for Education and Employment what estimate he has made of the number of applicants who will enter *(a)* the subsidised employment option, *(b)* the full-time education or training option, *(c)* the voluntary sector option and *(d)* the Environmental Task Force option of the New Deal. [18287]

Mr. Alan Howarth: No such estimates have been made. We will however want as many young people as possible to be able to take a place in the Employment Option, and our planning assumption is that over 40 per cent. of those entering options will do so. It is a key principle of the design of the New Deal for 18–24 year olds that young people should be helped to choose the

option most appropriate for them. Each of the options is to provide high-quality opportunities for work, education and training.

Education Action Zones

Ms Buck: To ask the Secretary of State for Education and Employment what plans he has for the development of education action zones. [18708]

Mr. Byers: Education Action Zones are a radical and important element in our plans to raise standards in schools, especially those in challenging circumstances. They will provide new exciting ways for schools and LEAs, and parents, business and community organisations, to work together to raise standards.

Action Zones will be in urban and rural areas where schools are in need of additional focused support and will exist for at least three years, and often longer. Each will be run with the help of a Forum which will set challenging targets and put forward ambitious, innovative plans for meeting them. Local partnerships will need to bid to be in the programme. We expect to create at least 25 zones during this parliament. We shall very shortly be publishing the School Standards and Framework Bill which will provide the statutory basis for Education Action Zones.

Education Expenditure

Mr. Yeo: To ask the Secretary of State for Education and Employment what is the estimated cost to local authorities of the enhanced role of local education authorities set out in the White Paper "Excellence in Schools". [17960]

Mr. Byers: The main requirement on local education authorities flowing from the White Paper is to refocus their existing resources towards the delivery of higher standards of pupil achievement. The extent of the net costs or net savings will vary between authorities according to the extent that a given authority has already adjusted the balance of its support for schools in this direction in recent years. In accordance with the White Paper principle of intervention in inverse proportion to success, LEAs' plans should include a review of all existing activity to ensure that its work in support of raising standards is well targeted. The Government will ensure through the regular process of approving LEAs' Education Development Plans that the resources an LEA plans to commit are appropriate for the task.

Wooden Classrooms

Mr. Tredinnick: To ask the Secretary of State for Education and Employment if he will ascertain the number of classrooms of wooden construction currently in use in Leicestershire, indicating their location, the number of pupils currently educated in them and the date their safety was last checked. [18203]

Mr. Byers: It is for LEAs to determine how they provide the school places for pupils in their own area. I recognise that many LEAs do currently have to rely on classrooms of wooden construction which are at the end of, or beyond, their design life. The New Deal for Schools (NDS) will help LEAs to redress such problems. It provides for bids covering a variety of school building needs. Over 2,000 schools will benefit from the £115 million which the Prime Minster announced would be spent in the current financial year. By the end of this Parliament we expect an additional £2 billion to be spent as a result of the NDS.

INDEX TO THE

PARLIAMENTARY DEBATES

OFFICIAL REPORT

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SESSION 1997–98

17th November—28th November 1997

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc, under subject headings and under the names of those taking part.

Rulings and Statements by Speaker and deputies are brought together under the heading 'Speaker's rulings and statements'.

Other contributions by Speaker and deputies appear under the heading Speaker.

Opposition Day Debates and Estimates Day Debates and Standing Order No. 10 applications are listed under those respective headings and under subject headings too.

The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

Column numbers followed by the letter W refer to Written Questions. These appear at the end of each daily part or volume with their own sequence of column numbers printed in italics.

A1
Road construction 142

A46
966–7

A65
Private finance initiative 460–1w

Abbott, Ms Diane
Debates etc.
European Council, Employment (24.11.97) 639–40
Questions
Cold weather payments, Expenditure 663w
Minimum wage 1083–4
Refugees, Montserrat 290–1w
Young offender institutions 630

Abdication
Public records 672w

Abortion
470–1w
Costs 423w

Abuse of Children Living away from Home Review
see Safeguards Against Abuse of Children Living Away From Home Review

Access Business Group
323–4w

Access business initiative
239w

Accident and emergency departments
Kidderminster Hospital 594w
Research 591w

"Accountability Animal Experiments and Freedom of Information"
611–2w

Acid rain
Trees 370w

Action 2000
50–1w, 190–1w, 346w

Acton
London Underground 128w

Actors
National insurance contributions 294w

Adams, Gerry
959

Admission charges
Museums and galleries 674w

Advance corporation tax
Pension funds 111w

Advertising
12w

Advertising agencies
Millennium Exhibition 473–4w

Advisory Committee on Novel Foods and Processes
Maize 21w

Advisory Group on Quarantine
see Quarantine Advisory Group

Advisory Panel on Driving and Diabetes
see Driving and Diabetes Advisory Panel

Advisory services
Ministry of Agriculture Fisheries and Food 522w
Small businesses 282w
Social security benefits 11–3

Aerials
620–1w
Planning permission 2–3w, 196w, 620w, 635w
Portavogie 635w

Aerials—continued
Publicity 195–6w

Aeron Valley Creameries
Milk Marque 641w

Aerospace industry
283w
EC presidency 283–4w

Afghanistan
Arms embargoes 681w
Women 177–8w

African National Congress
Bombings 609w

Age addition
Retirement pensions 571w

Age discrimination
Employment protection 363–5w
NHS 520w

Agenda 21
463w

Agricultural development programme
Tax allowances 281w

Agricultural land
Environment protection 229–30w
Land ownership and tenure 251w

Agricultural policy
EC presidency 21w, 356w

Agricultural production
Disclosure of information 116w
Greenhouse effect 117w

Agricultural research
Bovine tuberculosis 275w

Agricultural subsidies
356w
Dairy farming 275w

Agricultural Tenancies Act 1995
Questions
118w

Agricultural workers
Overseas students 607–8w

Agriculture
Young people 230w

Aid financed trade
448w

AIDS
Prisoners 40w

Ainger, Mr Nick
Questions
Economic and monetary union, Business 657w
MV Sea Empress, Oil pollution 693w

Air accidents
Harrier aircraft 70w
RAF Wittering 70w

Air bags
Research 196–7w

Air force bases
Armed forces civilians 564w

Air pollution
Information services 298–300w
Trees 6–7w
Urban areas 201w

Air pollution control
299w
Carbon dioxide 134, 134w, 135, 295w, 755

Air routes
Malaysia 626w
Regional airports 625w

Air safety
Chinook helicopters 152–3w
Military aircraft 563w

Air traffic
Gibraltar airport 482w
Greater London 296–7w
Spain 615w

Air transport
(25.11.97) 878
Economic situation 625w
North West region 625w
Transport of radioactive materials 148w

Aircraft engines
Chinook helicopters 151–2w

Airport tax
Charities 257w

Airports
691w
Transport infrastructure 126w

Airspace
563w

Alcoholic drinks
Parliamentary buildings 474w
Young people 246–7w, 435w

Alcoholic drinks duties
EC action 762–3

Algeria
Human rights 221w, 481w

Allan, Mr Richard
Debates etc.
Public service (17.11.97) 34
Special Immigration Appeals Commission Bill (HL), Rep and 3R (26.11.97) 1034
Young offenders (27.11.97) 1101
Questions
Railway transport, Regulatory systems 146–7
World Bank 446–7w

Allen, Mr Graham, Lord Commissioner of Her Majestys Treasury
Debates etc.
Greater London Authority (Referendum) Bill, 3R (26.11.97) 987
Hunting, Public petitions (27.11.97) 1190

Ambulance services
310w
Hoaxes and false alarms 595w
Medals 310w
Northern Ireland 635–6w

Amess, Mr David
Debates etc.
Local government reform, Southend (28.11.97) 1274–8
Reform of Quarantine Regulations Bill, 1R (25.11.97) 800–2
Questions
Industry 671w
Official engagements 222w
Official hospitality, Dept of the Environment Transport and the Regions 10w
Public service 240w
Social security reform 528w
Taxable benefits 565–6w

Amsterdam Summit
605w

Ancram, Rt Hon Michael
Questions
Campbell, Jason, Prisoners' transfers 75–6w, 273w, 676w
Labour Party, Finance 506w

Animal breeding
Dogs 439w
Huntingdon Life Sciences 439w

Animal experiments
93–4w
Cosmetics 217w
Defence Evaluation and Research Agency 228–9w
Disclosure of information 94w, 248w
Institute of Neurology 249w, 612w
Licensing 248–9w
Porton Down 500w

Animal feed
Composition labelling 21w, 120w

Animal Health (Amendment) Bill 1997/98
Debates etc.
2R* (28.11.97) 1273

Animal Procedures Committee
611–2w
Open government 310

Animal quarantine
22–3w, (25.11.97) 800–2, (28.11.97) 1273

Animal welfare
Export of live animals 116–7w
Pets 214w
Pigs (26.11.97) 976–8
Slaughterhouses 119w

Animals (Scientific Procedures) Act 1986
Questions
248–9w

Annuities
Pensioners 111w

Antarctic Treaty
547w

Appendicitis
314w

Arable area payments scheme
278–9w

Argyll and Bute
Educational finance 261–2w

Armagh
Internal security operations 580w

Armagh and Dungannon Health and Social Services Trust
Flags 272w

Armed conflict
Kurds 615w

Armed forces
Bosnia-Herzegovina 66w
Equal opportunities 69w
Radiation hazards 227w
Telephones 498w

Armed forces cadets
Crime prevention 455w
Defence expenditure 391–2w, 561w

Armed forces civilians
Air force bases 564w
RAF Northolt 563–4w

Armed forces deployment
Iraq 406w
Turkey 564w

Armed forces education allowances
70w, 149–51w

Armed forces medical services
Stabilisation Force in Bosnia 498w

Armed forces officers
Education 392w

Armed forces pensions
Widows 71w

Armed forces training
Land use 394w
Military aid 482w
University Air Squadron 602w

Armed forces uniforms
Fire resistant materials 497w

Armed forces women
393w

Arms embargoes
Afghanistan 681w

Arms exports
Export licensing 763
Welsh Development Agency 23w

Arms trade
680–1w
Indonesia 103w

***Armstrong, Hilary**, Minister of State for Local Government and Housing, Dept of the Environment Transport and the Regions*
Questions
Council house rents 557w
Flood control, Standard spending assessments 121–2w
Local Government Commission for England 9w
Local government finance 137–8, 464w
Local government pensions 138
Local government services, Best value 123–4w
Local government services, Contracts for services 336–8w
Revenue support grant 124w
Rough sleepers initiative, Finance 121w
Standard spending assessments, Coal mining 138–9
Valuation tribunals 557–8w

Army
Engineers 244–5w

Army Base Storage and Distribution Agency
Performance standards 695w

Army bases
Colchester 67w

Army in Northern Ireland
321–2w
Death 966
Prisoners 581w

Army strength
601w

Arson
Northern Ireland 378–9w

Art education
30w

Artificial Limb and Appliance Service Wales
Wheelchairs 682–3w

Asbestos
Industrial health and safety 324–5

Asbestosis
Death 231–4w

Ashdown, Rt Hon Paddy
Questions
Class sizes 967–8
Tax rates and bands 321–2

Ashton, Mr Joe
Debates etc.
Coal mining (26.11.97) 912, 914, 918
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 331

Asia-Europe Summit
Human rights 479w

Assaults on police
Lasers 215w

Assisted areas
285w

Asylum
see Political refugees

Atherton, Ms Candy
Debates etc.
NHS, Cornwall (26.11.97) 935–6
Public service (17.11.97) 33

Atkins, Charlotte
Questions
Organic farming 587w
Tuberculosis in Cattle and Badgers Review 587w

Atkinson, Mr David
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1111
Questions
Dietary supplements 641–2w
Millennium compliance 329w
NHS, Millennium compliance 649–50w
Vitamins, Nutrition and health 585w

Atkinson, Mr Peter
Questions
EC grants and loans, Northern region 372w

Atomic Weapons Establishment
Publications 66w

Attorney General
Open government 249w
Press releases 249–50w

Australia
Ethnic groups 476w

Auxiliary oiler replenishment vessels
65–6w

Availability for work
536–7w

Average earnings
Wales 682w

Bain Commission
see Low Pay Commission

Baker, Norman
Debates etc.
Mergers, Points of order (17.11.97) 19
Plant Varieties Bill, Lords amendments (26.11.97) 1045–6, 1048–9, 1052, 1054–5
Public service (17.11.97) 36
Questions
Air pollution control 299w
Animal experiments, Cosmetics 217w
Animal experiments, Disclosure of information 248w
Animal experiments, Licensing 248–9w
Animal Procedures Committee 611–2w
Biotechnology, Patents 62w
British Council, Public records 672–3w
Civil Contingencies Unit 16–7w
Cold weather payments 79w
Defence Evaluation and Research Agency, Animal experiments 228–9w
Electronic surveillance 99w
Environmental Information Regulations 1992 5–6w
Genetically modified organisms 7–8w
House of Commons Commission, Equal opportunities 327w
Institute of Neurology, Animal experiments 249w, 612w

***Baker, Norman**—continued*
Interception of Communications Act 1985 100w
Lewes-Uckfield railway line 626w
Members, Electronic surveillance 17–8w
MI5 101w
MI5, Contracts 101w
MI5, Manpower 101w
MI5, Personal records 218w
MI5, Subversion 101w
MI6 103–4w
Millennium Exhibition, Income 77–8w
Ministerial statements 418–9w
Ministry of Defence, Nottingham 72w
Non-departmental public bodies 316
Nuclear weapons tests, Christmas Island 65w
Official cars, Expenditure 251w
Open government, Expenditure 78w
Organic farming 22w
P and O, Sealink 288w, 419w
Patents, Royalties 106w
Postal services, Surveillance 100w
Prisoners, Telephone tapping 100w
Public records, Abdication 672w
Public records, Royal family 672w
Public records, Whales 672w
Radioactive waste disposal 202–3w
RAF Menwith Hill, Intelligence services 71w
RAF Menwith Hill, US bases 392–3w
Railway travel 145
Security vetting 40–1w
Surveillance 101w
Surveillance, Equipment 288w
Sustainable development 6w
Telephone systems 38–9w
Telephone systems, Emergency services 46–7w
Telephone tapping 38–9w, 99–100w, 218–9w
Telephone tapping, EC action 39–40w
Telephone tapping, Intelligence services 39w
Telephone tapping, International law 610–1w
Telephone tapping, Public telephones 611w
Trees, Air pollution 6–7w
Waste disposal 5w
Water and sewerage companies, Planning permission 303w
Water supply 336w
Xenotransplantation, Departmental responsibilities 270–1w
Xenotransplantation, Pigs 651–2w

Baldry, Mr Tony
Debates etc.
Civil proceedings (21.11.97) 536, 569–72
Coal mining (26.11.97) 914–8
Questions
Citizens' advice bureaux 11–2
Egypt, Terrorism 153
Foreign investment in UK, Departmental coordination 281w
Rehabilitation of offenders 433w

Ballard, Jackie
Debates etc.
Hunting, Public petitions (28.11.97) 1198
Public service (17.11.97) 57
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1204, 1222, 1258–60
Questions
Aerials, Planning permission 620w
Bankruptcy, Millennium compliance 572w
Cattle, Data banks 584w
Driving instruction, Deaf 553w
Health hazards, Mercury 648w

***Ballard, Jackie**—continued*
Local exchange and trading schemes, Earnings rules 140w
Non-departmental public bodies, Women 312–3
Orange badge scheme 553–4w
Pets, Animal welfare 214w
Self-employed, Maternity benefits 569w

Ballot papers
European Parliament elections 606–7w

Bank notes
Forgery 332–3w

Bankruptcy
Millennium compliance 572w

***Banks, Mr Tony**, Parliamentary Under-Secretary of State, Dept for Culture Media and Sport*
Questions
Church buildings, Listed buildings 259w
Heritage Lottery Fund, Expenditure 386–7w
Lake Windermere, Water sports 381–2w
National Lottery, Public opinion 91w
National Lottery, Wansbeck 383–6w
UK Sports Institute 91–2w

Banner Committee
see Animal Procedures Committee

Barents Sea
Telecommunications cables 227–8w

Barnes, Mr Harry
Debates etc.
European Council, Employment (24.11.97) 644
European Parliamentary Elections Bill, 2R (25.11.97) 871
Regional aid, EC grants and loans (19.11.97) 289
Questions
Arson, Northern Ireland 378–9w
Cold weather payments 79w
Egypt, Terrorism 152
Electoral register 616–7
Northern Ireland government 578w
Open government, Fees and charges 316
Parliamentary buildings, Alcoholic drinks 474w
Planning permission, Opencast mining 139–40
Police, Manpower 452–3w
Post offices 438
Republic of Ireland, Foreign policy 761
Tax yields, Internet 661w

Barrages
China 10w

Barron, Mr Kevin
Debates etc.
Coal mining (26.11.97) 918–20, 924

***Battle, Mr John**, Minister of State, Dept of Trade and Industry*
Debates etc.
Coal mining (26.11.97) 915, 924–5, 928–31
Questions
Aerospace industry 283w
Aerospace industry, EC presidency 283–4w
Agricultural development programme, Tax allowances 281w
Biotechnology, Patents 286–7w, 412–3w, 515–6w
British Aerospace, Government assistance 346w
Coal 47–9w
Coal mine closures 447–8
Coal mine closures, Privatisation 446–7

***Battle, Mr John**—continued*
Coal mining 447
Coal mining, Museums and galleries 510w
Coal mining, Privatisation 447
Coal mining, Production 419–20w
Coal mining, Property transfer 48w
Competition 284w
Dounreay, Radiation hazards 325w, 629w
EC Research Council 506–7w
Electricity generation, Coal 345w, 510w
Energy conservation 52w
EURATOM 347w
Fossil fuel levy 417w
Industrial research 283w
Isaac Newton Group of Telescopes 51w
Manufacturing industries 53w, 288–9w
Manufacturing industries, EC action 445–6
Motor industry 437–8
Motor industry, Takeovers 445
Non-fossil fuel obligation 507–10w
Nuclear power 573w
Public telecommunications systems, Business 573–4w
Public telecommunications systems, Deaf 52w
Public telephones 285–6w
"Register of Quality Assessed Companies" 574–5w
Research associations, Tax reform 347–8w
Rolls Royce, Government assistance 515w
Science and technology research 281w
Space technology 287–8w
Surveillance, Equipment 288w
Tobacco advertising, Sports sponsorship 437–8
UN Convention on Biological Diversity 574w

Bayley, Mr Hugh
Debates etc.
European Council, Employment (24.11.97) 644
Hunting, Public petitions (28.11.97) 1197
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1214
Questions
Arms trade 680–1w
Bosnia-Herzegovina, Military vehicles 680w
Climate Change Convention 754–5
EC Foreign Affairs Council 615–7w
Sports 455–6w
Students, Finance 159–60w
Young offenders 970–1

BBC
259w

Beaches
EC law 131w, 462w

Beaufort Dyke
Radioactive waste disposal 409–10w

***Beckett, Rt Hon Margaret**, President of the Board of Trade*
Debates etc.
National Minimum Wage Bill, 1R (26.11.97) 975
Questions
Capital, Companies 54w
Coal mine closures 514w
Coal mining 54w
Company taxation 54w
Competition Bill (HL) 1997/98 416w
Dept of Trade and Industry, Ministerial duties 645–7w
Dept of Trade and Industry, Parliamentary questions 420w
Dept of Trade and Industry, Private finance initiative 511w
Domestic electrical appliances, Retail prices 418w

Beckett, Rt Hon Margaret—continued
Domestic electrical appliances, Retail trade 417–8w
EC internal trade, Harmonisation of legislation 510w
EC Social Charter, EC staff 618w
Economic and monetary union 189w
Euro 54w
Export credit guarantees 552w
Export credit guarantees, Defence equipment 645w
Export credit guarantees, Expenditure 511w
Export licensing 416w
Foreign investment in UK 49–50w
Fossil fuel levy 417w
Gas fired power stations, Departmental responsibilities 420w
Industries, Performance standards 53–4w
Low Pay Commission 420w
Ministerial statements 418–9w
Ministers, Conflict of interests 514w
Ministers, Telephones 420w
Ministers' visits abroad, Dept of Trade and Industry 104–5w
Monopolies and Mergers Commission, Travel agents 52w
P and O, Sealink 288w, 419w
Plutonium, Nuclear safeguards 419w
Publicity, Dept of Trade and Industry 413–5w
Regional selective assistance 514–5w
Scientific advisers 575w
Tobacco advertising, Sports sponsorship 54w, 647w, 678w
Treaty of Amsterdam, Dept of Trade and Industry 647w

Beef
Imports 273–5w
Quality control 229w
Wales 639w

Beef premiums
Costs 278w

Beggs, Mr Roy
Questions
Exhaust emission controls 136–7
Foreign investment in UK 106–7w
Integrated schools, Northern Ireland 955
Road haulage industry, Northern Ireland 550w
Social security abuse 963

Beith, Rt Hon A J
Debates etc.
Electronic tagging (20.11.97) 459
European Council, Employment (24.11.97) 638–9
European Parliamentary Elections Bill, 2R (25.11.97) 805, 812, 815, 819–20, 823, 832–5, 866
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1213–5
Young offenders (27.11.97) 1097
Questions
Castington Young Offender Institution 216–7w
Children's rights 612–3w
Crime prevention, Expenditure 246w
Detection rates 92–3w, 97w
Electronic tagging 440w
European Police Office, Immunity from prosecution 453w
Home Office, Reviews 438–40w
Police, Finance 94–8w
Prison Enterprise Services 247w
Prison Service 618–9
Prison staff, Pensions 219w
Prisoners, Drug abuse 217w
Prisons, Construction 670w

Beith, Rt Hon A J—continued
Prisons, Performance standards 669–70w
Prisons, Private finance initiative 453–4w
Regime Services 219w
Young offenders, Research 611w

Belfast City Hospital
Cancer 637w

Belvoir Park Hospital
637w

Benefit Fraud Inspectorate
Publications 328w

Benefits Agency
see Social Security Benefits Agency

Benefits Agency district offices
Health action zones 445w

Benn, Rt Hon Tony
Debates etc.
Pre-Budget statement (25.11.97) 789–90
Standards and Privileges Select Committee (17.11.97) 92–5, 99
Questions
Biotechnology, Patents 412–3w

Bennett, Mr Andrew F
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1212–3
Questions
Carbon dioxide, Air pollution control 134w
Forestry Commission, Land acquisition 273w
Scottish Parliament, Open government 309

Benton, Mr Joe
Debates etc.
Rescue services (26.11.97) 902

Bercow, Mr John
Debates etc.
Business questions (20.11.97) 471, (27.11.97) 1125
European Communities (Amendment) Bill, Com (27.11.97) 1157, 1161–2, 1168–70, 1175, 1183–8
Intervention during questions after statement (25.11.97) 787
Prime Minister's questions, Points of order (19.11.97) 340
Public service (17.11.97) 23, 26, 35, 41, 54–5, 62–5, 69–71
Tobacco advertising, Points of order (17.11.97) 19
Questions
Competition 449–50
Interest rates, Economic and monetary union 1074–5
Labour Party, Finance 323
Right of silence 431w

Beresford, Sir Paul
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 351, 364, 368–70, 375, 377, 381, 396, (24.11.97) 723, 735, 737

Bermingham, Mr Gerald
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1188
European Parliamentary Elections Bill, 2R (25.11.97) 836, 838–9, 842, 845–7, 872
Young offenders (27.11.97) 1100
Questions
Crown Prosecution Service 667w
Sentencing 618

Best, Mr Harold
Debates etc.
Wharfedale Hospital (27.11.97) 1192–3

Best value
Local government services 123–4w

Bicycles
Members' allowances 409w

Billing
Government departments 662–3w

Biocidal products
EC law 366–7w

Biological weapons
Iraq 768–9

Biotechnology
Patents 62w, 286–7w, 412–3w, 515–6w

Birmingham Relief Road
143

Blair, Rt Hon Tony, Prime Minister, First Lord of the Treasury and Minister for the Civil Service
Debates etc.
European Council, Ministerial statements (24.11.97) 633–45
Questions
A46 966–7
Amsterdam Summit 605w
Army in Northern Ireland, Death 966
Asbestos, Industrial health and safety 324–5
Cabinet committees 269w
Chequers 270w
Children in care, Task forces 407w
Civil Contingencies Unit 16–7w
Civil service recruitment 15w
Class sizes 967–8
Council of Europe, UK delegations 408w
Day care of children 671w, 967
Day care of children, Vetting 971–2
Dept of Trade and Industry, Oral questions 603w
Diabetes, Driving licences 603–4w
Diabetes, EC law 325
D'Oyly Carte, Finance 324
Economic and monetary union, Business 459w
Educational finance 968
Environment Agency 17w
Film industry 409w, 671w
Government information services 604w
Handicap benefits 964–6
Hospital waiting lists 326
Incapacity benefit 968
Industry 671w
International conferences, Canary Wharf 270w, 408w
Iraq 605w
Iraq, Armed forces deployment 406w
Iraq, Foreign policy 323
Labour Party, Finance 17w, 318–23, 405w, 969
Manchester United Football Club, Carrington Moss 407–8w
Members, Electronic surveillance 17–8w
Ministerial policy advisors, Conflict of interests 408w
Ministers, Conflict of interests 269–70w, 603w
Ministers, Electronic mail 267w
Ministers' domestic visits 604w
Ministers' visits abroad, Prime Minister 267w
Murdoch, Rupert 603w
National Assembly of Wales 968–9
Official engagements 222w
Pensions 964

Blair, Rt Hon Tony—*continued*
Political parties, Finance 269w, 318–9, 405w, 969–70
Politics and government 971–2
Prime Minister 408w
Prime Minister, Diaries 271w
Princess of Wales, Funerals 407w
Public opinion 968
Public transport, Rural areas 222w
Race relations 970
Safeguards Against Abuse of Children Living Away From Home Review 323
Sainsbury, Lord 406w
Social problems 321
Social security abuse 963
Solar power 325
Supermarkets, Planning permission 405–6w
Tax rates and bands 321–2
Teachers 969
Tobacco advertising, Sports sponsorship 15–6w, 268–9w, 324, 405w, 603w
Treasury, Reviews 406–7w
Unemployment, EC action 322
Xenotransplantation, Departmental responsibilities 270–1w
Yemen 17w
Young offenders 970–1

Blears, Ms Hazel
Debates etc.
Civil proceedings (21.11.97) 585–8
Electronic tagging (20.11.97) 461
Questions
Local government services, Best value 123w

Blind
Concessionary television licences 180w

Blizzard, Mr Bob
Debates etc.
MV Gaul, Shipping accidents (25.11.97) 881–2
Public service (17.11.97) 25–6, 42–3
Questions
Assisted areas 285w
Coastal protection, Waveney 668w
Driving licences, Medical examinations 466w
Environment Agency 17w
Firearms, Compensation 41w
Neighbourhood nuisance 434w
Ports, Roads 143
Public footpaths 133w
Social security appeals 15–6
Teachers 969

Blood
170–1w
Exports 311w
Fees and charges 169w

Blood donors
Surveys 170w

"Blood Donors and Exports"
170w

Blood tests
Malaria 169w

Blood transfusion services
171w

Bloomfield Commission
see Northern Ireland Victims of Violence Commission

***Blunkett, Rt Hon David**, Secretary of State for Education and Employment*
Questions
Dept for Education and Employment, Public expenditure 588–90w

Blunt, Mr Crispin
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1172–4, 1182–3
Questions
C130 aircraft 64w
C130 aircraft, Employment opportunities 64w
Egypt, Terrorism 154
Future large aircraft, Defence procurement 64w
Kashmir, Foreign policy 474w

***Boateng, Mr Paul**, Parliamentary Under-Secretary of State, Dept of Health*
Questions
Accident and emergency departments, Research 591w
Ambulance services 310w
Ambulance services, Hoaxes and false alarms 595w
Ambulance services, Medals 310w
Appendicitis 314w
Blood 170–1w
Blood, Exports 311w
Blood, Fees and charges 169w
Blood donors, Surveys 170w
Blood tests, Malaria 169w
Blood transfusion services 171w
Breast cancer, Radiotherapy 595w
Cannabis, Medical treatments 596w
Children in care 174–5w
Children in care, Court orders 592w
Children in care, Staffordshire 591–3w
Children in care, Task forces 596w
Chronic fatigue syndrome, Medical research 684w
Community care, Judgments 596w
Community Care (Direct Payments) Act 1996 519w
Community hospitals, Norfolk 174w, 316–7w
East Lancashire Health Authority, Kidney patients 309w
Hearing aids 172w
Home care services 63w, 656w
Home care services, Regulatory systems 58w
Hospital admissions, Weather 319–20w
Hospital beds 655–6w
Hospital discharges 430w
Hospital patients 184w
Hospitals, Performance standards 426w
Incontinence 172–3w
Long-Term Care Charter 686–7w
Long-Term Care Royal Commission 687w
Mental health services 428w
Mental health services, Hospital beds 653–4w
Mental illness 428w
Mental illness, Costs 428w
Mental illness, Departmental coordination 428w
Mental patients 650–1w
Merseyside and North Wales Blood Service, Public appointments 522w
National Blood Authority 169w
National Blood Authority, Finance 171–2w
National Blood Authority, Public appointments 309w
National Blood Transfusion Service, Finance 170w, 172w
National Blood Transfusion Service, Performance standards 171w
National Blood Transfusion Service, Redundancy 171w
NHS, Age discrimination 520w
Political refugees, Government grants to local authorities 173–4w

Boateng, Mr Paul—*continued*
Political refugees, Kent 683–4w
Political refugees, Local government expenditure 173–4w
Residential care, Drugs 60w
Safeguards Against Abuse of Children Living Away From Home Review 314w, 344w
Surgery 684–5w
Surgery, Hospital admissions 656w
Trauma centres 425w
Varicose veins 517w
Xenotransplantation, Pigs 651–2w

Boats
River Thames (24.11.97) 746–52

Body, Sir Richard
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1254–6
Questions
Euro 658w
Hormones, Health hazards 134w
Multiannual guidance programme, Fishing vessels 584–5w
Overseas students, Eastern Europe 607–8w
Pension rights, EC staff 547–8w
Princess of Wales, Funerals 407w
Telecommunications technology, Privacy 399w

Bomb disposal
Mines 493w

Bombings
African National Congress 609w
Dublin 109–10w
Lockerbie 766–7
Monaghan 109–10w

Bombs
Northern Ireland 634w

Borders region
Students 141w

Borrow, Mr David
Questions
Aerospace industry, EC presidency 283–4w
Army, Engineers 244–5w
Drug prevention initiative 248w

Bosnia-Herzegovina
Armed forces 66w
Military vehicles 680w
Overseas aid 493w

Boswell, Mr Tim
Debates etc.
Personal pensions (18.11.97) 157–8
Public Accounts Committee (20.11.97) 515–8
Questions
Pay 1078–9
Pension funds 537–8w
Poverty 535w
Roads, Reviews 126w

Bottomley, Mr Peter
Debates etc.
Public service (17.11.97) 67
Standards and Privileges Select Committee (17.11.97) 105–7
Questions
Civil service recruitment 15w
Crime 454w
Labour Party, Finance 17w
Race relations 970
Tobacco advertising, Sports sponsorship 15–6w
VAT, Museums and galleries 674w

Bottomley, Rt Hon Virginia
Debates etc.
Pre-Budget statement (25.11.97) 798
Public service (17.11.97) 47–53, 61
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 334–5
Questions
Car boot sales 50w
Chechnya, Kidnapping 11w
Citizen's Charter 238w
Creative Industries Task Force 13w
Dept of Health, Ministerial policy advisors 311w
Foreign investment in UK 758–9
Low Pay Commission 441–2
Minimum wage 442
NHS trusts, Public appointments 58w
Young offenders, Prison population 629–30

Bovine spongiform encephalopathy
229w, 279w
Disease control 524–5w, 663w, (26.11.97) 1058–68
USA 276w
Wales 502w

Bovine tuberculosis
Agricultural research 275w

***Bradley, Mr Keith**, Parliamentary Under-Secretary of State, Dept of Social Security*
Questions
Benefits Agency district offices, Health action zones 445w
Child Support Agency 14, 289–90w, 532–3w
Child Support Agency, Administrative delays 86–7w
Child Support Agency, Manpower 87–8w
Earnings top-up 140w
Employment Service local offices, Grays 534w
Family credit 140–1w
Family credit, Taxpayers 445w
Habitual residence test 527w
Housing benefits 224–5w, 445–6w
Housing benefits, Children 224w
Housing benefits, Greater London 222–4w
Housing benefits, Young people 5–6
Incapacity benefit, Employment 567w
Income support 535w
Income support, Handicapped 225–6w
Income support, Mortgages 329w, 570w
Income support, Student loans 225w
Jobseeker's allowance 82w, 225w, 329w, 529w
Jobseeker's allowance, Social security appeals 82w
Jobseeker's allowance, Social security recipients 675–6w
Lone parent families, Social security recipients 537w
Lone parents 80–1w
Lone parents, Day care of children 81w
Lone parents, Social security recipients 81–2w
Lone parents, Take-up of employment 526–7w
Maintenance, Children 14, 17–8, 442w
Means tested benefits, Social security recipients 526w
Ministers' visits abroad, Germany 291w
Mortgages, Income support 140w
New deal for lone parents 445w, 540w, 664w
New deal for lone parents, Income support 664w
Poverty 535w

***Bradley, Mr Keith**—continued*
Refugees, Montserrat 290–1w
Social security, Domestic violence 528w
Social security appeals 15–6
Social security benefits, Civil servants 328w
Social security benefits, Political refugees 139w
Social security benefits, Telephone services 82–3w
Social Security Benefits Agency, Social security recipients 86w
Social security benefits backdating, Costs 540w
Social Security Bill 1997/98 537w
Social security payments 83w
Social security recipients, Taxpayers 444w
Social security reform, Wisconsin 538–9w
Social services 538w
Supported housing 138–9w
Unemployed, Poverty 83w

Bradley, Mr Peter
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1226, 1250
Questions
Army Base Storage and Distribution Agency, Performance standards 695w
China, Prisoners 11w
India, Immigration applications 761

Bradshaw, Mr Ben
Questions
Economic and monetary union 284w

Brady, Mr Graham
Debates etc.
Business questions (20.11.97) 470, (27.11.97) 1124
Civil proceedings (21.11.97) 542, 544, 583–5, 590
Electronic tagging (20.11.97) 460
Parliamentary questions, Points of order (26.11.97) 974
Questions
Class sizes, Primary education 155w
Employment, Northern Ireland 579w
Manchester United Football Club, Carrington Moss 336w, 376w, 407–8w
New deal for young unemployed 33w
Trade competitiveness 280–1w
Youth unemployment 765

Brake, Mr Tom
Debates etc.
Greater London Authority (Referendum) Bill, 3R (26.11.97) 1017–8
Questions
Airport tax, Charities 257w
Bus lanes 368w
Bus lanes, Prosecutions 368w
Bus lanes, Road traffic offences 437–8w
Climate Change Convention, Carbon dioxide 369w
English Partnerships, Investment 370–1w
Housing construction, Urban areas 461w
Land pollution 301–2w
Landfill tax, Tax yields 467w
London Underground, Finance 137w
Members' allowances, Bicycles 409w
Railway network 461–2w
Rolling stock, Repairs and maintenance 460w
Sewers 335w
VAT, Building alterations 469w

Brand, Dr Peter
Debates etc.
Public service (17.11.97) 42, 47

Brazier, Mr Julian
Debates etc.
British Board of Film Classification, Standing Order No 24 applications (24.11.97) 646
Questions
Biocidal products, EC law 366–7w
EC institutions, Economic regions 297w
EC regional policy, Local authorities 303w
Economic and monetary union 357–8w
Gibraltar airport, Landing rights 397w
Housing benefits, Young people 6
Ministers' visits abroad, Germany 291w
Treaty of Amsterdam, Capital punishment 247w
Treaty of Amsterdam, EC labour policy 255w
Treaty of Amsterdam, Ministry of Defence 393w
Treaty of Amsterdam, Religion 247w

Brazil
Ethnic groups 261w

Breast cancer
Radiotherapy 595w
Screening 519–20w

Breed, Mr Colin
Questions
Family practitioner services, Counselling 341w
NHS pensions, Early retirement 307–8w
NHS Pensions Agency, Doctors 308–9w
Retail trade, EC countries 450

Brewing industry
Progressive taxation 257w

Bridges
Road works 1–2w

Brinton, Mrs Helen
Questions
Central Europe, Export promotion 477w
Environment protection, Business 135–6
"Household Growth Consultation Paper" 200w
Pensions 84w
Social rented housing, Housing construction 5w
Solar power 325
Water supply 133w, 198w
Water supply, Development plans 198w

Bristol
Cold weather payments 139–40w

British Aerospace
Government assistance 346w, 359w, 381w, 435–6

British Board of Film Classification
Standing Order No 24 applications (24.11.97) 646

British Broadcasting Corporation
see BBC

British Council
Public records 672–3w

British dependent territories
259w
Euro 614w

British embassies
India 102w

British Indian Ocean Territory
Mineral resources 10w

British Rail
Planning obligations 129w

British residents abroad
Retirement pensions 569–70w

British Telecom
Shares 574w

Broadcast journalism
Sports 180w

Broadcasting Act 1990
Questions
457w

Broadcasting Act 1996
Questions
455–7w

Broadcasting engineering
Scotland 457w

Bronchitis
Coal mining 568w

Brooke, Rt Hon Peter
Debates etc.
Greater London Authority (Referendum) Bill, Com (24.11.97) 668–9, 679, 697–8, 706–7
Greater London Authority (Referendum) Bill, 3R (26.11.97) 1025–6
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 175
Personal pensions (18.11.97) 160
Pre-Budget statement (25.11.97) 787
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1229–32

Brookes, John
Disclosure of information 497–8w

Brown, Rt Hon Gordon, Chancellor of the Exchequer
Debates etc.
Pre-Budget statement, Ministerial statements (25.11.97) 773–98
Questions
Commemorative coins 550w
Corporation tax 1070–1
Dorneywood 115w, 236w
EC Finance Council 549–50w
Economic and monetary union 18w
Economic and monetary union, Business 657w, 1087–8
Economic and monetary union, Costs 1077
Economic and monetary union, Interest rates 659w, 1076
Economic policy 1082
Inflation 660w
Interest rates 658–9w
Interest rates, Disposable income 659w
Lone parents 1076–7
Standing Committee on Preparations for EMU, Small businesses 1076
Tax and Benefits Task Force 358w
UK membership of EC 1070
Welfare to work 659–60w

Brown, Mr Russell
Questions
Local government services, Contracts for services 336–8w

Browne, Mr Desmond
Questions
Supported housing 138–9w

Browning, Mrs Angela
Debates etc.
European Council, Employment (24.11.97) 640
Public service (17.11.97) 36–44, 68
University finance (19.11.97) 279–81
Questions
Disability living allowance 675w
EC Social Charter 766

Bruce, Mr Ian
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1112–3
Oral question time intervention (18.11.97) 144, (27.11.97) 1073
Rescue services (26.11.97) 889, 894, 898, 900–2, 908
Rescue services, Points of order (17.11.97) 79
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1209
Questions
Fiscal policy 1078
Higher education 30–1w
HM Coastguard, Manpower 335–6w
Ministerial policy advisors, Conflict of interests 408w
Nigeria, Democracy 474w
Prime Minister 408w
Student loans 362w
Teachers, Pay 32–3w
Tourism, Northern Ireland 580–1w

Bruce, Mr Malcolm
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1108–9
Pre-Budget statement (25.11.97) 784
Public service (17.11.97) 72
Questions
Civil servants' visits abroad, Dept for Culture Media and Sport 12–3w
Civil servants' visits abroad, Dept for International Development 446w
Civil servants' visits abroad, Dept of Social Security 443–4w
Civil servants' visits abroad, Foreign and Commonwealth Office 395w
Civil servants' visits abroad, Treasury 113–4w
Contingency Reserve 111w
Disposable income 256w
Inflation 1077–8
Millennium compliance, Treasury 110w
Ministerial policy advisors 472–3w
Ministers' visits abroad, Chancellor of the Duchy of Lancaster 78w, 242w
Ministers' visits abroad, Dept for Culture Media and Sport 382w
Ministers' visits abroad, Dept for Education and Employment 158w
Ministers' visits abroad, Dept of Trade and Industry 104–5w
Ministers' visits abroad, Ministry of Defence 559–60w
Ministers' visits abroad, Northern Ireland Office 379w
Ministers' visits abroad, Prime Minister 267w
NHS finance, Northern Ireland 636w
NHS finance, Scotland 501w
NHS finance, Wales 503w
Official hospitality, Dept for Culture Media and Sport 13–4w
Official hospitality, Dept for International Development 494w
Official hospitality, Dept of Health 320w
Official hospitality, Dept of Social Security 442–4w
Official hospitality, Dept of the Environment Transport and the Regions 2w
Official hospitality, Foreign and Commonwealth Office 394–5w
Official hospitality, Scottish Office 627w
Official hospitality, Treasury 112–4w
Public expenditure 18w
Publicity, Dept for Culture Media and Sport 14w

Bruce, Mr Malcolm—continued
Publicity, Dept of Health 175–6w
Publicity, Dept of Social Security 443w
Publicity, Dept of Trade and Industry 413–5w
Publicity, Foreign and Commonwealth Office 395–6w, 618–9w
Publicity, Treasury 113–4w
Taxation 255–6w

Bruton dam
411w

Buck, Ms Karen
Debates etc.
Greater London Authority (Referendum) Bill, 3R (26.11.97) 996–1000, 1003, 1009
Questions
EC Education Council 486–7w
Education action zones 697w
Housing benefits 224–5w
Housing benefits, Children 224w
Housing benefits, Greater London 222–4w

Budget
Environmental audit 469w

Building alterations
VAT 469w

Building regulations
626w

Buildings
Ministry of Defence 602w

Burden, Mr Richard
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 817–8, 824–32, 865, 867
Questions
Smoke alarms, Council housing 623–4w

Burglary
Sentencing 618, 624–5

Burgon, Mr Colin
Questions
Police, Northern Ireland 380w

Burma
Human rights 481w
Prisoners of war 243w

Burnett, Mr John
Debates etc.
Civil proceedings (21.11.97) 538, 566, 575–8
Public service (17.11.97) 37
University finance (19.11.97) 268
Questions
Housing benefits 445–6w
NHS finance 430w
Small claims 377w

Burns, Mr Simon
Debates etc.
Health services, Essex (18.11.97) 220–4, 233–4, 236
Questions
Availability for work 536–7w
Child Support Agency 533w
Disability living allowance 538w
Income support 535w
Indonesia, Foreign policy 474w
Mid Essex Hospital Services NHS Trust, Hospital waiting lists 429w
New deal for lone parents 10–1
Official engagements 139w
Pensions review 539w
Pensions review, Christmas bonus 537w
Public service 242w
Road traffic 128w
Social security reform, Wisconsin 538–9w
Welfare to work, Chronically sick 535w
Welfare to work, Handicapped 535w

Burstow, Mr Paul
Debates etc.
Business questions (20.11.97) 472
Greater London Authority (Referendum) Bill, Com (24.11.97) 652–3, 691–2, 694–5, 697
Public service (17.11.97) 25, 55–9
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 331–2
Questions
British Rail, Planning obligations 129w
Building regulations 626w
Children in care, Task forces 407w, 596w
Community care, Judgments 596w
Community Care (Direct Payments) Act 1996 519w
Computers in National Health Service 60w
Concessionary television licences, Blind 180w
Criminal proceedings, Mentally disadvantaged 628
Day care of children 671w
Disability Discrimination Act 1995 164w
Disabled workers, USA 160–1w
General practitioners, Nursing homes 425w
General practitioners, Pay 60w
Greater London Authority, Referendums 465w
Health authorities, Contracts 343w
Health authorities, Finance 651w
Home care services 656w
Incapacity benefit, Employment 567w
Incontinence 172–3w
Industrial injuries 1w
Local government finance 137–8, 464w
Local government functions 624–5w
Long-Term Care Charter 686–7w
Long-Term Care Royal Commission 687w
NHS finance 343w
NHS finance, Weather 343–4w
Paedophilia, Rehabilitation of offenders 656w
Pensioners, Income support 85w
Pharmacists, Community health services 649w
Political refugees, Government grants to local authorities 173–4w
Political refugees, Local government expenditure 173–4w
Prescriptions, Elderly 61w
Public telecommunications systems, Deaf 52w
Residential care, Drugs 60w
Residential care, Sedatives and hypnotics 59–60w
Social security 139w
Treasury, Reviews 406–7w
Wheelchair Working Group 200w

Bus lanes
368w
Prosecutions 368w
Road traffic offences 437–8w

Bus services
691–3w

Bus services subsidies
692w

Buses
Parking 369–70w

Business
EC action 52–3w
Economic and monetary union 459w, 657w, 1087–8
Economic policy 661w
Environment protection 135–6, 760–1
Higher education 33–4w
Public telecommunications systems 573–4w

Business motions
Scottish Grand Committee (21.11.97) 606

Business statements
(20.11.97) 464–73, (27.11.97) 1117–28

Byers, Mr Stephen, Minister for School Standards, Dept for Education and Employment
Debates etc.
Public service (17.11.97) 70–3
Questions
Class sizes, Primary education 155w
Education action zones 697w
Educational finance 487w, 697–8w
"Excellence in Schools White Paper" 29–30w
Grammar schools, School admission 492w
Playing fields, Land acquisition 161–2w
School buildings 365–6w
School buildings, Leicestershire 698w
Teachers, Pay 32–3w
Teachers, Vacancies 339w

C130 aircraft
64w
Employment opportunities 64w

Cabinet committees
269w

Cabinet Office
Treaty of Amsterdam 250w

Cable, Mr Vincent
Debates etc.
Greater London Authority (Referendum) Bill, Com (24.11.97) 688–9, 726–7
Port of London Authority, Moorings (24.11.97) 747–50
Questions
Science and technology research 281w

Caborn,Mr Richard, Minister for the Regions Regeneration and Planning, Dept of the Environment Transport and the Regions
Questions
EC institutions, Economic regions 297w
EC regional policy, Local authorities 303w
"Household Growth Consultation Paper" 200w
Housing construction, Land pollution 121w
Planning permission 121w
Regional development agencies 124w, 132–3
Regional government 123w
Regional government, North West region 133
Shopping centres, Planning permission 335w
Supermarkets, Planning permission 461w
Urban areas, Greenwich 334w

Cambridge University
Cost per student 338w
Higher education admission 363–4w, 590w
University finance 33w

Cameras
Speed limits 129w

Campbell, Mr Alan
Debates etc.
Public Accounts Committee (20.11.97) 508–10
Questions
Museums and galleries, Government grants 322–4w

Campbell, Mrs Anne
Debates etc.
Plant Varieties Bill, Lords amendments (26.11.97) 1051–2, 1054

Campbell, Mrs Anne—continued
University finance (19.11.97) 265, 267–71, 276
Questions
Agricultural production, Disclosure of information 116w
Commuters 136
Land pollution 116w

Campbell, Jason
Prisoners' transfers 75–6w, 273w, 676w

Campbell, Mr Menzies
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1137
Public service (17.11.97) 40–1
Questions
Japan, Economic situation 758
Middle East, Terrorism 150–1
Mines 561w
Mines, Treaties 398–9w

Campbell, Mr Ronnie
Debates etc
Young offenders (27.11.97) 1102
Questions
Housing construction, Urban areas 306w

Campbell-Savours, Mr Dale
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 809
Oral question time intervention (27.11.97) 1074
Pre-Budget statement (25.11.97) 797
Standards and Privileges Select Committee (17.11.97) 92, 109, 113–7
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1243
Questions
Beaufort Dyke, Radioactive waste disposal 409–10w
Interest rates 659w
Jobseeker's allowance 82w
Special constables 622–3
Terrorism 151–2

Canada
Greenhouse effect 195w
Ministers' visits abroad 767–8

Canary Wharf
International conferences 270w, 408w

Canavan, Mr Dennis
Debates etc.
Business questions (27.11.97) 1123
Questions
Civil service, Industrial relations 236w
Departmental responsibilities, Scotland 283w
Northern Ireland government 578w

Cancer
see (also) Breast cancer, Lung cancer

Cancer
425–6w
Belfast City Hospital 637w
Meat 517–9w
Medical treatments 637w

Cannabis
Medical treatments 596w

Capital
Companies 54w

Capital punishment
Treaty of Amsterdam 247w

Caplin, Mr Ivor
Debates etc.
Personal pensions (18.11.97) 159

Caplin, Mr Ivor—continued
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1249
Questions
Animal Procedures Committee, Open government 310
Economic and monetary union, Business 657w
Financial services, Regulatory systems 333w
Insurance, Regulatory systems 661–2w
Israel 475w

Car boot sales
50w

Carbon dioxide
Air pollution control 134, 134w, 135, 295w, 755
Climate Change Convention 369w

Cardiff Bay Development Corporation
Urban development grants 640w

Carriage by Air Acts (Application of Provisions) (Fourth Amendment) Order 1997
Debates etc.
(25.11.97) 878

Carrington Moss
Manchester United Football Club 336w, 376w, 407–8w

Cars
144

Casale, Mr Roger
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1134, 1146, 1165
Questions
Integrated schools, Northern Ireland 583w

Cash, Mr William
Debates etc.
Coal mining (26.11.97) 916
European Communities (Amendment) Bill, Com (27.11.97) 1138, 1141–2, 1144–9, 1155, 1188
European Parliamentary Elections Bill, 2R (25.11.97) 806–7

Castington Young Offender Institution
216–7w

Catering
Prisons 609w

Caton, Mr Martin
Questions
Safeguards Against Abuse of Children Living Away From Home Review 323

Cattle
524w
Data banks 584w
Transport of animals 277w, 279w, 523–4w

Causeway Hospital
962–3

Cawsey, Mr Ian
Debates etc.
Electronic tagging (20.11.97) 461
European Parliamentary Elections Bill, 2R (25.11.97) 855–9
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1220
Young offenders (27.11.97) 1103

Cellular phones
Electronic surveillance 441w
Road safety 305–6w

CELTEC
639w
Subsidiary companies 639–40w

Central Africa
EC external relations 399w
Refugees 399w

Central Europe
EC enlargement 679w
Export promotion 436–7, 477w

Chairman of Committee of the Whole House
Debates etc.
Amendments and new clauses (19.11.97) 346, 387, 423–4, (24.11.97) 647, 695, 703, 716, (27.11.97) 1129
Conduct of proceedings (19.11.97) 346, 358, 362, 372, 376–7, 389–90, 392, 395, 414, (24.11.97) 706, 734, (27.11.97) 1144, 1167

Challenger tanks
72w

Chancellor of the Duchy of Lancaster
Electronic mail 389–90w
Ministers' visits abroad 78w, 242w
Press releases 250–1w
Public appointments 669w

Chancellor of the Exchequer
see Treasury

Channel tunnel
Railway network 126w
West coast railway line 555w

Chapman, Mr Ben
Questions
Local broadcasting, Television reception 457w
Radio frequencies 443

Chapman, Sir Sydney,
Debates etc.
Greater London Authority (Referendum) Bill, Com (24.11.97) 678
Questions
Carbon dioxide, Air pollution control 134–5
EC common foreign and security policy, UK contributions to EC budget 476w
Electoral register 617
Interest rates 659w
Metropolitan Police, Manpower 432w
Social security benefits, Telephone services 82–3w
Teachers, Vacancies 339w

Charities
1080
Airport tax 257w
Intellectual property 614w
Shops 1079
Taxation 230w, 660w, 1079–80

Chartermark scheme
NHS trusts 237w

Chatham Dockyard
Radiation hazards 497w, 562w, 694w

Chechnya
Kidnapping 11w

Chemical weapons
72w
Health hazards 147–8w, 310w

Chequers
270w

Chidgey, Mr David
Debates etc.
Business questions (27.11.97) 1128
Questions
Charities, Intellectual property 614w
Chartermark scheme, NHS trusts 237w
Funerals, Consumer protection 191–2w

Chidgey, Mr David—continued
Mortuary, Contracts for services 192w, 344w

Child benefit
533–4w

Child care
361w
Training 587w

Child health
Lead pollution 686w

Child Support Agency
14, 289–90w, 532–3w
Administrative delays 86–7w
Appeals 442w
Manpower 87–8w

Children
Disability living allowance 665–6w
Evidence 606w
Housing benefits 224w
Maintenance 14, 17–8, 80w, 442w, 532–3w
Personal injury 326w
Road accidents 195w
Road safety 137–8w, 372w
Sexual offences 606w
Smoking 264w
Trading standards 282w

Children in care
174–5w
Court orders 592w
Scotland 184w
Staffordshire 591–3w
Task forces 407w, 596w
West Midlands 591–3w

Children's rights
612–3w

China
Barrages 10w
Foreign relations 477w
Police 177w
Prisoners 11w

Chinook helicopters
Air safety 152–3w
Aircraft engines 151–2w
Computers 69w

Chiropodists
26–7w
Northern Ireland 28w

Chiropody
26–8w
Scotland 73–5w

Chisholm, Mr Malcolm, Parliamentary Under-Secretary of State, Scottish Office
Questions
Educational finance, Argyll and Bute 262w
Forestry Commission, Land acquisition 142–5w
Local Government Act 1988 (Competition) (Scotland) Regulations 1997 145w
Local government finance, Scotland 677w
Montserrat, Refugees 262w
Roads, Scotland 145w
Scottish Environment Protection Agency, Finance 147w
Treaty of Amsterdam, Scottish Office 263w
Uniform business rate, Scotland 75w

Chlorofluorocarbons
Medical equipment 316w, 345w

Chope, Mr Christopher
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1115

Chope, Mr Christopher*—*continued
Questions
Employment opportunities, Lone parents 6–7
Incapacity benefit 968
New deal for lone parents 6–7
Road construction 142

Christianity
Millennium Exhibition 388w

Christmas bonus
571w
Pensions review 5, 537w

Christmas Island
Nuclear weapons tests 64–5w

Chronic fatigue syndrome
141w
Medical research 684w
Northern Ireland 271–2w

Chronically sick
Welfare to work 535w

Chronically Sick and Disabled Persons (Amendment) Bill (HL) 1997/98
Debates etc.
2R order read (28.11.97) 1273

Church buildings
Listed buildings 259w

Citizens' advice bureaux
11–2

Citizen's Charter
238w, 313–4
Expenditure 471–2w

Civil Aviation Authority
128w

Civil Contingencies Unit
16–7w

Civil Evidence (Northern Ireland) Order 1997
Debates etc.
(27.11.97) 1189

Civil proceedings
(21.11.97) 531–606
Legal costs 254w
Northern Ireland (27.11.97) 1189

Civil servants
Political impartiality 236–7w, 553w
Social security benefits 328w

Civil servants' visits abroad
Dept for Culture Media and Sport 12–3w
Dept for International Development 446w
Dept of Social Security 443–4w
Foreign and Commonwealth Office 395w
Treasury 113–4w

Civil service
Handicapped 236w
Industrial relations 236w
Public expenditure 240w

Civil service manpower
Scotland 240–1w
VAT registration 467–8w

Civil service recruitment
15w

Clapham, Mr Michael
Questions
Asbestos, Industrial health and safety 324–5
Asbestosis, Death 231–4w
Bronchitis, Coal mining 568w
Mesothelioma, Death 203–10w

Clappison, Mr James
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 864–8
Special Immigration Appeals Commission Bill (HL), Rep and 3R (26.11.97) 1033–4
Questions
Closed circuit television, Finance 541w
Cold weather payments 79w
Drug crimes, Prisoners' release 620
Electronic tagging, Prisoners' release 440w, 608w
Sexual offences, Sentencing 608–9w

Clark, Rt Hon Alan
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 359–60
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 202–5
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1200, 1225–7

Clark, Rt Hon Dr David, Chancellor of the Duchy of Lancaster
Debates etc.
Millennium compliance, Ministerial statements (27.11.97) 1104–16
Questions
Animal Procedures Committee, Open government 310
Civil servants, Political impartiality 236–7w
Civil service, Public expenditure 240w
Civil service manpower, Scotland 240–1w
Compliance cost assessments 90w
Electronic government 239–40w
Electronic mail, Chancellor of the Duchy of Lancaster 389–90w
Food Standards Agency 239w
Government 311–2
Government departments, Internet 390w
Lords Lieutenant, Ethnic minorities 323w
Ministerial policy advisors 237w, 317, 472–3w
Ministers, Electronic mail 312
Ministers' visits abroad, Chancellor of the Duchy of Lancaster 78w, 242w
Non-departmental public bodies 238w, 316
Non-departmental public bodies, Disclosure of information 238–9w, 315–6
Non-departmental public bodies, Local government 314–5
Non-departmental public bodies, Open government 314
Non-departmental public bodies, Public appointments 314
Open government 239w, 309, 315, 317
Open government, Contracts for services 309–10
Open government, Expenditure 78w
Open government, Fees and charges 316
Open government, Ministers' visits abroad 310
Press releases, Chancellor of the Duchy of Lancaster 250–1w
Press releases, Internet 241w
Public appointments, Chancellor of the Duchy of Lancaster 669w
Public service 240w, 242w
Public service, Local government 238w
Referendums 315
Scottish Parliament, Open government 309
Sex discrimination, Judgments 186–7w

Clark, Dr Michael
Questions
Air traffic, Greater London 296–7w
Social security, EC countries 13

Clark, Mr Paul
Debates etc.
Climate Change Convention (19.11.97) 251–4
Maiden speech (19.11.97) 251–4

Clarke, Mr Charles
Questions
Japan, Foreign policy 757–8
Public appointments, Non-departmental public bodies 115w

Clarke, Mr Eric
Debates etc.
Coal mining (26.11.97) 921–2
Questions
Compost 621w
Drugs and crime 619

Clarke, Rt Hon Kenneth
Debates etc.
Pre-Budget statement (25.11.97) 785–6

Clarke, Rt Hon Tom, Minister for Film and Tourism, Dept for Culture Media and Sport
Questions
Electronic mail, Dept for Culture Media and Sport 383w
Film distribution 11–2w
Film industry 11w, 90–1w
Foreign tourists 387–8w
Foreign tourists, Economic and monetary union 387w
Hotels 91w
Tourist industry 385w
Tourist industry, East Midlands 258w

Class sizes
967–8
Primary education 155w

Clergy
Stabilisation Force in Bosnia 498–9w

Clifton-Brown, Mr Geoffrey
Debates etc.
Greater London Authority (Referendum) Bill, Com (24.11.97) 738, 740–1, 744
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1247
Questions
Armed forces education allowances 149–51w
Industrial research 283w
Legislation, Dept of Social Security 527w
London Underground, Fares 140
Non-departmental public bodies, Public appointments 314

Climate Change Convention
122w, (19.11.97) 239–59, 294w, 464w, 556w, 754–5
Carbon dioxide 369w

Clinical audit
342w

Closed circuit television
630–1
Finance 541w, 631

Clothing
Lord Chancellor's Dept 226w

Clwyd, Ann
Debates etc.
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 335
Questions
BBC 259w
Central Europe, EC enlargement 679w
Church buildings, Listed buildings 259w

Clwyd, Ann—continued
Defence equipment, Exhibitions 482w, 496w
Defence Export Services Organisation 69w
Defence land, Exhibitions 68w
Economic and monetary union, Interest rates 659w
Electronic surveillance, Cellular phones 441w
Export licensing, Statistics 345–6w
NATO 678–9w
NATO, Gibraltar 679–80w
NATO, Russia 679w
War crimes 769
Welsh Development Agency, Arms exports 23w

Clydach Hospital
Injuries 263w

Coaker Mr Vernon
Debates etc.
Public service (17.11.97) 45–6
Questions
Council house rents 557w
Government 312
Local government services, Best value 123–4w
Pensions review 8

Coal
47–9w
Electricity generation 345w, 510w

Coal Authority
48w

Coal consumption
419–20w

Coal mine closures
447–8, 514w
Privatisation 446–7

Coal mining
54w, 134, 447, (26.11.97) 910–31
Bronchitis 568w
Emphysema 568w
Museums and galleries 510w
Privatisation 447
Production 419–20w
Property transfer 48w
Standard spending assessments 138–9
Wales 638w

Coastal protection
Waveney 668w

Cohen, Mr Harry
Questions
Bosnia-Herzegovina, Armed forces 66w
Chemical weapons 72w
Defence industries, Diversification 147w
Health services, Greater London 3w
RAF Wittering, Air accidents 70

Coinage
Forgery 332–3w

Colchester
Army bases 67w

Cold weather payments
79w, 535–6w
Administrative costs 571–2w
Bristol 139–40w
Expenditure 663w

Coleraine
Police stations 483w

Collins, Mr Tim
Debates etc.
Tobacco advertising, Points of order (17.11.97) 20
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1228

Collins, Mr Tim—continued
Questions
British Indian Ocean Territory, Mineral resources 10w
Lake Windermere, Water sports 381–2w
Myelography, Medical records 307w
Pension Provision Group 8

Colman, Mr Tony
Debates etc.
Greater London Authority (Referendum) Bill, 3R (26.11.97) 1021
Questions
Northern Ireland government 957

Colvin, Mr Michael
Questions
Retirement pensions, British residents abroad 569–70w

Com(97)564
(27.11.97) 1189

Commemorative coins
550w

Committee on Medical Aspects of Food Policy
Publications 517–9w

Committee on Standards in Public Life
34–5w

Common agricultural policy
770
UK contributions to EC budget 115w

Common fisheries policy
279w

Commonwealth
Republic of Ireland 761

Commonwealth Development Corporation
448w
External financing limits 280w

Community care
Gloucestershire 596w
Judgments 596w

Community Care (Direct Payments) Act 1996
Questions
519w

Community Care (Residential Accommodation) Bill 1997/98
Debates etc.
2R* (28.11.97) 1272

Community health services
Pharmacists 649w

Community hospitals
Norfolk 174w, 316–7w

Commuters
136

Companies
Capital 54w
Home Office exports initiative 42–3w
Know-how Fund 55w

Companies (Millennium Computer Compliance) Bill 1997/98
Debates etc.
2R order read (28.11.97) 1273

Company liquidations
Tax collection 256w

Company taxation
54w

Competition
284w, 449–50
Pay television 181w
Small businesses 450

Competition Bill (HL) 1997/98
Questions
107w, 416w, 449–50

Complaints against police
98w
Metropolitan Police 215w

Compliance cost assessments
90w
EC Environment Council 623w

Composition labelling
Animal feed 21w, 120w

Compost
621w

Computer storage
156w

Computers
Chinook helicopters 69w

Computers in National Health Service
60w

Concessionary fares
146
London Underground 146

Concessionary television licences
Blind 180w

Conditional fee agreements
55–6w, 226w

Confectionery
VAT 234w

Conflict of interests
Ministerial policy advisors 408w
Ministers 269–70w, 429–30w, 444–5, 514w, 603w

Connarty, Mr Michael
Questions
Australia, Ethnic groups 476w
Employment, Northern Ireland 581–2w
Regional development agencies 132

Construction
Greenbelt 460w
Prisons 35–6w, 613w, 670w

Consumer protection
Funerals 191–2w

Contingency Reserve
111w

Contracts
Health authorities 343w
MI5 101w

Contracts for services
Counselling 344w
Local government services 123–4w, 336–8w
Mortuary 192w, 344w
Open government 309–10
Scotland 145w

Contracts of employment
Higher education teachers 185–6w
Ministerial policy advisors 237w

Convention on Human Rights and Biomedicine
574w

Convention on International Trade in Endangered Species
Elephants 372w

Convictions
Scotland 502w

Conwy
School admission 504w
Secondary education 504w

***Cook, Rt Hon Robin**, Secretary of State for Foreign and Commonwealth Affairs*
Questions
Alcoholic drinks duties, EC action 762–3
Arms exports, Export licensing 763
Carbon dioxide, Air pollution control 755
Climate Change Convention 754–5
EC grants and loans, Small businesses 765
EC labour policy 764–6
Export promotion 762–3
Gibraltar, Foreign policy 763–4
Gibraltar, Free movement of people 764
Intelligence services, Drug crimes 400w
Iraq, Foreign policy 768–9
Israel, Foreign policy 759
Israel, Peace negotiations 759–60
Lockerbie, Bombings 766–7
MI6 103–4w
Middle East, Peace negotiations 760
Telecommunications technology, Privacy 399w
Treaty of Amsterdam 754
Treaty of Amsterdam, EC immigration 753
Treaty of Amsterdam, Gibraltar 753–4
UN Special Commission on Iraq 769
War crimes 769
Youth unemployment 765

Cooper, Ms Yvette
Debates etc.
Coal mining (26.11.97) 926–7
Questions
Empty housing, Government departments 304–6w

Coordinated Universal Time Bill (HL) 1997/98
Debates etc.
2R order read (28.11.97) 1272

Corbett, Mr Robin
Debates etc.
Members' conduct, Points of order (26.11.97) 973–4
Questions
Defence land, Fox hunting 499w
Defence land, Foxes 499w, 602w
Kashmir, Foreign policy 768

Corbyn, Mr Jeremy
Debates etc.
Civil proceedings (21.11.97) 539, 544–5, 547, 564
Climate Change Convention (19.11.97) 247
Greater London Authority (Referendum) Bill, Com (19.11.97) 361–2
Questions
Antarctic Treaty 547w
Armed forces deployment, Turkey 564w
Breast cancer, Screening 519–20w
Climate Change Convention 556w
Cold weather payments 535–6w
Cold weather payments, Administrative costs 571–2w
Egypt, Tourists 546w
Emergency services, Greater London 521–2w
Hospital waiting lists, Elderly 520–1w
Iraq 546w
Jobseeker's allowance 82w
Jobseeker's allowance, Social security appeals 82w
Kurds 546w
Kurds, Armed conflict 615w
NHS, Age discrimination 520w
Pensioners, Heating 536w
Pensions 538w
Pensions review 536w
Pinochet, Augusto 615w

***Corbyn, Mr Jeremy**—continued*
Pinochet, Augusto, Official visits 542w
Sinn Fein 584w
Social services 538w
Treaty on European Union 547w
Western Sahara 544–5w
Western Sahara, Refugees 551–2w

Cormack, Sir Patrick
Debates etc.
Business questions (27.11.97) 1118–9
Standards and Privileges Select Committee (17.11.97) 117–8

Cornwall
EC grants and loans 448–9
Health services 62–3w
NHS (26.11.97) 932–40

Corporation tax
1070–1, 1086

Corruption
Members 433w

Corston, Jean
Questions
Income support, Handicapped 225–6w
Invalid care allowances, Social security claims 529w
Malaria, Drug side effects 311w
Malaria, Drugs 516w

Cosmetics
Animal experiments 217w

Cost per student
Cambridge University 338w
Oxford University 338w

"Cost-effectiveness of the Regional Trauma System in the North-West Midlands"
425w

Cotter, Mr Brian
Questions
Dept of Trade and Industry, Private finance initiative 511w
Economic and monetary union 47w

Council for Catholic Maintained Schools
27–8w

Council house rents
557w

Council house sales
House renovation grants 137w

Council house waiting lists
298w

Council housing
Smoke alarms 623–4w

Council of Europe
UK delegations 408w

Council of Ministers
Voting methods 260w, 397w

Council tax
689–90w

Council Tax Benefit (General) Amendment Regulations 1997
Debates etc.
Business questions (20.11.97) 467

Council tax exemptions
Families 622–3w

Counselling
Contracts for services 344w
Family practitioner services 341w

Countryside
Housing construction 132

Court orders
Children in care 592w

Court rules and procedures
EC law 56–7w

Courts
Costs 253–4w, 673w
Dorset 254w

Courts martial
67w
Appeals 68w, 149w

Cousins, Mr Jim
Questions
Income support, Mortgages 570w
Lone parents 80–1w
Museums and galleries, Tyne and Wear 258w
Open government 239w
Pensioners, Means tested benefits 570w
Population, Newcastle upon Tyne 297w

Cox, Mr Tom
Questions
Indian subcontinent, Entry clearances 478–9w
Pakistan, Entry clearances 478w
Trade union membership 194w

Cranston, Mr Ross
Debates etc.
Electronic tagging (20.11.97) 458
Questions
Official secrets, Hong Kong 250w

Crash helmets
Cycling 135w

Creative Industries Task Force
13w

Crime
454w
Rural areas 245–6w, 334–5w

Crime and Disorder Bill (HL) 1997/98
Questions
431–2w, 434–5w

Crime and Punishment (Scotland) Act 1997
Questions
676w

Crime prevention
Armed forces cadets 455w
Expenditure 246w
Local government functions 669w

Crime (Sentences) Act 1997
Questions
451w, 676w

Crime victims
432w, 623–4
Domestic violence 624

Crimes of violence
214–5w
Sentencing 608–9w
Terrorism 483w

Criminal injuries compensation scheme
432–3w, 625

Criminal investigation
Fletcher, Yvonne 441w

Criminal Justice Act 1961
Questions
676w

Criminal proceedings
Administrative delays 432w
Mentally disadvantaged 628

Crop spraying
Complaints 525w
Sulphuric acid 525w

Crown Prosecution Service
617–8, 667w

Cryer, Mrs Ann
Questions
Bombings, African National Congress 609w
Extradition, South Africa 542w

Cunliffe, Mr Lawrence
Questions
Child Support Agency 14
European Communities 757
Regional government, North West region 133

Cunningham, Mr Jim
Questions
Citizen's Charter 238w
Day care of children 967
Manufacturing industries 53w
Regional government 123w
Sexual offences 36–7w

Cunningham, Rt Hon Dr John, Minister of Agriculture, Fisheries and Food
Questions
Agricultural policy, EC presidency 21w, 356w
Agricultural subsidies 356w
Animal quarantine 22–3w
Beef, Quality control 229w
Beef premiums, Costs 278w
Cattle, Transport of animals 277w, 523–4w
Dairy farming, Agricultural subsidies 275w
EC Agriculture Council 276–7w
Fishing catches 348–54w
Fishing catches, EC action 22w
Food composition 523w
Food standards 640w
Food standards, Public opinion 640w
Food Standards Agency 22w
Hill livestock allowances, Compensation 22w
Milk, Pasteurisation 21–2w, 355–6w
Ministry of Agriculture Fisheries and Food 523w
Ministry of Agriculture Fisheries and Food, Advisory services 522w
Ministry of Agriculture Fisheries and Food, EC action 523w
Ministry of Agriculture Fisheries and Food, Relocation of employees 22w
Sheep premiums 356w
Untreated milk 522–3w

Cunningham, Ms Roseanna
Questions
Broadcasting engineering, Scotland 457w
Convictions, Scotland 502w
National Transcommunications 457w
Police, World Cup 628w
Scottish Environment Protection Agency, Finance 147w
Scottish Land Reform Policy Group, Public appointments 146–7w
World Cup Coordination Group 613–4w

Currency movements
358–9w

Curriculum
European Communities 31w

Curry, Rt Hon David
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 837–42, 869
Questions
A65, Private finance initiative 460–1w
European Parliament elections, Ballot papers 606–7w
European Parliament elections, Electorate 607w

Curtis-Thomas, Ms Claire
Questions
Prisoners' home leave 606w
Young offender institutions 216w
Young offenders, Prison population 216w

Customs
Information technology 112w
Treaty of Amsterdam 674w

Cycleways
Wales 189w

Cycling
Crash helmets 135w

Dafis, Mr Cynog
Debates etc.
Climate Change Convention (19.11.97) 246
Pre-Budget statement (25.11.97) 795
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1209, 1263
Questions
Air pollution, Urban areas 201w
Budget, Environmental audit 469w
Carbon dioxide, Air pollution control 295w
Child health, Lead pollution 686w
Climate Change Convention 122w
Environment protection, Local government functions 463w
Greenhouse effect, Canada 195w
Millennium Exhibition, Christianity 388w
Nuclear power 573w
Tipping of waste 198w
Training, EC grants and loans 163–4w

Dairy farming
Agricultural subsidies 275w

Dairy Products (Hygiene) Regulations 1995
Questions
642w

Dalai Lama
480w

Dale, Philip
458w

Dalyell, Mr Tam
Debates etc.
Business questions (27.11.97) 1124
European Communities (Amendment) Bill, Com (27.11.97) 1114–5
European Council, Employment (24.11.97) 639
Iraq, Points of order (19.11.97) 341
Questions
Army in Northern Ireland, Prisoners 581w
Departmental responsibilities, Scotland 138w
Drug abuse, Scotland 101–2w
Fletcher, Yvonne, Criminal investigation 441w
Genetic engineering, Medical ethics 119–20w
Iraq 605w
Iraq, Armed forces deployment 406w
Iraq, Foreign policy 323
Iraq, Radio programmes 219–20w
Locate in Scotland 105w
Lockerbie, Bombings 766–7
Public expenditure, Scotland 1080
Royal College of Obstetricians and Gynaecologists 141–2w

Dance
456w
Student grants 92w, 156w

Darling, Mr Alistair, Chief Secretary to the Treasury
Questions
British Aerospace, Government assistance 359w
Contingency Reserve 111w
Economic policy 1072
Financial services, Regulatory systems 657w, 660w
Fiscal policy 1078
Inflation 1077–8
Minimum wage 1083–4
National Asset Register 359–60w
Occupational pensions 1073–4
Pay 1078–9
Public expenditure 18w, 1081
Public expenditure, Devolution 1080–1
Public expenditure, Inflation 660w
Public expenditure, Reviews 656–7w
Public expenditure, Scotland 1080
Revenue support grant 1080

Data banks
Cattle 584w

Davey, Mr Edward
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 406–8, (24.11.97) 704–5, 708–10
Personal pensions (18.11.97) 159
Questions
Ministerial policy advisors 472w
"New Leadership for London" 374w

Davey, Mrs Valerie
Debates etc.
Public service (17.11.97) 51–2

Davidson, Mr Ian
Debates etc.
Personal pensions (18.11.97) 161
Questions
Auxiliary oiler replenishment vessels 65–6w

Davies, Rt Hon Denzil
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1133, 1149–54

Davies, Mr Geraint
Questions
Loan guarantee scheme 48w

Davies, Mr Quentin
Debates etc.
Standards and Privileges Select Committee (17.11.97) 84, 104–5, 114–5, 117
Questions
Economic and monetary union, Interest rates 1076

Davies, Rt Hon Ron, Secretary of State for Wales
Debates etc.
Government of Wales Bill, 1R (26.11.97) 975
Questions
British Aerospace, Government assistance 381w
Bureaucracy, Wales 263–4w
Cardiff Bay Development Corporation, Urban development grants 640w
EC institutions, Wales 504w
Electronic mail, Welsh Office 108w
Labour Party, Finance 506w
National Assembly of Wales 187w, 506w
National Assembly of Wales, Parliamentary buildings 683w
Open government, Welsh Office 264w
Press releases, Welsh Office 189w

***Davies, Rt Hon Ron**—continued*
Public appointments, Welsh Office 681–2w
Public utilities, Regional selective assistance 640w
Revenue support grant, Wales 683w
Treaty of Amsterdam, Welsh Office 265w

Davis, Rt Hon David
Debates etc.
Public Accounts Committee (20.11.97) 474–82
Questions
Local government pensions 85w

Davis, Mr Terry
Questions
Council of Europe, UK delegations 408w

Dawson, Mr Hilton
Debates etc.
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 333–4
Questions
Children in care 174–5w
Further education, Educational finance 366w
Public transport, Rural areas 222w
Road safety, Children 137–8w
Safeguards Against Abuse of Children Living Away From Home Review 344w
Working hours, EC law 53w

Day care of children
163w, 671w, 967
Lone parents 10, 81w
New deal for lone parents 81w
Vetting 971–2

Deaf
Driving instruction 553w
Public telecommunications systems 52w

Death
Army in Northern Ireland 966
Asbestosis 231–4w
Hospital waiting lists 427w
Lung cancer 203–10w
Mesothelioma 203–10w
Portadown 633–4w

Debts
648w
Iraq 346–7w

Decommissioning International Commission
see Independent International Commission on Decommissioning

Defence equipment
Exhibitions 227w, 482w, 496w
Export credit guarantees 645w

Defence Evaluation and Research Agency
Animal experiments 228–9w
Defence review 153w, 390–1w
Science parks 390w

Defence expenditure
70w
Armed forces cadets 391–2w, 561w

Defence Export Services Organisation
69w

Defence industries
Diversification 147w

Defence land
Exhibitions 68w
Fox hunting 153–4w, 393w, 499w, 602w
Foxes 499w, 602w
Hunting 67w

Defence procurement
Future large aircraft 64w

Defence research
Genetically modified organisms 601–2w
Genetics 243–4w

Defence review
70–1w, 499–500w, 694w, 769–70
Defence Evaluation and Research Agency 153w, 390–1w

Defence Transport and Movements Executive
Performance standards 694–5w

Degrees
34w

Democracy
Nigeria 474w

Democratic Republic of the Congo
UN resolutions 398w

Demonstrations
Northern Ireland 580w

***Denham, Mr John**, Parliamentary Under-Secretary of State, Dept of Social Security*
Questions
Availability for work 536–7w
Benefit Fraud Inspectorate, Publications 328w
Bronchitis, Coal mining 568w
Child benefit 533–4w
Christmas bonus 571w
Cold weather payments 79w, 535–6w
Cold weather payments, Administrative costs 571–2w
Cold weather payments, Bristol 139–40w
Cold weather payments, Expenditure 663w
Disability living allowance 141w, 538w, 675w
Disability living allowance, Children 665–6w
Disability living allowance, Elderly 666w
Elderly, Heating 84–5w
Greenhouse effect, Dept of Social Security 528–9w
Handicapped, Loans 291–2w
Incapacity benefit, Welfare to work 529–30w
Industrial injuries disablement benefit 530–2w, 568w, 665w
Invalid care allowances, Social security claims 529w
Legislation, Dept of Social Security 527w
Local exchange and trading schemes, Earnings rules 140w
Local government pensions 85w
Members' correspondence 292w
Motability 567–8w
National insurance contributions, Actors 294w
Official engagements 139w
Pension funds 537–8w
Pension funds, Scotland 9
Pension Provision Group 8
Pension rights 8–9
Pension rights, Women 9–10
Pensioners, Heating 536w
Pensioners, Income support 5, 85w
Pensioners, Means tested benefits 570w
Pensioners, Social security claims 9
Pensions 4–5, 84w, 538–9w
Pensions, Divorce settlements 17, 83w, 86w
Pensions, Information services 84w
Pensions review 8, 85–6w, 536w, 539w
Pensions review, Christmas bonus 5, 537w
Reduced earnings allowance, Wales 564–5w
Retirement pensions 4, 15
Retirement pensions, Age addition 571w

***Denham, Mr John**—continued*
Retirement pensions, British residents abroad 569–70w
Self-employed, Maternity benefits 569w
Sickness benefits 674–5w
Social security abuse 79–80w
Social security abuse, Departmental coordination 666w
Social security reform 528w
Statutory sick pay, Earnings limits 675w
Taxable benefits 565–6w
War pensions, Medical examinations 566–7w
Welfare to work, Chronically sick 535w
Welfare to work, Handicapped 535w

Dental services
423w
Mercury 648w

Dentures
Young people 341–2w

Departmental coordination
Foreign investment in UK 281w
Mental illness 428w
Social security abuse 666w

Departmental correspondence
General practitioners 425w

Departmental responsibilities
Food Standards Agency 668w
Gas fired power stations 420w
Scotland 138w, 283w
World Bank 177w
Xenotransplantation 270–1w

Deportation
214w

Dept for Culture Media and Sport
Civil servants' visits abroad 12–3w
Electronic mail 383w
Ministers' visits abroad 382w
Official hospitality 13–4w
Open government 458w
Press releases 383w
Publicity 14w

Dept for Education and Employment
Developing countries trade 158w
Greenhouse effect 155w
Ministers' visits abroad 158w
Public expenditure 588–90w

Dept for International Development
Civil servants' visits abroad 446w
Greenhouse effect 279–80w
Official hospitality 494w
Technology foresight programme 493–4w

Dept for the Environment Transport and the Regions
see Dept of the Environment Transport and the Regions

Dept of Health
Electronic mail 516–7w
Greenhouse effect 310w
Ministerial policy advisors 311w
Official engagements 317w
Official hospitality 320w
Open government 313w
Press releases 314w
Publicity 175–6w
Technology foresight programme 595–6w

Dept of Social Security
Civil servants' visits abroad 443–4w
Greenhouse effect 528–9w
Legislation 527w
Official hospitality 442–4w
Press releases 532w
Publicity 443w
Reviews 406–7w

Dept of the Environment Transport and the Regions
Developing countries trade 552w
Electronic mail 130–1w
Official hospitality 2w, 10w
Open government 334w
Press releases 200–1w
Public appointments 460w
Technology foresight programme 554–5w

Dept of Trade and Industry
Ministerial duties 645–7w
Ministers' visits abroad 104–5w
Oral questions 603w
Parliamentary questions 420w
Press releases 107w
Private finance initiative 511w
Publicity 413–5w
Treaty of Amsterdam 647w

Deregulation initiative
Northern Ireland (19.11.97) 426, 579w

Deregulation (Northern Ireland) Order 1997
Debates etc.
(19.11.97) 426

Detection rates
92–3w, 97w

DETR
see Dept of the Environment Transport and the Regions

Developing countries trade
Dept for Education and Employment 158w
Dept of the Environment Transport and the Regions 552w
Home Office 46w
Ministry of Defence 227w
Northern Ireland Office 582w
President of the Council 108–9w

Development aid
Human rights 495w

Development areas
572w

Development plans
690w
Water supply 198w

Devolution
Public expenditure 1080–1
Scotland 325w

Devon and Cornwall Constabulary
437w

Devonport Dockyard
Radiation hazards 562w

***Dewar, Rt Hon Donald**, Secretary of State for Scotland*
Questions
Campbell, Jason, Prisoners' transfers 75–6w, 676w
Children in care, Scotland 184w
EC institutions, Scotland 501w
Non-departmental public bodies, Manpower 422–4w
Official hospitality, Scottish Office 627w
Open government, Scottish Office 420–1w
Press releases, Scottish Office 421w
Road accidents, Scotland 501w
Scottish Land Reform Policy Group, Public appointments 146–7w
Water pollution, Scotland 183–4w

Diabetes
Driving 325
Driving licences 603–4w
EC law 325
Insulin (20.11.97) 524–30
Medical research 312w

Diaries
Prime Minister 271w

Dietary supplements
641–2w

Digital broadcasting
Regulatory systems 14–5w

Digital television
Gaelic language 263w

Diplomatic service
Private education 10w

Dir64/433/EEC
273–5w

Dir75/268/EEC
275w

Dir77/388/EEC
234w

Dir90/220/EEC
8w

Dir92/43/EEC
459w

Dir93/104/EC
53w

Directors
Housing Corporation 376–8w

Disability Discrimination Act 1995
Questions
164w, 677–8w

Disability living allowance
141w, 538w, 675w
Children 665–6w
Elderly 666w

Disabled workers
USA 160–1w

Disaster relief
Somalia 178–9w, 450w
Vietnam 179w

Discrimination
Northern Ireland 963
Treaty of Amsterdam 220–1w

Disease control
Bovine spongiform encephalopathy 524–5w, 663w, (26.11.97) 1058–68

Dismore, Mr Andrew
Debates etc.
Civil proceedings (21.11.97) 595–8
Questions
Criminal injuries compensation scheme 432–3w, 625
Disability Discrimination Act 1995 677–8w
Industrial injuries disablement benefit 530–2w, 568w, 665w
Israel, Foreign policy 759
Smoking related diseases, Costs 309w

Disposable income
256w
Interest rates 659w

Divorce
Information services 251–3w
Welsh language 252w

Divorce settlements
Pensions 17, 83w, 86w

***Dobson, Rt Hon Frank**, Secretary of State for Health*
Debates etc.
House of Commons procedure, Points of order (19.11.97) 339–40
Prime Minister's questions, Points of order (19.11.97) 340–1
Public service (17.11.97) 29–36, 43, 51–2

***Dobson, Rt Hon Frank**—continued*
Safeguards Against Abuse of Children Living Away From Home Review, Ministerial statements (19.11.97) 327–38
Questions
Jowell, Tessa 429–30w
Tobacco advertising, Sports sponsorship 344w, 424w

Doctors
NHS Pensions Agency 308–9w

Dogs
Animal breeding 439w

Domestic electrical appliances
Retail prices 418w, 450–1
Retail trade 285w, 417–8w

Domestic energy conservation
136–7w

Domestic gas appliances
Gas safety 189–90w

Domestic violence
Crime victims 624
Judges 83–4w
Social security 528w

Dorneywood
115w, 236w

Dorset
Courts 254w

Double Taxation Relief (Taxes on Income) (Falkland Islands) Order 1997
Debates etc.
(27.11.97) 1069

Double Taxation Relief (Taxes on Income) (Lesotho) Order 1997
Debates etc.
(27.11.97) 1069

Double Taxation Relief (Taxes on Income) (Malaysia) Order 1997
Debates etc.
(27.11.97) 1069

Double Taxation Relief (Taxes on Income) (Singapore) Order 1997
Debates etc.
(27.11.97) 1069

Dounreay
Food contamination (18.11.97) 218
Radiation hazards 325w, 629w

Downe Hospital
961

D'Oyly Carte
Finance 324

Drama education
456w
Student grants 92w, 156w

Drew, Mr David
Debates etc.
Bovine Spongiform Encephalopathy, Disease control (26.11.97) 1059
European Parliamentary Elections Bill, 2R (25.11.97) 835–7, 850, 859
Smallholdings, Local government land (26.11.97) 941–5

Drinking and driving
440w, 627w

Driving
Diabetes 325

Driving and Diabetes Advisory Panel
Public appointments 373–4w

Driving instruction
Deaf 553w

Driving licences
Diabetes 603–4w
Medical examinations 466w
Northern Ireland 213w
Pensioners 294–5w

Driving offences
Punishment 245w

Driving tests
EC action 127–8w

Droughts
Nature conservation 459w

Drown, Ms Julia
Debates etc.
Bovine Spongiform Encephalopathy, Disease control (26.11.97) 1060
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1203
Questions
Export Forum Working Group 756

Drug abuse
(19.11.97) 427–34
Medical treatments 650w
Prisoners 217w
Scotland 101–2w
Young people 650w

Drug crimes
Intelligence services 400w
Prisoners' release 620

Drug prevention initiative
248w

Drug side effects
Malaria 311w

Drugs
Malaria 516w
Residential care 60w

Drugs and crime
435–6w, 619–20
Young people 620

Dry stone walls
557w

Dubai
Prisoners 475w

Dublin
Bombings 109–10w

Duncan, Mr Alan
Debates etc.
Coal mining (26.11.97) 922–5

Duncan Smith, Mr Iain
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 420
Questions
Incapacity benefit, Welfare to work 529–30w
New deal for lone parents 7–8, 540w
Pensions 539w
Retirement pensions 15
Social security reform 567w

Dunwoody, Mrs Gwyneth
Debates etc.
Business questions (27.11.97) 1121
European Parliamentary Elections Bill, 2R (25.11.97) 804, 811, 822
Rescue services (26.11.97) 894–6
Questions
Access business initiative 239w
Airports 691w
Locomotives 144–5
Manufacturing industries, EC action 445–6
Motor vehicles, Inspections 454w, 553w
Political refugees, Ferries 615–6
Road accidents 462w

***Dunwoody, Mrs Gwyneth**—continued*
Social security benefits, Advisory services 12
Transport, Regulatory systems 693w
Vehicle number plates 554w

Duty free allowances
EC action 673w
Scotch Whisky Association 282w

***Eagle, Angela**, Parliamentary Under-Secretary of State, Dept of the Environment Transport and the Regions*
Questions
Air pollution, Urban areas 201w
Air pollution control 299w
Beaches, EC law 131w, 462w
Biocidal products, EC law 366–7w
Chlorofluorocarbons, Medical equipment 345w
Climate Change Convention 122w, 294w, 556w
Compost 621w
Convention on International Trade in Endangered Species, Elephants 372w
Developing countries trade, Dept of the Environment Transport and the Regions 552w
Domestic energy conservation 136–7w
Dry stone walls 557w
EC Committee of the Regions, Public appointments 374w
EC grants and loans, Northern region 372w
Electronic mail, Dept of the Environment Transport and the Regions 130–1w
Energy Saving Trust 199–200w
English Partnerships, Investment 370–1w
Enterprise zones 554w
Environment Agency, Termination of employment 554w
Environment protection, Local government functions 463w
Environment protection, Public participation 334w
Environment protection, South Downs 373w
Environmental Information Regulations 1992 5–6w
Genetically modified organisms 7–8w, 373w, 465–6w
Genetically modified organisms, EC law 8w
Greenhouse effect, Canada 195w
Hedgerows Regulations 1997 338w
Hormones, Health hazards 134w
Industrial injuries 1w
Land pollution 301–2w
Mesothelioma, Death 203–10w
National parks 123w
Nature conservation, Droughts 459w
Nature conservation, Water supply industry 459w
Official hospitality, Dept of the Environment Transport and the Regions 2w, 10w
Offshore safety 294w
Open government, Dept of the Environment Transport and the Regions 334w
Press releases, Dept of the Environment Transport and the Regions 200–1w
Public appointments, Dept of the Environment Transport and the Regions 460w
Public footpaths 133w
Publicity, Foreign and Commonwealth Office 618–9w
Radioactive waste disposal 202–3w
Rural areas, Crime 334–5w
Rural areas, Statistics 366w

***Eagle, Angela**—continued*
Sea pollution 462w
Sewage, Sea pollution 131w
Sewage, Water treatment 133w
Sewers 335w
Single regeneration budget, West Midlands 299–302w
Sites of special scientific interest 2w
Sustainable development 6w
Technology foresight programme, Dept of the Environment Transport and the Regions 554–5w
Tipping of waste 198w, 626w
Trees, Acid rain 370w
Trees, Air pollution 6–7w
Waste disposal 5w
Water and sewerage companies 4–5w
Water and sewerage companies, Planning permission 303w
Water pollution, Garages and petrol stations 125–6w
Water supply 133w, 198w, 336w
Water supply, Development plans 198w
Wood, Health hazards 3–4w, 131–2w

Eagle, Maria
Debates etc.
Public Accounts Committee (20.11.97) 505–8
Rescue services (26.11.97) 902
Questions
Electronic government 239–40w
Public opinion 968

Early retirement
NHS pensions 307–8w

Earnings limits
Statutory sick pay 675w

Earnings rules
Local exchange and trading schemes 140w

Earnings top-up
140w

East Lancashire Health Authority
Kidney patients 309w

East Midlands
Tourist industry 258w

East Timor
EC aid 178w
EC external relations 480w
Human rights 480w
Indonesia 178w
Overseas aid 178w

Eastern Europe
Export promotion 477w
Overseas students 607–8w

EC accession
Turkey 221–2w

EC action
Alcoholic drinks duties 762–3
Business 52–3w
Driving tests 127–8w
Duty free allowances 673w
Fishing catches 22w
Food standards (27.11.97) 1189
Frontiers 43–4w, 260w, 396–7w
Manufacturing industries 445–6
Ministry of Agriculture Fisheries and Food 523w
Tax harmonisation (27.11.97) 1189
Taxation 234–5w
Telephone tapping 39–40w
Tipping of waste (25.11.97) 878
Transmissible encephalopathies (25.11.97) 878
Unemployment 322

EC Agriculture Council
276–7w

EC aid
East Timor 178w
Organisation of African Unity 397–8w

EC budget
674w, (25.11.97) 878

EC Budget Council
674w

EC Committee of the Regions
Public appointments 374w

EC common foreign and security policy
402–3w
UK contributions to EC budget 476w

EC Cons Doc 8150/97
(27.11.97) 1189

EC Cons Doc 8386/97
(27.11.97) 1189

EC Cons Doc 10153/97
(25.11.97) 878

EC Cons Doc 10427/97
(27.11.97) 1189

EC countries
Retail trade 450
Social security 13

EC Culture Council
548–9w

EC defence policy
481w

EC Draft 6692/97
(25.11.97) 878

EC Draft 10040/97
(25.11.97) 878

EC Draft 10510/97
(26.11.97) 1031

EC Education Council
486–7w

EC enlargement
260w, 477w
Central Europe 679w
Economic and monetary union 400w
Western European Union 401w

EC Environment Council
199w
Compliance cost assessments 623w

EC external relations
Central Africa 399w
East Timor 480w
Human rights 476w
Iraq 402w
Kaliningrad 679w
Mediterranean region 402w

EC external trade
Protectionism 436

EC Finance Council
549–50w
Economic and monetary union 357–8w

EC Foreign Affairs Council
615–7w

EC grants and loans
220w, 960–1
Cornwall 448–9
Industrial investment 449
Northern Ireland 959–60
Northern region 372w
Regional aid (19.11.97) 284–91
Small businesses 765
Training 163–4w

EC immigration
547w
Treaty of Amsterdam 753

EC institutions
Economic regions 297w
Scotland 501w
Wales 504w

EC integration
Treaty on European Union 476–7w

EC internal relations
770–2

EC internal trade
Harmonisation of legislation 510w

EC labour policy
(24.11.97) 633–45, 764–6
Treaties 404w
Treaty of Amsterdam 255w, 284w

EC law
321w
Beaches 131w, 462w
Biocidal products 366–7w
Court rules and procedures 56–7w
Diabetes 325
Genetically modified organisms 8w
Nature conservation 459w
Working hours 53w, 439–40

EC presidency
Aerospace industry 283–4w
Agricultural policy 21w, 356w

EC regional policy
Local authorities 303w

EC Research Council
506–7w

EC Social Charter
324–5w, 766
EC staff 618w
Treaty of Amsterdam 403–4w

EC staff
EC Social Charter 618w
Pension rights 547–8w

EC Youth Council
186w

ECOFIN
see EC Finance Council

Economic and monetary union
18w, 47w, 189w, 284w, 329–30w, 357–8w, 658w, 1085
Business 459w, 657w, 1087–8
Costs 1077
EC enlargement 400w
EC Finance Council 357–8w
European Central Bank 357w
Exchange rate mechanism 330w
Exchange rates 330w, 658w
Foreign tourists 387w
Information 757
Interest rates 659w, 1074–6
Legislation 357w

Economic cooperation
European Communities 400–1w

Economic policy
1072, 1074, 1082
Business 661w
Ministerial statements (25.11.97) 773–98

Economic regions
EC institutions 297w

Economic situation
Air transport 625w
Japan 758
South East Asia 1083

Education
Armed forces officers 392w

Education action zones
697w

Educational assessment
Costs 492w

Educational finance
160w, 487w, 697–8w, 968
Argyll and Bute 261–2w
Further education 264w, 366w, 421–2w, 578w
Wales 24–6w

Educational institutions
Smoking 162w

Edwards, Mr Huw
Questions
Freight transport, Wales 127w
Government 311
Young offenders, Parents 434w

Efford, Mr Clive
Questions
Neighbourhood nuisance 431w

Egypt
Terrorism 149–54
Tourists 546w

El Salvador
Foreign policy 398w
Overseas aid 447w

Elderly
Disability living allowance 666w
Heating 84–5w
Hospital waiting lists 520–1w
Norfolk 256–7w
Prescriptions 61w
Right to buy 8–9w

Election administration
Hong Kong 482w
Northern Ireland 956

Election observers
Kenya 90w

Election offences
Northern Ireland 956

Electoral register
616–7

Electoral systems
European Parliament elections 433w

Electorate
European Parliament elections 607w

Electricity generation
Coal 345w, 510w

Electricity meters
Post offices 53w, 284w

Electronic government
239–40w

Electronic mail
Chancellor of the Duchy of Lancaster 389–90w
Dept for Culture Media and Sport 383w
Dept of Health 516–7w
Dept of the Environment Transport and the Regions 130–1w
Home Office 37w
Lord Chancellor's Dept 56w
Ministers 267w, 312
Ministry of Agriculture Fisheries and Food 273w
Ministry of Defence 229w
Northern Ireland Office 582w
Treasury 331w
Welsh Office 108w

Electronic surveillance
99w
Cellular phones 441w
Members 17–8w

Electronic tagging
440w, 630
Norfolk 35w
Prisoners' release 440w, 608w

Elephants
Convention on International Trade in Endangered Species 372w

Ellman, Mrs Louise
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1174–7
Public service (17.11.97) 56–7, 67
Questions
Famine, Northern Ireland 957
World Bank, Departmental responsibilities 177w

Emergency services
Greater London 521–2w
Telephone systems 46–7w

Emery, Rt Hon Sir Peter
Debates etc.
Pre-Budget statement (25.11.97) 790
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1264
Questions
Housing construction 132

Emphysema
Coal mining 568w

Employment
Incapacity benefit 567w
Northern Ireland 579w, 581–2w
Rural areas 185w

Employment discrimination
Industrial tribunals 107w

Employment opportunities
C130 aircraft 64w
Foreign investment in UK 192–4w
Lone parents 6–7

Employment protection
Age discrimination 363–5w

Employment Service
Performance standards 164–70w
Retirement age 487–8w

Employment Service local offices
Grays 534w

Empty housing
622w, 624w
Government departments 304–6w
Shops 687–8w

Empty property
Offices 374–5w

Energy conservation
52w
NHS 342–3w

Energy Saving Trust
199–200w

Engineers
Army 244–5w

English Partnerships
Investment 370–1w

Ennis, Mr Jeff
Debates etc.
Regional aid, EC grants and loans (19.11.97) 284–7
Questions
Maintenance, Children 442w

Enterprise zones
554w

Entry clearances
Indian subcontinent 478–9w
Pakistan 478w, 681w

Environment
Disclosure of information 5–6w

Environment Agency
17w
Termination of employment 554w

Environment protection
Agricultural land 229–30w
Business 135–6, 760–1
Foreign policy 760
Local government functions 463w
Oil companies 135–6
Public participation 334w
South Downs 373w
Taxation 136

Environment Transport and Regional Affairs Select Committee
(17.11.97) 121

Environmental audit
Budget 469w

Environmental Audit Select Committee
(17.11.97) 121

Environmental Information Regulations 1992
Questions
5–6w

Equal opportunities
Armed forces 69w
House of Commons Commission 327w

Essex
Health services (18.11.97) 220–38

Etherington, Bill
Questions
Hedgerows Regulations 1997 338w
Museums and galleries, Tyne and Wear 258w
NHS complaints 59w

Ethnic groups
Australia 476w
Brazil 261w

Ethnic minorities
Lords Lieutenant 323w

Ethnic monitoring
Planning authorities 197–8w

EURATOM
347w

Euro
54w, 332w, 658w
British dependent territories 614w

European Central Bank
549w
Economic and monetary union 357w
Public appointments 331w, 469w

European Communities
see (also) EC headings

European Communities
757
Curriculum 31w
Economic cooperation 400–1w
Information 756–7
Treaties 479w

European Communities (Amendment) Act 1993
Questions
357w

European Communities (Amendment) Bill 1997/98
Debates etc.
Com (27.11.97) 1129–89

European Convention on Human Rights
435w, 626–8
Prisoners' rights 627

European Council
618w
Ministerial statements (24.11.97) 633–45

European Court of Justice
44–5w
Judgments 32w

European fighter aircraft
243w, 694w

European Parliament elections
Ballot papers 606–7w
Electoral systems 433w
Electorate 607w
Gibraltar 680w, 763–4

European Parliamentary Elections Act 1978
Questions
680w

European Parliamentary Elections Bill 1997/98
Debates etc.
2R and Money res* (25.11.97) 803–77
Questions
433w

European Police Office
Immunity from prosecution 453w

European works councils
325w

EUROPOL
see European Police Office

Evans, Mr Nigel
Debates etc.
Welsh Assembly, Points of order (25.11.97) 799
Questions
Elderly, Heating 84–5w
Foreign investment in UK 282w
Foreign investment in UK, Northern Ireland 581w
Higher education, Wales 503–4w
Planning permission 121w
Pre-school education, Wales 637–8w
Secondary education, Conwy 504w
Students, Wales 577w

Evidence
Children 606w

Ewing, Mrs Margaret
Debates etc.
Business questions (27.11.97) 1123–4
European Council, Employment (24.11.97) 641
European Parliamentary Elections Bill, 2R (25.11.97) 815–7, 841, 843–5
Questions
Public expenditure 1081
Scotch Whisky Association, Duty free allowances 282w
Uniform business rate, Scotland 75w

"Excellence in Schools White Paper"
29–30w

Exchange rate mechanism
Economic and monetary union 330w

Exchange rates
Economic and monetary union 330w, 658w
Export promotion 436

Exhaust emission controls
136–7

Exhibitions
Defence equipment 227w, 482w, 496w
Defence land 68w

Export Control Organisation
Administrative delays 513–4w

***Export Control Organisation**—continued*
Performance standards 513w

Export credit guarantees
552w
Defence equipment 645w
Expenditure 511w

Export Forum Working Group
756

Export licensing
416w, 512–3w, 645w
Arms exports 763
Statistics 345–6w

Export of live animals
Animal welfare 116–7w
Pigs 117w

Export promotion
102w, 452, 762–3
Central Europe 436–7, 477w
Eastern Europe 477w
Exchange rates 436
Small businesses 435

Exports
Blood 311w
Torture 480w

External financing limits
Commonwealth Development Corporation 280w

External Frontiers Convention
43–4w

Extradition
South Africa 542w

Eyre Working Group
see Royal Opera House and English National Opera Working Group

Faber, Mr David
Questions
Treaty of Amsterdam 754

Fabricant, Mr Michael
Debates etc.
Business questions (20.11.97) 470–1
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1199
Questions
Canada, Ministers' visits abroad 767–8
Citizen's Charter, Expenditure 471–2w
Israel, Peace negotiations 759–60
Minimum wage 440

Faithfull Foundation
656w

Fallon, Mr Michael
Debates etc.
Coal mining (26.11.97) 925–8, 930
European Council, Employment (24.11.97) 645
Intervention during questions after statement (27.11.97) 1107
Questions
Egypt, Terrorism 151
Fossil fuel levy 417w
Minimum wage 441
Political refugees, Kent 616
Social security payments 83w

Families
Council tax exemptions 622–3w

Family credit
140–1w
Taxpayers 445w

Family Law Act 1996
Questions
251–3w

Family planning
313w

Family practitioner services
Counselling 341w

Famine
Northern Ireland 957

Fares
London Underground 140
VAT 468w

Farm incomes
Hill farming 115–6w

"Farm Incomes in the United Kingdom 1996/97"
115–6w

Farmers
Hunting 118w
Northern Ireland 485w
Surveys 118–9w
Wales 501w

***Fatchett, Mr Derek**, Minister of State, Foreign and Commonwealth Office*
Questions
Afghanistan, Arms embargoes 681w
Algeria, Human rights 221w, 481w
Armed forces training, Military aid 482w
Asia-Europe Summit, Human rights 479w
Australia, Ethnic groups 476w
Burma, Human rights 481w
Business, Environment protection 760–1
Canada, Ministers' visits abroad 767–8
China, Barrages 10w
China, Foreign relations 477w
China, Prisoners 11w
Civil servants' visits abroad, Foreign and Commonwealth Office 395w
Dalai Lama 480w
Dubai, Prisoners 475w
East Timor, EC external relations 480w
East Timor, Human rights 480w
EC defence policy 481w
Egypt, Tourists 546w
Euro, British dependent territories 614w
Export Forum Working Group 756
Export promotion 102w
Fazal-Ur-Rahman, Visas 543w
Foreign investment in UK 758–9
Foreign policy, Environment protection 760
Hong Kong, Human rights 482w
Human rights 476w
Human rights, EC external relations 476w
Immigration applications, Genetics 544w
India, British embassies 102w
India, Human rights 11w
India, Immigration applications 761
India, Temporary immigrants 102w
Indian subcontinent, Entry clearances 478–9w
Indonesia, Arms trade 103w
Indonesia, Foreign policy 474w
Iraq 546w
Iraq, Radio programmes 219–20w
Israel 475w
Japan, Economic situation 758
Japan, Foreign policy 757–8
Kashmir, Foreign policy 474w, 768
Kurds 546w
Migration and Visa Correspondence Unit, Administrative delays 479w
Millennium compliance 401w
NATO 678–9w
NATO, Russia 679w
Nigeria, Democracy 474w
Nuclear weapons 760
Official hospitality, Foreign and Commonwealth Office 394–5w
Open government, Foreign and Commonwealth Office 220w
Overseas aid, Police training 543–4w

***Fatchett, Mr Derek**—continued*
Pakistan, Entry clearances 478w, 681w
Press releases, Foreign and Commonwealth Office 220w
Public appointments, Foreign and Commonwealth Office 678w
Publicity, Foreign and Commonwealth Office 395–6w
Sri Lanka, Foreign policy 768
Torture, Exports 480w
Treaty on European Union 547w
Tunisia, Human rights 482w
United Nations, Iraq 475w
Visas 477–8w
Western Sahara 544–5w

Fazal-Ur-Rahman
Visas 543w

Fearn, Mr Ronnie
Questions
Beaches, EC law 462w
Buses, Parking 369–70w
Foreign tourists 387–8w
Foreign tourists, Economic and monetary union 387w
Greenbelt, Construction 460w
Road accidents 619w
Sea pollution 462w
Trees, Acid rain 370w

Female circumcision
Members' correspondence 687w

Ferries
Political refugees 615–6
Strangford Lough 210–1w

Fertility
316w

***Field, Rt Hon Frank**, Minister of State, Dept of Social Security*
Questions
Civil servants' visits abroad, Dept of Social Security 443–4w
Green papers, Disclosure of information 86w
Lone parents, Day care of children 10
Lone parents, Social security benefits reductions 10
Maintenance, Children 80w
Means tested benefits 16
New deal for lone parents 10–1
Official hospitality, Dept of Social Security 442–4w
Press releases, Dept of Social Security 532w
Publicity, Dept of Social Security 443w
Social security 80w, 139w
Social security, EC countries 13
Social security reform 567w

Film distribution
11–2w

Film industry
11w, 90–1w, 409w, 671w

Financial services
Regulatory systems 333w, 657w, 660w

Financial Services Act 1986 (Extension of Scope of Act) Order 1997
Debates etc.
(18.11.97) 218

Financial Services Authority
466w
Costs 467w
Scotland 467w

Fire prevention
622w
Legislation 609–10w

Fire resistant materials
Armed forces uniforms 497w

Firearms
Compensation 41w, 542–3w
Police 41–2w

Firearms (Amendment) Act 1997
Questions
542–3w

Firearms (Amendment) Bill 1997/98
Debates etc.
Royal Assent (27.11.97) 1088
Questions
41w

Fires
Wales 265–8w

Fireworks
Safety 47–8w, 190w

Fireworks Bill 1997/98
Debates etc.
2R* (28.11.97) 1272

Fiscal policy
1078

***Fisher, Mr Mark**, Parliamentary Under-Secretary of State, Dept for Culture Media and Sport*
Questions
Advertising 12w
Broadcasting engineering, Scotland 457w
Concessionary television licences, Blind 180w
Digital broadcasting, Regulatory systems 14–5w
Digital television, Gaelic language 263w
Drama education 456w
EC Culture Council 548–9w
Local broadcasting, Television reception 457w
Museums and galleries, Government grants 322–4w
Museums and galleries, Metropolitan counties 548w
Museums and galleries, Tyne and Wear 258w
National Transcommunications 457w
Pay television, Competition 181w
Royal Opera House and English National Opera Working Group 179–80w
Rugby, Television programmes 258w
Sports, Broadcast journalism 180w
Sports, Radio 180w

Fishing catches
348–54w
EC action 22w

Fishing quotas
259–60w, 396w

Fishing vessels
Multiannual guidance programme 584–5w
Shipping safety 127w, 371–2w

Fishing Vessels (Decommissioning) Scheme 1997
Questions
276w

Fitzpatrick, Jim
Debates etc.
Greater London Authority (Referendum) Bill, 3R (26.11.97) 995, 1012–3, 1022
Questions
Civil servants, Political impartiality 553w
El Salvador, Foreign policy 398w
El Salvador, Overseas aid 447w
General Certificate of Secondary Education 162w
Northern Ireland government 578–9w
River Thames, Water transport 375–6w

***Fitzpatrick, Jim**—continued*
Student Loans Company, Annual reports 164w
Teachers, Performance appraisal 363w
Welfare to work 659–60w

Flags
Armagh and Dungannon Health and Social Services Trust 272w
Ministry of Defence 603w

Fletcher, Yvonne
766–7
Criminal investigation 441w

Flight, Mr Howard
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1160, 1176
Greater London Authority (Referendum) Bill, Com (19.11.97) 362, 376–7
Pre-Budget statement (25.11.97) 796
University finance (19.11.97) 272, 275–6
Questions
Ambulance services, Hoaxes and false alarms 595w
Child Support Agency 289–90w
Kaliningrad, EC external relations 679w
Nurses, Professional qualifications 594–5w
Pension funds, Advance corporation tax 111w
Pensioners, Annuities 111w
Sussex Ambulance Service, Pension funds 648w

Flint, Caroline
Debates etc.
Coal mining (26.11.97) 929
Hunting, Public petitions (28.11.97) 1197–8
Pre-Budget statement (25.11.97) 796
Questions
Coal 47–9w
Export promotion 102w
Sites of special scientific interest 2w

Flintshire
Quarrying 187–9w
Schools 578w

Flood control
Somerset 411w
Standard spending assessments 121–2w

Fluoridation
Research 423–4w

Flynn, Paul
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1227–9
Questions
Animal feed, Composition labelling 120w
Chequers 270w
Debts, Iraq 346–7w
Dorneywood 115w, 236w
Export credit guarantees, Defence equipment 645w
Export credit guarantees, Expenditure 511w
Innovation, Wales 108w
Ostriches, Slaughterhouses 120–1w
Rough sleepers initiative, Government buildings 136w
Royal yacht 154w

Follett, Barbara
Questions
Trade competitiveness 280w

Food
Pesticide residues 20w

Food composition
523w

Food contamination
Dounreay (18.11.97) 218

Food imports
576w

Food industry
668w

Food labelling
Genetically modified organisms 20w, 524w

Food poisoning
596w

Food Protection (Emergency Prohibitions) (Dounreay Nuclear Establishment) Order 1997
Debates etc.
(18.11.97) 218

Food standards
640w
EC action (27.11.97) 1189
Public opinion 640w

Food Standards Agency
22w, 239w, 668w, 687w
Departmental responsibilities 668w

Foreign and Commonwealth Office
Civil servants' visits abroad 395w
Official hospitality 394–5w
Open government 220w
Press releases 220w
Public appointments 678w
Public relations 260w
Publicity 395–6w, 618–9w

Foreign investment in UK
49–50w, 106–7w, 282w, 758–9
Departmental coordination 281w
Employment opportunities 192–4w
Northern Ireland 581w

Foreign policy
El Salvador 398w
Environment protection 760
Gibraltar 763–4
Indonesia 474w
Iraq 323, 768–9
Israel 759
Japan 757–8
Kashmir 474w, 768
Republic of Ireland 761
Sri Lanka 768

Foreign relations
China 477w

Foreign tourists
387–8w
Economic and monetary union 387w

Forestry Commission
Land acquisition 142–5w, 273w

Forgery
Bank notes 332–3w
Coinage 332–3w

Forsythe, Mr Clifford
Questions
Election administration, Northern Ireland 956

Forth, Mr Eric
Debates etc.
Business questions (20.11.97) 468
European Council, Employment (24.11.97) 642
Greater London Authority (Referendum) Bill, Com (19.11.97) 347–8, 356–9, 383, 388–9, 391, 393, 408–12, (24.11.97) 706, 709–10, 712–3, 734–7
Point of order intervention (19.11.97) 342
Questions
Degrees 34w

***Forth, Mr Eric**—continued*
London Underground, Acton 128w
Minimum wage 1084

Fossil fuel levy
417w

Foster, Rt Hon Derek
Questions
EC labour policy 765–6

Foster, Mr Don
Debates etc.
Public service (17.11.97) 38, 65–70
Questions
Educational assessment, Costs 492w
"Excellence in Schools White Paper" 29–30w
General Certificate of Secondary Education 162w
Grammar schools, School admission 492w
Higher education administration, Scotland 73w
Selective schools 490–1w

***Foster, Mr Michael**, (Hastings and Rye)*
Debates etc.
Civil proceedings (21.11.97) 592–5
Maiden speech (21.11.97) 592–5

***Foster, Mr Michael John**, (Worcester)*
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1199–210

***Foulkes, Mr George**, Parliamentary Under-Secretary of State for International Development*
Questions
Brazil, Ethnic groups 261w
El Salvador, Overseas aid 447w
Greenhouse effect, Dept for International Development 279–80w
Iraq, Mines 447–8w
Kenya, Election observers 90w
Kenya, Overseas aid 89w
Know-how Fund, Companies 55w
Know-how Fund, Finance 55w
World Bank, Departmental responsibilities 177w

Fowler, Rt Hon Sir Norman
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 394–8, 416–9, (24.11.97) 659–61, 670, 678–9, 681, 721–3
Greater London Authority (Referendum) Bill, 3R (26.11.97) 981–2, 985–90, 994, 1023
Questions
Local government pensions 138
Railway transport, Finance 141

Fox, Dr Liam
Debates etc.
Business questions (20.11.97) 469, (27.11.97) 1123
Rescue services (26.11.97) 898, 903, 906, 908–9
Questions
Currency movements 358–9w

Fox hunting
Defence land 153–4w, 393w, 499w, 602w

Foxes
Defence land 499w, 602w

France
388w
Interest rates 332w
Lorry drivers 129w

Fraud
Training 156w

Free movement of people
Gibraltar 764

Freight transport
Wales 127w

Frontiers
EC action 43–4w, 260w, 396–7w

Fruit juices
Israel 643w

Funerals
Consumer protection 191–2w
Princess of Wales, 407w

Further education
161w
Educational finance 264w, 366w, 421–2w, 578w
Wales 264w, 503–4w

Further education colleges
(21.11.97) 607–14

Future large aircraft
64w
Defence procurement 64w

Fyfe, Maria
Questions
Burma, Human rights 481w
Genetically modified organisms, Food labelling 524w
Genetically modified organisms, Novel foods 524w
Know-how Fund, Companies 55w
Know-how Fund, Finance 55w
Pre-school education, Scotland 628w

Gaelic language
Digital television 263w

***Galbraith, Mr Sam**, Parliamentary Under-Secretary of State, Scottish Office*
Questions
Chiropody, Scotland 73–5w
Drug abuse, Scotland 101–2w
Home care services, Scotland 629w
Hospital consultants, Vacancies 181–3w
Milk, Scotland 77w
NHS finance, Scotland 501w
Royal College of Obstetricians and Gynaecologists 141–2w

Gale, Mr Roger
Questions
Armed forces training, University Air Squadron 602w
Duty free allowances, EC action 673w

Gapes, Mr Mike
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1130, 1135, 1159–64, 1184
Questions
Egypt, Terrorism 153
Pensions 964
Refugees, Montserrat 159w

Garages and petrol stations
Water pollution 125–6w

Gardiner, Mr Barry
Debates etc.
Merchant ships (17.11.97) 125
Questions
Competition, Small businesses 450

Garnier, Mr Edward
Debates etc.
Civil proceedings (21.11.97) 537, 542–4, 547–62

***Garnier, Mr Edward**—continued*
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1202, 1204, 1267
Questions
Conditional fee agreements 55–6w
Legal aid scheme 254w
Political parties, Finance 405w
Tobacco advertising, Sports sponsorship 268w
Travelling people, Police powers 626

Gas fired power stations
Departmental responsibilities 420w

Gas safety
Domestic gas appliances 189–90w

Gas supply industry
Northern Ireland 213w

Gaul
see Mr Gaul

General Certificate of Secondary Education
162w

General Lighthouse Authorities (Beacons Maritime Differential Correction Systems) Order 1997
Debates etc.
(18.11.97) 218

General practitioners
see (also) GP fundholders

General practitioners
340w
Departmental correspondence 425w
Nursing homes 425w
Pay 60w

Genetic engineering
Medical ethics 119–20w

Genetically modified organisms
7–8w, 373w, 465–6w
Defence research 601–2w
EC law 8w
Food labelling 20w, 524w
Novel foods 524w
Soya beans 20w

Genetically Modified Organisms (Deliberate Release) Regulations 1992
Questions
7–8w

Genetics
Defence research 243–4w
Immigration applications 544w
Patents 105–6w

George, Mr Andrew
Debates etc.
National Health Service (Equity of Funding) Bill, 1R (18.11.97) 165–7
Public service (17.11.97) 33
Rescue services, Points or order (19.11.97) 342
Questions
EC grants and loans, Cornwall 448–9

George, Mr Bruce
Questions
Armed forces, Telephones 498w
Armed forces uniforms, Fire resistant materials 497w
Defence review 499–500w
Stabilisation Force in Bosnia 498w
Stabilisation Force in Bosnia, Armed forces medical services 498w
Stabilisation Force in Bosnia, Clergy 498–9w
Stabilisation Force in Bosnia, Hospital consultants 520w
Stabilisation Force in Bosnia, Telephones 497–8w

George, Mr Bruce*—*continued
Yugoslavia, Overseas aid 494–5w

Germany
Interest rates 332w
Ministers' visits abroad 291w
Royal Ulster Constabulary 321w

Gerrard, Mr Neil
Questions
Non-departmental public bodies, Disclosure of information 315–6
Social security abuse 79–80w

"Getting To Grips With Crime"
669w

Gibb, Mr Nick
Debates etc.
Intervention during questions after statement (24.11.97) 638
Questions
European Communities, Information 756–7
Family credit, Taxpayers 445w
Income tax, Marginal tax rates 468w
Jobseeker's allowance 225w
Tax and Benefits Task Force 358w
Tax credits, USA 111w
Taxation, EC action 234–5w

Gibraltar
481–2w
European Parliament elections 680w, 763–4
Foreign policy 763–4
Free movement of people 764
NATO 679–80w
Official residences 562–3w
Treaty of Amsterdam 753–4
Western European Union 397w

Gibraltar airport
Air traffic 482w
Landing rights 397w

Gibson, Dr Ian
Debates etc.
University finance (19.11.97) 273
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1244–6
Questions
Biotechnology, Patents 412w
Electronic tagging, Norfolk 35w
Iraq, Foreign policy 768–9
Members, Corruption 433w
Road safety, Cellular phones 305–6w

Gill, Mr Christopher
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1142, 1157–8, 1164–7, 1171
European Parliamentary Elections Bill, 2R (25.11.97) 808, 810, 813, 849–50
Questions
Animal welfare, Slaughterhouses 119w
Cattle 524w
Economic and monetary union, EC enlargement 400w
Euro, British dependent territories 614w
Gibraltar 481–2w
Gibraltar airport, Air traffic 482w
Kidderminster Hospital 593–4w
Kidderminster Hospital, Accident and emergency departments 594w
Kidderminster Hospital, Capital investment 594w
Kidderminster Hospital, Health service staff 648–9w
NATO, Spain 221w
NHS trusts, Shropshire 520w
Referendums 315
Ritual slaughter 524w

Gill, Mr Christopher*—*continued
Tobacco advertising, Sports sponsorship 324

Gillan, Mrs Cheryl
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1105–7
Questions
Access Business Group 323–4w
Armed forces women 393w
Child care 361w
Debts 648w
Domestic electrical appliances, Retail prices 450–1
European Court of Justice, Judgments 32w
Home Office exports initiative, Companies 42–3w
Insurance premium tax 235w
Minister for Women 292–4w
Monopolies and Mergers Commission, Travel agents 52w
Pay television, Competition 181w
Pension rights, Women 9–10
Sex discrimination, Judgments 186–7w
Space technology 287–8w
Telephone services 107–8w
Training, Child care 587w

Glass
Public houses 247w

Gloucestershire
Community care 596w

Godman, Dr Norman A
Debates etc.
MV Gaul, Shipping accidents (25.11.97) 884
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 170, 176, 191–2, 214
Questions
Cold weather payments 79w
Fishing vessels, Shipping safety 127w, 371–2w
NHS, Northern Ireland 962
Nuclear disarmament 398w

Goggins, Mr Paul
Questions
Fireworks, Safety 47–8w
Small businesses, Export promotion 435

Golding, Mrs Llin
Debates etc.
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 332–3
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1208–9, 1219–21
Questions
Safeguards Against Abuse of Children Living Away From Home Review 314w

Goodlad, Rt Hon Sir Alastair
Questions
Aid financed trade 448w
Bosnia-Herzegovina, Overseas aid 493w
Commonwealth Development Corporation 448w
Export credit guarantees 552w
Mines, Bomb disposal 493w
Mixed credits 448w
Multinational companies, Codes of practice 644w
Overseas aid, Audit 644w
Somalia, Disaster relief 450w
World Bank 552w
Zambia, Human rights 450w
Zambia, Overseas aid 449w
Zimbabwe, Land acquisition 449w
Zimbabwe, Public order 448w

Gorman, Mrs Teresa
Debates etc.
Climate Change Convention (19.11.97) 243–7
Greater London Authority (Referendum) Bill, Com (19.11.97) 367–8, 373, 375–6, 392
Standards and Privileges Select Committee (17.11.97) 100
Questions
EC Finance Council, Economic and monetary union 357–8w
EC institutions, Scotland 501w
EC institutions, Wales 504w
Euro 332w
Foreign and Commonwealth Office, Public relations 260w
Residential care of children 313
Schengen Agreement 396w

Gorrie, Mr Donald
Questions
Social security benefits, Advisory services 12–3
Tuition fees, Scotland 422w

Gosport
Property transfer 564w

Government
311–2

Government bills
550–1w

Government buildings
Homelessness 136w
Rough sleepers initiative 136w

Government departments
Billing 662–3w
Empty housing 304–6w
Internet 390w

Government grants to local authorities
Political refugees 173–4w
Transport 128w

Government information services
237w, 310–1, 604w

Government of Wales Bill 1997/98
Debates etc.
1R (26.11.97) 975
Business questions (27.11.97) 1120, 1125, 1127

Government research establishments
Redundancy 586–7w

Government securities
(18.11.97) 218

GP fundholders
Finance 428–9w, 654–5w
NHS internal market 428w

Grammar schools
School admission 492w

Gray, Mr James
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1201, 1206, 1233, 1235, 1246, 1256, 1262–3
Questions
Agricultural development programme, Tax allowances 281w
Armed forces training, Land use 394w
Closed circuit television, Finance 631
Defence land, Fox hunting 153–4w, 393w, 602w
Defence review 769–70
Ministerial policy advisors 237w
Radio frequencies 443

Grays
Employment Service local offices 534w

Greater London
Air traffic 296–7w
Emergency services 521–2w
Health services 174w, 343w
Housing benefits 222–4w
Local government 4w
Ministers' domestic visits 597–8w
Teachers 339w

Greater London Authority
Referendums 465w

Greater London Authority (Referendum) Bill 1997/98
Debates etc.
Com (19.11.97) 346–426, (24.11.97) 647–746
3R (26.11.97) 979–1031

Green, Mr Damian
Questions
Algeria, Human rights 221w
Judges 627

Green papers
Disclosure of information 86w

Greenbelt
124w
Construction 460w

Greenhouse effect
Agricultural production 117w
Canada 195w
Dept for Education and Employment 155w
Dept for International Development 279–80w
Dept of Health 310w
Dept of Social Security 528–9w
Health hazards 59w
Ministry of Agriculture Fisheries and Food 117–8w
Ministry of Defence 69–70w
Northern Ireland Office 26w
Treasury 111–2w

Greenway, Mr John
Questions
Farmers, Surveys 118–9w
Inflation 660w
Police, Finance 623

Greenwich
Urban areas 334w

Grieve, Mr Dominic
Debates etc.
Civil proceedings (21.11.97) 537, 543–4, 553, 567
Greater London Authority (Referendum) Bill, Com (19.11.97) 396
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1265

Griffiths, Jane
Questions
River Thames, River crossings 127w

***Griffiths, Mr Nigel**, Parliamentary Under-Secretary of State, Dept of Trade and Industry*
Debates etc.
Regional aid, EC grants and loans (19.11.97) 287–91
Questions
Car boot sales 50w
Competition 449–50
Competition, Small businesses 450
Competition Bill (HL) 1997/98 107w
Domestic electrical appliances, Retail prices 450–1
Domestic electrical appliances, Retail trade 285w
Domestic gas appliances, Gas safety 189–90w

***Griffiths, Mr Nigel**—continued*
Export promotion 452
Fireworks, Safety 47–8w, 190w
Funerals, Consumer protection 191–2w
Lasers 515w
Lasers, Product safety 644–5w
Monitor Consultancy 511–2w
Mortuary, Contracts for services 192w
P and O, Sealink 450
Press releases, Dept of Trade and Industry 107w
Retail trade, EC countries 450
Small businesses, Advisory services 282w
Trade competitiveness 280w
Trading standards, Children 282w

***Griffiths, Mr Win**, Parliamentary Under-Secretary of State, Welsh Office*
Debates etc.
Petrol, Pollution (19.11.97) 295–8
Questions
Artificial Limb and Appliance Service Wales, Wheelchairs 682–3w
Beef, Wales 639w
Bovine spongiform encephalopathy, Wales 502w
Clydach Hospital, Injuries 263w
Farmers, Wales 501w
Health service staff, Wales 682w
Hill livestock allowances, Wales 25w
Joint replacements, Wales 380w
Neighbourhood nuisance, Wales 638–9w
NHS finance, Wales 24w, 503w
NHS trusts, Wales 24w
Quarrying, Flintshire 187–9w
Quarrying, Wales 189w
Ritalin, Vale of Glamorgan 682w
Smoking, Children 264w

Grocott, Mr Bruce
Questions
Railway network 147–8

Grogan, Mr John
Questions
Coal mining, Production 419–20w

Gulf War
see Iraq–Kuwait conflict

Gulf War syndrome
227w
Disclosure of information 496w
Medical research 496w

Gummer, Rt Hon John
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1217–9
Questions
Political parties, Finance 269w, 289w

Gunnell, Mr John
Questions
UK membership of EC 1070

Habitual residence test
527w

Hague, Rt Hon William,
Debates etc.
European Council, Employment (24.11.97) 635–7
Questions
Handicap benefits 964–6
Labour Party, Finance 319–21

***Hain, Mr Peter**, Parliamentary Under-Secretary of State, Welsh Office*
Questions
Average earnings, Wales 682w
CELTEC 639w
CELTEC, Subsidiary companies 639–40w
Coal mining, Wales 638w

***Hain, Mr Peter**—continued*
Cycleways, Wales 189w
Educational finance, Wales 24–6w
Further education, Educational finance 264w, 578w
Higher education, Wales 503–4w
Innovation, Wales 108w
North East Wales Institute of Higher Education 578w
Pre-school education, Wales 637–8w
Schools, Flintshire 578w
Secondary education, Conwy 504w
Students, Wales 577w
Training and enterprise councils, Finance 188w
University finance, Wales 381w, 505–6w
Welfare to work, Wales 503–5w
Welsh Development Agency, Arms exports 23w

Hairdressers Registration (Amendment) Bill 1997/98
Debates etc.
2R order read (28.11.97) 1272

Hall, Mr Mike
Debates etc.
Public Accounts Committee (20.11.97) 499–505

Hall, Mr Patrick
Questions
Concessionary fares 146

Hamilton, Rt Hon Sir Archie
Debates etc.
Standards and Privileges Select Committee (17.11.97) 116

Hammond, Mr Philip
Questions
Labour Party, Finance 322–3
Treaty of Amsterdam, EC immigration 753

Hancock, Mr Mike
Debates etc.
Public service (17.11.97) 29
Questions
Huntingdon Life Sciences, Animal breeding 439w
International conferences, Canary Wharf 270w
Post Office 677w

Handicap benefits
2–3, 964–6

Handicapped
1–2
Civil service 236w
Income support 225–6w
Loans 291–2w
Prisoners 452w
Reduced earnings allowance 2–3
Right to buy 8–9w
Welfare to work 535w

Hanson, Mr David
Questions
Competition 449
Pensions, Information services 84w
United Nations, Iraq 475w

Hare Coursing Bill 1997/98
Debates etc.
2R order read (28.11.97) 1273

***Harman, Rt Hon Harriet**, Secretary of State for Social Security*
Questions
Citizens' advice bureaux 11–2
Employment opportunities, Lone parents 6–7
Handicap benefits 2–3
Handicapped 1–2

Harman, Rt Hon Harriet—continued
New deal for lone parents 6–8
Reduced earnings allowance, Handicapped 2–3
Social security 79w
Social security benefits, Advisory services 11–3
Social security reform 3–4
Stakeholder pensions 138w

Harmonisation of legislation
EC internal trade 510w

Harold Wood Hospital
Public petitions (24.11.97) 746

Harrier aircraft
Air accidents 70w

Harris, Dr Evan
Debates etc.
Public service (17.11.97) 31–2
University finance (19.11.97) 260–7, 277
Questions
Blood 170–1w
Blood, Exports 311w
Blood, Fees and charges 169w
Blood donors, Surveys 170w
Blood tests, Malaria 169w
Blood transfusion services 171w
Habitual residence test 527w
Hospital waiting lists 326
Merseyside and North Wales Blood Service, Public appointments 522w
National Blood Authority 169w
National Blood Authority, Finance 171–2w
National Blood Authority, Public appointments 309w
National Blood Transfusion Service, Finance 170w, 172w
National Blood Transfusion Service, Performance standards 171w
National Blood Transfusion Service, Redundancy 171w
NHS finance 58w
Public expenditure, Inflation 660w
Speech therapists 57w

Hawkins, Mr Nick
Debates etc.
House of Commons questions, Points of order (20.11.97) 473
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1209
Young offenders (27.11.97) 1099–100
Questions
Interest rates 659w
Police patrolling 621–2

Hayes, Mr John
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1115–6, 1163, 1181, 1184
Greater London Authority (Referendum) Bill, Com (19.11.97) 380
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1232
Questions
Amsterdam Summit 605w
European Council 618w

Heald, Mr Oliver
Debates etc.
Greater London Authority (Referendum) Bill, 3R (26.11.97) 1004

Healey, Mr John
Questions
Minimum wage 347w
Security industry, Regulatory systems 441w

Health action zones
Benefits Agency district offices 445w
Rural areas 649w

Health authorities
Contracts 343w
Finance 651w
Public appointments 175w

Health hazards
Chemical weapons 147–8w, 310w
Greenhouse effect 59w
Hormones 134w
Mercury 648w
Wood 3–4w, 131–2w

Health insurance
105w, 316w

Health service staff
Kidderminster Hospital 648–9w
Political impartiality 653w
Redundancy 682w
Vacancies 652–3w
Wales 682w

Health services
318–9w
Cornwall 62–3w
Essex (18.11.97) 220–38
Expenditure 62–3w
Greater London 174w, 343w
Rural areas 519w

Hearing aids
172w

Heart diseases
312–3w

Heath, Mr David
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 862–4
Public service (17.11.97) 41, 60
Regional aid, EC grants and loans (19.11.97) 290
University finance (19.11.97) 265–6
Questions
Bruton dam 411w
Business, Environment protection 760–1
EC Committee of the Regions, Public appointments 374w
Flood control, Somerset 411w
Housing construction, Somerset 131–2
Lone parents, Social security benefits reductions 10
Police patrolling 622
Postal services, Rural areas 438–9
Railway stations, Rural areas 127w

Heathcoat-Amory, Rt Hon David,
Questions
Economic and monetary union, Costs 1077
Euro 332w
Film industry 409w
Tax evasion, Jersey 357w
Tax harmonisation 234w

Heating
Elderly 84–5w
Pensioners 536w

Hedgerows Regulations 1997
Questions
338w

Henderson, Mr Doug, Minister of State, Foreign and Commonwealth Office
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1145
Questions
Antarctic Treaty 547w
Central Europe, EC enlargement 679w

Henderson, Mr Doug—continued
Central Europe, Export promotion 477w
Common agricultural policy 770
Council of Ministers, Voting methods 260w, 397w
Defence review 769–70
EC common foreign and security policy 402–3w
EC common foreign and security policy, UK contributions to EC budget 476w
EC enlargement 260w, 477w
EC Foreign Affairs Council 615–7w
EC grants and loans 220w
EC internal relations 770–2
EC labour policy, Treaties 404w
EC Social Charter 324–5w, 766
Economic and monetary union, EC enlargement 400w
Economic and monetary union, Information 757
Egypt, Terrorism 149–54
European Communities 757
European Communities, Economic cooperation 400–1w
European Communities, Information 756–7
European Council 618w
European works councils 325w
Fishing quotas 259–60w, 396w
Frontiers, EC action 260w, 396–7w
Gibraltar 481–2w
Gibraltar, European Parliament elections 680w
Gibraltar airport, Air traffic 482w
Gibraltar airport, Landing rights 397w
Intergovernmental Conference 1996 400w
Israel, Fruit juices 643w
Israel, Import controls 544w
Kaliningrad, EC external relations 679w
Kurds, Armed conflict 615w
Mediterranean region, EC external relations 402w
Middle East, Peace negotiations 152–3
Middle East, Terrorism 150–1
NATO, Gibraltar 679–80w
NATO, Spain 221w
Organisation of African Unity, EC aid 397–8w
Republic of Ireland, Foreign policy 761
Schengen Agreement 396–7w
Spain, Air traffic 615w
Terrorism 151–2
Treaty of Amsterdam 261w, 399w, 401w
Treaty of Amsterdam, Discrimination 220–1w
Treaty of Amsterdam, EC Social Charter 403–4w
Treaty of Amsterdam, Human rights 475w
Treaty of Amsterdam, Religious freedom 221w
Treaty of Amsterdam, Subsidiarity 324w
Treaty of Rome 479w
Treaty on European Union, EC integration 476–7w
Turkey 480w
Turkey, EC accession 221–2w
UK contributions to EC budget 403w
UN resolutions 103w

Henderson, Mr Ivan
Debates etc.
Health services, Essex (18.11.97) 227–8
Maiden speech (17.11.97) 122–4
Merchant ships (17.11.97) 122–4

Hepatitis
Vaccination 521w

Heppell, Mr John
Questions
Civil service, Handicapped 236w
Fire prevention, Legislation 609–10w

***Heppell, Mr John**—continued*
Progressive taxation, Brewing industry 257w

Hereford bypass
459w

Heritage Lottery Fund
Expenditure 386–7w

Heseltine, Rt Hon Michael
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1210–2

Hesford, Mr Stephen
Questions
Sierra Leone, Overseas aid 494w

Hewitt, Ms Patricia
Questions
Pension rights 8–9

Higher education
30–1w, 161w
Business 33–4w
Northern Ireland 109w
Tuition fees 362w, 644w
Wales 503–4w

Higher education administration
Scotland 73w

Higher education admission
Cambridge University 363–4w, 590w
Oxford University 363–4w, 590w

Higher education teachers
Contracts of employment 185–6w

Hill, Mr Keith
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 401, (24.11.97) 666
Greater London Authority (Referendum) Bill, 3R (26.11.97) 989, 1021
Questions
Courts, Costs 673w

Hill farming
586w
Farm incomes 115–6w

Hill livestock allowances
Compensation 22w
Wales 25w

Hinchliffe, Mr David
Debates etc.
Intervention during questions after statement (19.11.97) 331
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 336
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1266–7
Questions
Art education 30w
Benefits Agency district offices, Health action zones 445w
Coal mining, Museums and galleries 510w
Curriculum, European Communities 31w
Disability living allowance, Children 665–6w
Disability living allowance, Elderly 666w
Drug abuse, Medical treatments 650w
Drug abuse, Young people 650w
Empty housing 624w
Hepatitis, Vaccination 521w
Immigration applications, Genetics 544w
Junior hospital doctors, Working hours 317–8w
Social security abuse, Departmental coordination 666w
Social security benefits, Civil servants 328w

***Hinchliffe, Mr David**—continued*
Social Security Benefits Agency, Social security recipients 86w
Speed limits 138w
Young offenders, Prison population 431w

HIV infection
Prisoners 40w

HM Coastguard
9–10w, 133–4w, 367w, 463–4w, (26.11.97) 887–909
Closures 303–4w, 463w
Manpower 335–6w

HM Prison Service
see Prison Service

Hoaxes and false alarms
Ambulance services 595w

Hoey, Miss Kate
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1206, 1237–9
Questions
Chinook helicopters, Computers 69w

Hogg, Rt Hon Douglas
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 805, 811–2, 814, 822, 827–8, 841,848–50, 869
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 204
Select committees, Points of order (27.11.97) 1190
Standards and Privileges Select Committee (17.11.97) 85, 87, 100, 110
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1246–7
Questions
Government information services 311
Middle East, Peace negotiations 152–3
Regional development agencies 133

Holiday leave
439–40

Holyhead
Radioactive wastes 120w, 587w

Home care services
63w, 656w
Regulatory systems 58w
Scotland 629w

Home detention curfews
Ministerial statements (20.11.97) 453–63

Home Office
Developing countries trade 46w
Electronic mail 37w
Ministers' visits abroad 440w
Open government 454w
Press releases 216w
Reviews 438–40w
Treaty of Amsterdam 541w

Home Office exports initiative
Companies 42–3w

Home Robertson, Mr John
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1210
Questions
A1, Road construction 142
Northern Ireland government 579w
Post offices, Electricity meters 53w, 284w
Roads, Scotland 145w

Homeless Persons (Priority Need) (Scotland) Order 1997
Debates etc.
(18.11.97) 218

Homelessness
Government buildings 136w
Scotland (18.11.97) 218

Homicide
Scotland 502w
Sentencing 451w, 458w, 502w

Homicide Act 1957
Questions
451w

Hong Kong
Election administration 482w
Human rights 482w
Official secrets 250w

Hoon, Mr Geoffrey, Parliamentary Secretary, Lord Chancellor's Dept
Debates etc.
Civil proceedings (21.11.97) 531–47, 549, 577, 589–90, 603–6
Questions
British Council, Public records 672–3w
Civil proceedings, Legal costs 254w
Conditional fee agreements 55–6w, 226w
Court rules and procedures, EC law 56–7w
Courts, Costs 253–4w, 673w
Courts, Dorset 254w
Divorce, Information services 251–3w
Divorce, Welsh language 252w
Electronic mail, Lord Chancellor's Dept 56w
Immigration appeals, Administrative delays 326–7w
Judges, Domestic violence 83–4w
Land ownership and tenure, Agricultural land 251w
Legal aid scheme 254w, 325w
Lord Chancellor's Dept, Clothing 226w
Magistrates 226w
Open government, Lord Chancellor's Dept 326w
Personal injury, Children 326w
Press releases, Lord Chancellor's Dept 327w
Public appointments, Lord Chancellor's Dept 326w, 673w
Public records, Abdication 672w
Public records, Royal family 672w
Public records, Whales 672w
Small claims 377w

Hope, Mr Phil
Debates etc.
Business questions (20.11.97) 471
Public Accounts Committee (20.11.97) 510–1
Questions
Integrated schools, Northern Ireland 955
Pensions, Divorce settlements 17
Rough sleepers initiative, Finance 121w

Hopkins, Mr Kelvin
Debates etc.
Maiden speech (28.11.97) 1251–4
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1251–4

Horam, Mr John
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 371–4

Hormones
Health hazards 134w

Hospital admissions
Surgery 656w
Weather 319–20w

Hospital beds
655–6w
Mental health services 653–4w

Hospital closures
Jubilee Maternity Hospital Belfast 636w

Hospital consultants
Scotland 181–3w
Stabilisation Force in Bosnia 520w
Vacancies 181–3w

Hospital discharges
430w
Wales 380w

Hospital patients
184w

Hospital waiting lists
318w, 326, 426w, 520w
Death 427w
Elderly 520–1w
Mid Essex Hospital Services NHS Trust 429w
NHS and private practice 426–7w
Northern Ireland 961
Patient's Charter 313–4
Sports competitors 172w

Hospitals
Performance standards 426w

Hotels
91w

House of Commons
Postal services 327w

House of Commons Commission
Equal opportunities 327w

House of Commons procedure
Speaker's rulings and statements (19.11.97) 339

House renovation grants
Council house sales 137w

"Household Growth Consultation Paper"
200w, 555–6w

Housing
688–9w

Housing Act 1985
Questions
8–9w

Housing benefits
224–5w, 445–6w
Children 224w
Greater London 222–4w
Young people 5–6

Housing construction
123w, 132, 556w
Countryside 132
Land pollution 121w
Single people 556–7w
Social rented housing 5w, 368w
Somerset 131–2
Staffordshire 297w
Urban areas 306w, 461w
West Midlands 297–8w

Housing Corporation
Directors 376–8w

Housing subsidies
201–2w

Howard, Rt Hon Michael
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1129–39
Questions
Arms exports, Export licensing 763
Business, EC action 52–3w
Egypt, Terrorism 149–54
UN Special Commission on Iraq 769

***Howarth, Mr Alan**, Parliamentary Under-Secretary of State, Dept for Education and Employment*
Questions
Child care 361w
Disability Discrimination Act 1995 164w
Disabled workers, USA 160–1w
Employment Service, Retirement age 487–8w
New deal for young unemployed 695–7w
Refugees, Montserrat 159w
Remploy, Performance standards 485–6w

***Howarth, Mr George**, Parliamentary Under-Secretary of State, Home Office*
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 820–1, 839, 844, 851, 868–73
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1260–6
Questions
Alcoholic drinks, Young people 246–7w, 435w
Animal experiments 93–4w
Animal experiments, Cosmetics 217w
Animal experiments, Disclosure of information 94w, 248w
Animal experiments, Licensing 248–9w
Animal Procedures Committee 611–2w
Drug crimes, Prisoners' release 620
Drug prevention initiative 248w
Drugs and crime 435–6w, 619–20
Drugs and crime, Young people 620
Electoral register 616–7
European Parliament elections, Electoral systems 433w
Fire prevention, Legislation 609–10w
Fires, Wales 265–8w
Huntingdon Life Sciences, Animal breeding 439w
Institute of Neurology, Animal experiments 249w, 612w
Pets, Animal welfare 214w
Poaching, Punishment 245w
Political parties, Finance 289w
Public houses, Glass 247w
Telephone systems 38–9w
Telephone systems, Emergency services 46–7w
Travelling people 625–6
Travelling people, Police powers 626
Travelling people, Trespass 625

Howarth, Mr Gerald
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 357–8, 360–1
Standards and Privileges Select Committee (17.11.97) 84, 86–7, 101, 107–13, 121
Questions
Housing construction, Land pollution 121w
Railway transport, Investment 128w

***Howells, Dr Kim**, Parliamentary Under-Secretary of State, Dept for Education and Employment*
Debates etc.
University finance (19.11.97) 280–3
Questions
Cambridge University, Higher education admission 590w
Committee on Standards in Public Life 34–5w
Computer storage 156w
Dance, Student grants 92w, 156w
Degrees 34w
Developing countries trade, Dept for Education and Employment 158w
EC Youth Council 186w
Educational finance 160w

***Howells, Dr Kim**—continued*
Further education, Educational finance 366w
General Certificate of Secondary Education 162w
Greenhouse effect, Dept for Education and Employment 155w
Higher education 30–1w, 161w
Higher education, Business 33–4w
Higher education, Tuition fees 644w
Higher education teachers, Contracts of employment 185–6w
Ministers' visits abroad, Dept for Education and Employment 158w
Oxford University, Cost per student 338w
Oxford University, Higher education admission 363–4w
Oxford University, University finance 33w
Road Transport Industry Training Board 339w
Student grants 364w
Student loans 362w
Student Loans Company, Annual reports 164w
Students, Complaints 185w
Students, Finance 159–60w
Training, Fraud 156w
Training and enterprise councils, Internet 157–8w
Tuition fees 487w
Tuition fees, Higher education 362w
Tuition fees, Low incomes 643w
Tuition fees, Scotland 643–4w
University finance 155–6w, 363w, 590w
University finance, Scotland 162–3w
University for Industry 156w

Hoyle, Mr Lindsay
Questions
Gibraltar, Foreign policy 763–4

Hughes, Ms Beverley
Debates etc.
Electronic tagging (20.11.97) 462–3
Questions
Religious discrimination 610w
Sexual offences, Children 606w

Hughes, Mr Simon
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 346–50, 357, 378, 381–3, 387–94, 401, 409, 411, 417–8, 420, (24.11.97) 661–7, 669–70, 675–8, 680, 682, 693–5, 707, 711–21, 725, 737–8, 742, 744–5
Greater London Authority (Referendum) Bill, Points of order (24.11.97) 647
Greater London Authority (Referendum) Bill, 3R (26.11.97) 980, 984, 990–6, 1006, 1026
Members' conduct, Points of order (26.11.97) 974
Public service (17.11.97) 21–9, 31, 39, 53, 63, 68
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1261–2
Questions
Cancer 425–6w
Citizen's Charter 313–4
Dental services 423w
Food Standards Agency 687w
GP fundholders, Finance 428–9w, 654–5w
GP fundholders, NHS internal market 428w
Health service staff, Vacancies 652–3w
Health services 318–9w
Health services, Greater London 174w
Hospital admissions, Weather 319–20w
Hospital beds 655–6w
Hospital discharges 430w

Hughes, Mr Simon—continued
Hospital patients 184w
Hospital waiting lists 318w, 426w
Hospital waiting lists, Death 427w
Hospital waiting lists, NHS and private practice 426–7w
Hospitals, Performance standards 426w
Influenza 598–600w
Local government, Greater London 4w
London Underground, Privatisation 140
Medical malpractice, Legal aid 519w
Mental health services, Hospital beds 653–4w
Mental patients 650–1w
Ministers' domestic visits 604w
NHS, Ministers' domestic visits 597–8w
NHS administration 427w
NHS finance 319w
NHS finance, Northern Ireland 962
NHS trusts, Finance 430–1w
NHS trusts, Public appointments 175w
Nurses, Skill shortages 654w
Surgery 684–5w
Surgery, Hospital admissions 656w

Human rights
476w
Algeria 221w, 481w
Asia-Europe Summit 479w
Burma 481w
Development aid 495w
East Timor 480w
EC external relations 476w
Hong Kong 482w
India 11w
Kenya (19.11.97) 299–308
Treaty of Amsterdam 475w
Tunisia 482w
Zambia 450w

Human Rights Bill (HL) 1997/98
Questions
435w

Humble, Mrs Joan
Debates etc.
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 338

Hume, Mr John
Questions
Army in Northern Ireland, Death 966

Hunter, Mr Andrew
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 205–7
Questions
Breast cancer, Radiotherapy 595w
Deportation 214w
General practitioners 340w

Hunting
(28.11.97) 1199–271
Defence land 67w
Farmers 118w
Public petitions (27.11.97) 1190, (28.11.97) 1197–8

Huntingdon Life Sciences
Animal breeding 439w

Hurst, Mr Alan
Debates etc.
Health services, Essex (18.11.97) 224–7

Hutton, Mr John
Debates etc.
European Council, Employment (24.11.97) 642
Questions
Economic and monetary union, Business 657w

Hutton, Mr John—continued
Pensions, Divorce settlements 83w

Hydrographic Office
Performance standards 500w

Hyperactivity
Ritalin 591w

Iddon, Dr Brian
Debates etc.
Drug abuse (19.11.97) 430–1
University finance (19.11.97) 264, 276–9
Young offenders (27.11.97) 1099
Questions
Housing subsidies 201–2w

Illegal immigrants
Costs 439w
Leicester 439w

Illsley, Mr Eric
Questions
Unemployment, EC action 322

Immigration adjudicators
Public appointments 326–7w

Immigration appeals
Administrative delays 326–7w

Immigration applications
Genetics 544w
India 761

Immigration controls
Treaty of Amsterdam 36w

Immunity from prosecution
European Police Office 453w

Import controls
Israel 544w

Import duties
Spacecraft 231w

Imports
Beef 273–5w

"Improving the Payment Culture"
648w

Incapacity benefit
968
Employment 567w
Welfare to work 529–30w

Income support
535w
Handicapped 225–6w
Mortgages 140w, 329w, 570w
New deal for lone parents 664w
Pensioners 5, 85w
Student loans 225w

Income tax
Marginal tax rates 468w

Incontinence
172–3w

Independent Advisory Panel Review of Health Care in London
see Review of Health Care in London Independent Advisory Panel

Independent International Commission on Decommissioning
110w

India
British embassies 102w
Human rights 11w
Immigration applications 761
Ministers' visits abroad 767–8
Temporary immigrants 102w

Indian subcontinent
Entry clearances 478–9w

Indonesia
Arms trade 103w

Indonesia—continued
East Timor 178w
Foreign policy 474w
International Monetary Fund 469w, 495–6w

Industrial accidents
Millennium Exhibition 92w

Industrial health and safety
Asbestos 324–5

Industrial injuries
1w

Industrial injuries disablement benefit
530–2w, 568w, 665w

Industrial investment
EC grants and loans 449

Industrial Pollution Control (Northern Ireland) Order 1997
Debates etc.
(25.11.97) 878

Industrial relations
Civil service 236w

Industrial research
283w

Industrial tribunals
Employment discrimination 107w

Industries
Performance standards 53–4w

Industry
671w

Inflation
660w, 1077–8
Public expenditure 660w

Influenza
598–600w

Information
Economic and monetary union 757
European Communities 756–7

Information services
Air pollution 298–300w
Divorce 251–3w
Pensions 84w

Information technology
Customs 112w
Small businesses 285w

***Ingram, Mr Adam**, Minister of State, Northern Ireland Office*
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 168–77, 182
Questions
Army in Northern Ireland 321–2w
Arson, Northern Ireland 378–9w
Bombings, Dublin 109–10w
Bombs, Northern Ireland 634w
Campbell, Jason, Prisoners' transfers 273w
Death, Portadown 633–4w
Deregulation initiative, Northern Ireland 579w
Discrimination, Northern Ireland 963
Employment, Northern Ireland 579w, 581–2w
Foreign investment in UK, Northern Ireland 581w
Gas supply industry, Northern Ireland 213w
Independent International Commission on Decommissioning 110w
Internal security operations, Armagh 580w
Northern Ireland (Emergency Provisions) Act 1991 581w
Police, Northern Ireland 630w

Ingram, Mr Adam—continued
Police Authority for Northern Ireland, Manpower 633w
Police stations, Coleraine 483w
Royal Ulster Constabulary 629–32w
Royal Ulster Constabulary, Germany 321w
Royal Ulster Constabulary, Proof of identity 631w
Royal Ulster Constabulary, Recruitment 632–4w
Sinn Fein 581w
Terrorism, Crimes of violence 483w
Tourism, Northern Ireland 580–1w
Trials, Northern Ireland 109w, 637w

Injuries
Clydach Hospital 263w

Innovation
Wales 108w

Institute of Neurology
Animal experiments 249w, 612w

Insulin
Diabetes (20.11.97) 524–30
Road accidents 693–4w

Insurance
Regulatory systems 661–2w

Insurance premium tax
235w

Integrated schools
Northern Ireland 583w, 955

Intellectual property
Charities 614w

Intelligence services
Drug crimes 400w
RAF Menwith Hill 71w
Telephone tapping 39w

Interception of Communications Act 1985
Questions
100w

Interest rates
658–9w
Disposable income 659w
Economic and monetary union 659w, 1074–6
France 332w
Germany 332w
Local government finance 369w, 689w

Intergovernmental Conference 1996
400w

Internal security operations
Armagh 580w

International Bank for Reconstruction and Development
see World Bank

International conferences
Canary Wharf 270w, 408w

International Criminal Court
War crimes 400w

International Decommissioning Commission
see Independent International Commission on Decommissioning

International law
Telephone tapping 610–1w

International Monetary Fund
Indonesia 469w, 495–6w

Internet
Government departments 390w
Press releases 241w
Tax yields 661w
Training and enterprise councils 157–8w

Invalid care allowances
Social security claims 529w

Investment income
USA 111w

Investors compensation scheme
18w

IRA
581w

Iraq
480w, 546w, 605w
Armed forces deployment 406w
Biological weapons 768–9
Debts 346–7w
EC external relations 402w
Foreign policy 323, 768–9
Mines 447–8w
Radio programmes 219–20w
United Nations 475w

Iraq-Kuwait conflict
71w

Irish
Languages education 27–9w

Irish Sea
Rescue services 367w

Isaac Newton Group of Telescopes
51w

Israel
475w
Foreign policy 759
Fruit juices 643w
Import controls 544w
Peace negotiations 759–60

J Sainsbury
Planning appeals 690w

Jack, Rt Hon Michael
Questions
Agricultural policy, EC presidency 21w, 356w
Agricultural subsidies 356w
Animal quarantine 22–3w
Beef premiums, Costs 278w
British Aerospace, Government assistance 346w, 359w
Cattle, Transport of animals 277w, 523–4w
Committee on Medical Aspects of Food Policy, Publications 517–9w
Common agricultural policy, UK contributions to EC budget 115w
Dairy farming, Agricultural subsidies 275w
European fighter aircraft 243w, 694w
Fishing catches 348–54w
Fishing catches, EC action 22w
Food composition 523w
Food poisoning 596w
Food standards 640w
Food standards, Public opinion 640w
Food Standards Agency 22w
Hill livestock allowances, Compensation 22w
Hill livestock allowances, Wales 25w
Irish Sea, Rescue services 367w
Milk, Pasteurisation 21–2w, 355–6w
Milk, Scotland 77w
Ministry of Agriculture Fisheries and Food 523w
Ministry of Agriculture Fisheries and Food, Advisory services 522w
Ministry of Agriculture Fisheries and Food, EC action 523w
Ministry of Agriculture Fisheries and Food, Relocation of employees 22w
Nutrition and health 686w
Research associations, Tax reform 347–8w, 469w
Sheep premiums 356w

Jack, Rt Hon Michael—continued
UK contributions to EC budget 466w
Untreated milk 522–3w

***Jackson, Ms Glenda**, Parliamentary Under-Secretary of State, Dept of the Environment Transport and the Regions*
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 412, (24.11.97) 692–5, 698–700, 707–11, 723–8, 741–3, 745–6
Greater London Authority (Referendum) Bill, 3R (26.11.97) 994, 1000, 1022–7
Merchant ships (17.11.97) 125–30
MV Gaul, Shipping accidents (25.11.97) 883–6
Port of London Authority, Moorings (24.11.97) 750–2
Rescue services (26.11.97) 905–9
Rescue services, Points of order (17.11.97) 80
Questions
A65, Private finance initiative 460–1w
Air bags, Research 196–7w
Air routes, Malaysia 626w
Air traffic, Greater London 296–7w
Air transport, Economic situation 625w
Air transport, North West region 625w
Airports 691w
Bridges, Road works 1–2w
British Rail, Planning obligations 129w
Bus lanes 368w
Bus lanes, Prosecutions 368w
Bus services 691–3w
Bus services subsidies 692w
Buses, Parking 369–70w
Carbon dioxide, Air pollution control 134w, 295w
Civil Aviation Authority 128w
Concessionary fares 146
Cycling, Crash helmets 135w
Driving and Diabetes Advisory Panel, Public appointments 373–4w
Driving instruction, Deaf 553w
Driving licences, Medical examinations 466w
Driving licences, Pensioners 294–5w
Fishing vessels, Shipping safety 127w, 371–2w
Freight transport, Wales 127w
Hereford bypass 459w
HM Coastguard 9–10w, 133–4w, 463–4w
HM Coastguard, Closures 303–4w, 463w
HM Coastguard, Manpower 335–6w
Irish Sea, Rescue services 367w
Lewes-Uckfield railway line 626w
Locomotives 144–5
London Underground 141
London Underground, Acton 128w
London Underground, Concessionary fares 146
London Underground, Fares 140
London Underground, Finance 137w
London Underground, Privatisation 140
M6 2w
Motor vehicles, Inspections 553w
Motor vehicles, Petrol alternatives 135w
MV Gaul, Shipping accidents 295–6w
MV Sea Empress, Oil pollution 693w
Orange badge scheme 553–4w
Pedestrian crossings 133w
Ports, Merseyside 137w
Railway freight transport, Locomotives 145
Railway network 461–2w
Railway signals 689w
Railway stations, Rural areas 127w
Railway transport, Finance 141
Railway travel 145

***Jackson, Ms Glenda**—continued*
Regional airports, Air routes 625w
River Thames, River crossings 127w
Road accidents 462w, 619w
Road accidents, Children 195w
Road accidents, Insulin 693–4w
Road finance 194–5w
Road safety, Cellular phones 305–6w
Road safety, Children 137–8w, 372w
Road safety education 134–5w
Rolling stock, Repairs and maintenance 460w
Severn bridge, Road tolls 197w
Speed limits, Cameras 129w
Speed limits, Rural areas 129–30w
Speed limits, Telematics 130w
Speed limits, Urban areas 130w
Transport, Regulatory systems 693w
Vehicle number plates 554w
West coast railway line, Channel tunnel 555w
Wheelchair Working Group 200w

Jackson, Helen
Questions
Crime victims 432w
Domestic violence, Crime victims 624
Forestry Commission, Land acquisition 142–5w
National parks 123w
Non-departmental public bodies, Disclosure of information 238–9w
Social security, Domestic violence 528w
Water and sewerage companies 4–5w

Jackson, Mr Robert
Debates etc.
University finance (19.11.97) 260, 264–5, 273, 282

Jamieson, Mr David, An Assistant Whip
Debates etc.
Greater London Authority (Referendum) Bill, Com (24.11.97) 712
Public service (17.11.97) 64

Japan
Economic situation 758
Foreign policy 757–8
Prisoners of war 757–8

Jenkin, Mr Bernard
Debates etc.
Business questions (27.11.97) 1125
Community Care (Residential Accountability) Bill, Point of order (28.11.97) 1272
European Communities (Amendment) Bill, Com (27.11.97) 1133, 1148, 1154–60, 1165, 1167, 1169–70
Health services, Essex (18.11.97) 222, 227–30, 234
Questions
Economic and monetary union 658w
Economic policy 1072
Electronic mail, Chancellor of the Duchy of Lancaster 389–90w
Electronic mail, Dept for Culture Media and Sport 383w
Electronic mail, Dept of Health 516–7w
Electronic mail, Dept of the Environment Transport and the Regions 130–1w
Electronic mail, Home Office 37w
Electronic mail, Lord Chancellor's Dept 56w
Electronic mail, Ministry of Agriculture Fisheries and Food 273w
Electronic mail, Ministry of Defence 229w
Electronic mail, Northern Ireland Office 582w
Electronic mail, Treasury 331w

***Jenkin, Mr Bernard**—continued*
Electronic mail, Welsh Office 108w
Government departments, Internet 390w
Higher education, Northern Ireland 109w
Ministers, Electronic mail 267w, 312
National Assembly of Wales, Parliamentary buildings 683w
Police, Finance 433w
Police patrolling 624
Tuition fees, Scotland 145–6w
University finance, Scotland 162–3w
Untreated milk 642w

Jenkins, Mr Brian
Debates etc.
Business questions (20.11.97) 470
Questions
Committee on Standards in Public Life 34–5w
Council house waiting lists 298w
Government information services 604w
Handicapped, Loans 291–2w
Higher education, Business 33–4w
Housing construction, Staffordshire 297w
Housing construction, West Midlands 297–8w
Oxford University, University finance 33w
Single regeneration budget, West Midlands 299–302w
Wood, Health hazards 3–4w, 131–2w

Jersey
Tax evasion 357w

Jobseeker's allowance
82w, 225w, 329w, 529w
Social security appeals 82w
Social security recipients 675–6w

Johnson, Mr Alan
Debates etc.
MV Gaul, Shipping accidents (25.11.97) 879–82
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1201
Questions
Barents Sea, Telecommunications cables 227–8w
Brookes, John, Disclosure of information 497–8w
MV Gaul, Shipping accidents 295–6w

Johnson, Miss Melanie
Debates etc.
Lead in Paint (Health and Safety) Bill, 1R (19.11.97) 343–5
Public service (17.11.97) 58–9, 65
Questions
Competition 284w
Remploy, Performance standards 485–6w

Joint replacements
Wales 380w

Jones, Mr Barry
Debates etc.
European Council, Employment (24.11.97) 643
Questions
Average earnings, Wales 682w
Beef, Wales 639w
British Aerospace, Government assistance 346w, 381w, 435–6
Bureaucracy, Wales 263–4w
Coal mining, Wales 638w
Crimes of violence 214–5w
Further education, Educational finance 578w
Joint replacements, Wales 380w
Neighbourhood nuisance, Wales 638–9w
NHS finance, Wales 24w
NHS trusts, Wales 24w

***Jones, Mr Barry**—continued*
North East Wales Institute of Higher Education 578w
Quarrying, Flintshire 187–9w
Quarrying, Wales 189w
Revenue support grant, Wales 683w
Schools, Flintshire 578w
Smoking, Children 264w
Social problems 321
Social security 79w
Welfare to work 659–60w

Jones, Ms Fiona
Questions
Benefit Fraud Inspectorate, Publications 328w
Young offenders 436w

Jones, Helen M
Questions
Discrimination, Northern Ireland 963
Higher education teachers, Contracts of employment 185–6w
Lone parents, Day care of children 10
Prison medical services 37w
Prisoners, AIDS 40w
Prisoners, Handicapped 452w
Prisoners, HIV infection 40w
Prisoners, Medical research 451–2w
Prisons, Pharmacists 41w
Social security abuse 80w
Students, Complaints 185w
Trading standards, Children 282w

Jones, Mr Ieuan Wyn
Questions
National Assembly of Wales 968–9
Radioactive wastes, Holyhead 120w, 587w

Jones, Ms Jenny
Questions
European Convention on Human Rights 626–7
Housing Corporation, Directors 376–8w
India, British embassies 102w
India, Human rights 11w
India, Temporary immigrants 102w

Jones, Dr Lynne
Debates etc.
Pre-Budget statement (25.11.97) 790–1
Questions
Biotechnology, Patents 287w
China, Police 177w
Defence equipment, Exhibitions 227w
Domestic energy conservation 136–7w
Fire prevention 622w

Jones, Mr Martyn David
Questions
Agricultural land, Environment protection 229–30w
Agriculture, Young people 230w
Appendicitis 314w
Bovine tuberculosis, Agricultural research 275w
Diabetes, Medical research 312w
Family planning 313w
Fertility 316w
Fluoridation, Research 423–4w
Heart diseases 312–3w
Motor vehicles, Petrol alternatives 135w
NHS, Energy conservation 342–3w
Obesity 315w
Organic farming 119w
Prescription charges exemptions 343w
Transport infrastructure 609w
Varicose veins 517w
Welfare to work, Wales 503–5w

Jones, Mr Nigel
Questions
Government bills 550–1w

Jowell, Tessa
317w, 429–30w

***Jowell, Ms Tessa**, Minister for Public Health, Dept of Health*
Debates etc.
Drug abuse (19.11.97) 431–4
Questions
Abortion, Costs 423w
Biotechnology, Patents 62w
Cancer 425–6w
Child health, Lead pollution 686w
Committee on Medical Aspects of Food Policy, Publications 517–9w
Dept of Health, Ministerial policy advisors 311w
Dept of Health, Official engagements 317w
Diabetes, Medical research 312w
Drug abuse, Medical treatments 650w
Drug abuse, Young people 650w
Electronic mail, Dept of Health 516–7w
Family planning 313w
Female circumcision, Members' correspondence 687w
Fertility 316w
Fluoridation, Research 423–4w
Food poisoning 596w
Food Standards Agency 687w
Greenhouse effect, Dept of Health 310w
Greenhouse effect, Health hazards 59w
Health hazards, Chemical weapons 310w
Heart diseases 312–3w
Hepatitis, Vaccination 521w
Hyperactivity, Ritalin 591w
Influenza 598–600w
Jowell, Tessa 317w
Malaria, Drug side effects 311w
Malaria, Drugs 516w
Myelography, Medical records 307w
Nutrition and health 686w
Obesity 315w
Official hospitality, Dept of Health 320w
Open government, Dept of Health 313w
Osteoporosis 685–6w
Press releases, Dept of Health 314w
Publicity, Dept of Health 175–6w
Skin piercing 108w
Smoking related diseases, Costs 309w
Technology foresight programme, Dept of Health 595–6w
Tobacco advertising, Sports sponsorship 424–5w, 519w, 685w

Jubilee Maternity Hospital Belfast
Hospital closures 636w

Judges
627
Domestic violence 83–4w

Judgments
Community care 596w
European Court of Justice 32w
Sex discrimination 186–7w

Junior hospital doctors
Working hours 317–8w

Kaliningrad
EC external relations 679w

Kashmir
Foreign policy 474w, 768

Keeble, Ms Sally
Questions
Drugs and crime, Young people 620
Export promotion 452
Non-fossil fuel obligation 507–10w

Keetch, Mr Paul
Debates etc.
Bovine Spongiform Encephalopathy, Disease control (26.11.97) 1058–61, 1065

***Keetch, Mr Paul**—continued*
Questions
Ambulance services 310w
Ambulance services, Medals 310w
Hereford bypass 459w
Hotels 91w
Motability 567–8w
New deal for young unemployed 695–7w
Severn bridge, Road tolls 197w
Speed limits, Rural areas 129–30w
War pensions, Medical examinations 566–7w

Kelly, Ms Ruth
Questions
Criminal proceedings, Administrative delays 432w
Economic and monetary union, Legislation 357w

Kemp, Mr Fraser
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1116

Kennedy, Mr Charles
Debates etc.
Standards and Privileges Select Committee (17.11.97) 93, 99–102
Questions
Beef, Quality control 229w
Student numbers, Scotland 72–3w

Kent
Political refugees 616, 683–4w

Kenya
Election observers 90w
Human rights (19.11.97) 299–308
Overseas aid 89w

Key, Mr Robert
Questions
Armed forces education allowances 151w
Chinook helicopters, Air safety 152–3w
Chinook helicopters, Aircraft engines 151–2w
Iraq-Kuwait conflict 71w
Ludgershall, Members' correspondence 243w
Quarantine Advisory Group 410–1w
Quarantine Advisory Group, Public appointments 410w

Kidderminster Hospital
593–4w
Accident and emergency departments 594w
Capital investment 594w
Health service staff 648–9w

Kidnapping
Chechnya 11w

Kidney, Mr David
Debates etc.
Plant Varieties Bill, Lords amendments (26.11.97) 1044–5
Questions
Air pollution, Information services 298–300w
Children in care, Court orders 592w
Children in care, Staffordshire 591–3w
Employment Service, Retirement age 487–8w
Hydrographic Office, Performance standards 500w
Interest rates, France 332w
Local government elections 623w
Maintenance, Children 17–8
Osteoporosis 685–6w
Water pollution 626–7w
West coast railway line, Channel tunnel 555w

Kidney patients
East Lancashire Health Authority 309w

***Kilfoyle, Mr Peter**, Parliamentary Under-Secretary of State, Office of Public Service*
Questions
Access Business Group 323–4w
Access business initiative 239w
Chartermark scheme, NHS trusts 237w
Citizen's Charter 238w, 313–4
Citizen's Charter, Expenditure 471–2w
Civil service, Handicapped 236w
Civil service, Industrial relations 236w
Government information services 237w, 310–1
Ministerial policy advisors, Contracts of employment 237w
Non-departmental public bodies, Women 312–3
Official cars, Expenditure 251w
Residential care of children 313

King, Mr Andy
Debates etc.
Public service (17.11.97) 25, 33–4, 38, 48–50
Questions
Lone parents, Day care of children 81w
"Register of Quality Assessed Companies" 574–5w

King, Rt Hon Tom
Debates etc.
Standards and Privileges Select Committee (17.11.97) 95–9
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1221–4
Questions
Empty housing 622w
Empty housing, Shops 687–8w
Empty property, Offices 374–5w
Families, Council tax exemptions 622–3w
Housing 688–9w
Housing construction 556w
Housing construction, Single people 556–7w
Parking, Urban areas 555–6w

Kingham, Ms Tess
Questions
Small businesses, Advisory services 282w

Kirkbride, Miss Julie
Questions
Civil Aviation Authority 128w
Greenbelt 124w

Kirkwood, Mr Archy
Debates etc.
Personal pensions (18.11.97) 160
Pre-Budget statement (25.11.97) 796–7
Questions
Child benefit 533–4w
Green papers, Disclosure of information 86w
Handicap benefits 2–3
House of Commons Commission, Equal opportunities 327w
Lorry drivers, France 129w
Pensions, Divorce settlements 86w
Pensions review 85–6w
Students, Borders region 141w
Unemployed, Poverty 83w

Know-how Fund
Companies 55w
Finance 55w

Krebs Committee
see Tuberculosis in Cattle and Badgers Review

Kurds
546w
Armed conflict 615w

Labour Party
Finance 16–7w, 318–23, 344w, 405w, 438, 506w, 603w, 969

Ladyman, Dr Stephen
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1109–10

Laing, Mrs Eleanor
Debates etc.
Civil proceedings (21.11.97) 588–92
Questions
Railway transport 148

Lait, Mrs Jacqui,
Debates etc.
Members' oath and affirmation, Lait, Jacqui (26.11.97) 975

Lake Windermere
Water sports 381–2w

Lancashire
Welfare to work 340w, 488w

Land acquisition
Forestry Commission 142–5w, 273w
Playing fields 161–2w
Zimbabwe 449w

Land ownership and tenure
Agricultural land 251w

Land pollution
116w, 301–2w
Housing construction 121w
Northern Ireland (25.11.97) 878

Land use
Armed forces training 394w

Landfill tax
Tax yields 467w

Landing rights
Gibraltar airport 397w

Languages education
Irish 27–9w

Lansley, Mr Andrew
Debates etc.
Business questions (27.11.97) 1127
Greater London Authority (Referendum) Bill, Com (19.11.97) 366–71, 378, (24.11.97) 653–4, 670, 736, 738–9
Greater London Authority (Referendum) Bill, 3R (26.11.97) 982–3, 1008–12
Plant Varieties Bill, Lords amendments (26.11.97) 1045
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 337
University finance (19.11.97) 271–4
Questions
Interest rates, Disposable income 659w
Open government 239w, 309
Revenue support grant 124w

Lasers
515w
Assaults on police 215w
Product safety 644–5w
Prosecutions 454w

Law Officers' Dept
see Attorney General

Law reform
Taxation 663w

Lawrence, Ms Jackie
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1201–2
Questions
Billing, Government departments 662–3w
Commemorative coins 550w
Somerset House Trust 469–70w

Lead
Paint (19.11.97) 343–5

Lead in Paint (Health and Safety) Bill 1997/98
Debates etc.
1R (19.11.97) 343–5

Lead pollution
Child health 686w

Legal aid
(21.11.97) 531–606
Medical malpractice 519w

Legal aid scheme
254w, 325w

Legal costs
Civil proceedings 254w

Leicester
Illegal immigrants 439w

Leicestershire
School buildings 698w

Leigh, Mr Edward
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 872–3
Greater London Authority (Referendum) Bill, Com (19.11.97) 388, 393, 402, 415–6
Public service (17.11.97) 35
Standards and Privileges Select Committee (17.11.97) 83, 112
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1202
Questions
A46 966–7
Treaty of Amsterdam 399w
Treaty of Amsterdam, Political refugees 608w

Lepper, Mr David
Questions
Environment protection, South Downs 373w

Leslie, Mr Christopher
Debates etc.
Public Accounts Committee (20.11.97) 486–8
Standards and Privileges Select Committee (17.11.97) 110
Questions
Pensions 4–5
Roads 143–4

Letwin, Mr Oliver
Debates etc.
Business questions (20.11.97) 471–2, (27.11.97) 1126–7
European Communities (Amendment) Bill, Com (27.11.97) 1156–7, 1161, 1168–9, 1175–81, 1184, 1187
Questions
Armed forces pensions, Widows 71w
Beef, Imports 273–5w
Civil proceedings, Legal costs 254w
Clinical audit 342w
Courts, Costs 253–4w
Courts, Dorset 254w
Driving licences, Pensioners 294–5w
EC grants and loans, Small businesses 765

Letwin, Mr Oliver—continued
Hospital waiting lists, Sports competitors 172w
Investors compensation scheme 18w
Playing fields, Land acquisition 161–2w
Smuggling, Tobacco 230–1w

Levitt, Mr Tom
Debates etc.
Standards and Privileges Select Committee (17.11.97) 92, 102–5

Lewes-Uckfield railway line
626w

Lewis, Mr Ivan
Questions
Educational finance 968
Israel 475w

Lewis, Mr Terry
Debates etc.
Standards and Privileges Select Committee (17.11.97) 90, 100

***Liddell, Mrs Helen**, Economic Secretary to the Treasury*
Debates etc.
Personal pensions, Ministerial statements (18.11.97) 155–63
Questions
Abortion 470–1w
Asbestosis, Death 231–4w
Bank notes, Forgery 332–3w
Civil servants' visits abroad, Treasury 113–4w
Coinage, Forgery 333w
Common agricultural policy, UK contributions to EC budget 115w
Currency movements 358–9w
EC Budget Council 674w
EC Finance Council, Economic and monetary union 357–8w
Economic and monetary union 329–30w, 357–8w, 658w
Economic and monetary union, Exchange rate mechanism 330w
Economic and monetary union, Exchange rates 330w, 658w
Economic and monetary union, Legislation 357w
Elderly, Norfolk 256–7w
Electronic mail, Treasury 331w
Euro 332w, 658w
European Central Bank 549w
European Central Bank, Economic and monetary union 357w
European Central Bank, Public appointments 331w, 469w
Financial services, Regulatory systems 333w
Financial Services Authority 466w
Financial Services Authority, Costs 467w
Financial Services Authority, Scotland 467w
Insurance, Regulatory systems 661–2w
Interest rates, France 332w
International Monetary Fund, Indonesia 469w, 495–6w
Investors compensation scheme 18w
Millennium compliance 329w
Millennium compliance, Treasury 110w
Official hospitality, Treasury 112–4w
Open government, Treasury 331w
Pay 18–20w
Pension rights, EC staff 547–8w
Press releases, Treasury 331–2w
Public appointments, Treasury 358w
Public sector debt 330–1w
Publicity, Treasury 113–4w
Treaty of Amsterdam, Treasury 333–4w
UK contributions to EC budget 466w

Liddell, Mrs Helen*—*continued
Young people, Unemployment 235w

Lilley, Rt Hon Peter
Debates etc.
Pre-Budget statement (25.11.97) 780–2
Questions
Corporation tax 1070–1
Social security recipients, Taxpayers 444w

Linton, Mr Martin
Questions
Young offenders, Reparation by offenders 628–9

Listed buildings
Church buildings 259w

Livingstone, Mr Ken
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 349, 363–4, 392, 398–403
Pre-Budget statement (25.11.97) 795
Questions
Armed forces, Radiation hazards 227w
Biotechnology, Patents 287w, 412w
Chemical weapons, Health hazards 147–8w, 310w
Porton Down, Animal experiments 500w

Lloyd, Rt Hon Sir Peter
Debates etc.
Standards and Privileges Select Committee (17.11.97) 87

Lloyd, Mr Tony, Minister of State, Foreign and Commonwealth Office
Debates etc.
Kenya, Human rights (19.11.97) 303–8
Questions
Arms trade 680–1w
Bosnia-Herzegovina, Military vehicles 680w
British dependent territories 259w
British Indian Ocean Territory, Mineral resources 10w
Central Africa, EC external relations 399w
Central Africa, Refugees 399w
Chechnya, Kidnapping 11w
Democratic Republic of the Congo, UN resolutions 398w
Diplomatic service, Private education 10w
El Salvador, Foreign policy 398w
Foreign and Commonwealth Office, Public relations 260w
International Criminal Court, War crimes 400w
Iraq, EC external relations 402w
Mines, Treaties 398–9w
Nuclear disarmament 398w
Pinochet, Augusto 615w
Western European Union, EC enlargement 401w
Western European Union, Gibraltar 397w
Western Sahara 545w

Llwyd, Mr Elfyn
Debates etc.
Petrol, Pollution (19.11.97) 292–6, 298
Questions
Agricultural Tenancies Act 1995 118w
Clydach Hospital, Injuries 263w
Conditional fee agreements 226w
Divorce, Information services 251–3w
Divorce, Welsh language 252w
Domestic electrical appliances, Retail trade 285w
Food Standards Agency 239w
Magistrates 226w
National Assembly of Wales 187w
Personal injury, Children 326w
Prisons, Construction 35–6w

Llwyd, Mr Elfyn*—*continued
Probation officers, Wales 35w
Social security reform 3–4
Water pollution, Garages and petrol stations 125–6w

Loan guarantee scheme
48w

Loans
Handicapped 291–2w

Local authorities
EC regional policy 303w

Local broadcasting
Television reception 457w

Local exchange and trading schemes
Earnings rules 140w

Local government
126w
Greater London 4w
Non-departmental public bodies 314–5
Public service 238w

Local Government Act 1988 (Competition) (Scotland) Regulations 1997
Questions
145w

Local government associations
South East region 366w

Local Government Commission for England
9w

Local Government (Contracts) Bill 1997/98
Debates etc.
Royal Assent (27.11.97) 1088

Local government elections
623w

Local government expenditure
367–8w
Political refugees 173–4w

Local government finance
137–8, 464w
Interest rates 369w, 689w
Scotland 677w

Local government functions
624–5w
Crime prevention 669w
Environment protection 463w

Local government land
Smallholdings (26.11.97) 941–8

Local government pensions
85w, 138, 1085

Local government reform
Southend (28.11.97) 1274–80

Local government services
Best value 123–4w
Contracts for services 123–4w, 336–8w

Locate in Scotland
105w

Lock, Mr David
Debates etc.
Civil proceedings (21.11.97) 544, 549, 590, 601–3
European Parliamentary Elections Bill, 2R (25.11.97) 840, 851–2
Questions
Accident and emergency departments, Research 591w
Trauma centres 425w
Working hours, EC law 439–40

Lockerbie
Bombings 766–7

Locomotives
144–5
Railway freight transport 145

London Underground
141
Acton 128w
Concessionary fares 146
Fares 140
Finance 137w
Privatisation 140

Lone parent families
Social security recipients 537w

Lone parents
80–1w, 1076–7
Day care of children 10, 81w
Employment opportunities 6–7
Social security benefits reductions 10
Social security recipients 81–2w
Take-up of employment 526–7w

Long-Term Care Charter
686–7w

Long-Term Care Royal Commission
687w

Lord Chancellor's Dept
Clothing 226w
Electronic mail 56w
Open government 326w
Press releases 327w
Public appointments 326w, 673w

Lords Lieutenant
Ethnic minorities 323w

Lorry drivers
France 129w

Loughton, Mr Tim
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 856, 858–9
Questions
Prisoners' release, Sexual offences 435w
Public expenditure, Reviews 656–7w

Love, Mr Andrew
Debates etc.
Public Accounts Committee (20.11.97) 511–4

Low incomes
Tuition fees 643w

Low pay
442

Low Pay Commission
281w, 420w, 441–2

Ludgershall
Members' correspondence 243w

Luff, Mr Peter
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1201
Questions
Dance, Student grants 92w, 156w
Drama education 456w
National Lottery, Public opinion 91w
Royal Opera House and English National Opera Working Group 179–80w

Lung cancer
Death 203–10w

Lyell, Rt Hon Sir Nicholas
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1235–7
Questions
Hearing aids 172w
VAT, Confectionery 234w

M6
2w

McAleese, Mary
957

McAllion, Mr John
Debates etc.
Hunting, Public petitions (28.11.97) 1198
Pre-Budget statement (25.11.97) 792
Questions
Civil service manpower, Scotland 240–1w
Climate Change Convention 755
Defence review 70–1w

McCabe, Mr Stephen
Questions
Political refugees, Reception centres 440–1w

McCafferty, Ms Chris
Debates etc.
Civil proceedings (21.11.97) 572–5
Maiden speech (21.11.97) 572–5
Questions
Egypt, Terrorism 151

***McCartney, Mr Ian**, Minister of State, Dept of Trade and Industry*
Questions
Departmental responsibilities, Scotland 283w
Disability Discrimination Act 1995 677–8w
Foreign investment in UK 106–7w, 282w
Foreign investment in UK, Departmental coordination 281w
Foreign investment in UK, Employment opportunities 192–4w
Health insurance 105w
Industrial tribunals, Employment discrimination 107w
Locate in Scotland 105w
Low pay 442
Low Pay Commission 281w, 441–2
Minimum wage 347w, 440–3
Ministers, Conflict of interests 444–5
Patents, Genetics 105–6w
Patents, Royalties 106w
Post Office 677w
Post offices 438
Post offices, Electricity meters 53w, 284w
Postal services 106w
Postal services, Private investment 439
Postal services, Rural areas 438–9
Trade union membership 194w
Treaty of Amsterdam, EC labour policy 284w
Working hours, EC law 53w, 439–40

McCartney, Mr Robert
Questions
Driving licences, Northern Ireland 213w
Magill, Ian, Paedophilia 322w
Northern Ireland government 582w, 958–9

McDonagh, Ms Siobhain
Questions
Deregulation initiative, Northern Ireland 579w

McDonnell, Mr John
Debates etc.
Kenya, Human rights (19.11.97) 299–302, 306
Questions
Biotechnology, Patents 286–7w, 413w
Industrial tribunals, Employment discrimination 107w
Kenya, Election observers 90w
Kenya, Overseas aid 89w
Planning authorities, Ethnic monitoring 197–8w

***McDonnell, Mr John**—continued*
Reel, Lakhinder 621

McGrady, Mr Eddie
Questions
Dounreay, Radiation hazards 325w, 629w
Downe Hospital 961
Gas supply industry, Northern Ireland 213w
NHS finance, Northern Ireland 25–6w
Road construction, Northern Ireland 211–2w
Road works, Northern Ireland 212–4w
Strangford Lough, Ferries 210–1w

McIntosh, Miss Anne
Questions
Alcoholic drinks, Young people 246–7w
Crime, Rural areas 245–6w
Drinking and driving 440w
Economic situation, South East Asia 1083
Financial services, Regulatory systems 660w
International conferences, Canary Wharf 270w
Lockerbie, Bombings 767
Maintenance, Children 14
North Yorkshire Police, Police equipment 246w
Northern Ireland government 578w
Poaching, Punishment 245w
Public houses, Glass 247w
Rural areas, Crime 334–5w

McIsaac, Shona
Debates etc.
Standards and Privileges Select Committee (17.11.97) 111

MacKay, Mr Andrew
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 171, 177–84
Questions
Adams, Gerry 959

Mackinlay, Mr Andrew
Debates etc.
University finance (19.11.97) 283
Questions
Airports, Transport infrastructure 126w
Employment Service local offices, Grays 534w
European Parliament elections, Electoral systems 433w
Export promotion 763
Export promotion, Central Europe 436–7
Northern Ireland Forum 956

MacLaurin, Lord
691w

***McLeish, Mr Henry**, Minister for Home Affairs and Devolution, Scottish Office*
Debates etc.
Penninghame Prison (26.11.97) 952–4
Questions
Convictions, Scotland 502w
Devolution, Scotland 325w
Homicide, Sentencing 502w
Police, World Cup 628w
Road accidents, Scotland 261w

Maclennan, Rt Hon Robert
Debates etc.
Public Accounts Committee (20.11.97) 482–6, 522
Standards and Privileges Select Committee (17.11.97) 91
Questions
Home care services 63w
Home care services, Scotland 629w

***Maclennan, Rt Hon Robert**—continued*
Open government, Contracts for services 309–10

McLoughlin, Mr Patrick
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 809

McNamara, Mr Kevin
Debates etc.
MV Gaul, Shipping accidents (25.11.97) 882–3
Northern Ireland, Points of order (18.11.97) 219
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 173–4, 178, 184–7, 189, 198, 215–6
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1204, 1215–8, 1266
Questions
Army in Northern Ireland 321–2w
Bombings, Dublin 109–10w
Bombs, Northern Ireland 634w
Death, Portadown 633–4w
Independent International Commission on Decommissioning 110w
Northern Ireland government 380w
Northern Ireland Victims of Violence Commission 110w
Police, Northern Ireland 630w
Police Authority for Northern Ireland, Manpower 633w
Prisoners, Republic of Ireland 46w
Prisoners' transfers, Republic of Ireland 46w
Royal Ulster Constabulary 629–32w
Royal Ulster Constabulary, Germany 321w
Royal Ulster Constabulary, Proof of identity 631w
Royal Ulster Constabulary, Recruitment 632–4w
Scheduled offences, Costs 605–6w
Trials, Northern Ireland 109w, 605w, 637w
UN resolutions 103w

McNulty, Mr Tony
Debates etc.
Electronic tagging (20.11.97) 462
Greater London Authority (Referendum) Bill, Com (24.11.97) 663
Greater London Authority (Referendum) Bill, 3R (26.11.97) 1004–7, 1010, 1018–9
Questions
Air bags, Research 196–7w
Demonstrations, Northern Ireland 580w
Higher education 161w
HM Coastguard 9–10w
Local Government Commission for England 9w
Racial attacks 632

MacShane, Mr Denis
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1172, 1178, 1184
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1211
Questions
Challenger tanks 72w
Developing countries trade, Dept for Education and Employment 158w
Developing countries trade, Dept of the Environment Transport and the Regions 552w
Developing countries trade, Home Office 46w
Developing countries trade, Ministry of Defence 227w
Developing countries trade, Northern Ireland Office 582w

MacShane, Mr Denis—*continued*
Developing countries trade, President of the Council 108–9w
Manufacturing industries 288–9w
Monitor Consultancy 511–2w
Social security benefits, Advisory services 11

Mactaggart, Fiona
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1112

McWalter, Mr Tony
Questions
Northern Ireland government 579w

McWilliam, Mr John
Questions
Ministry of Defence, Buildings 602w
Ministry of Defence, Flags 603w

Madel, Sir David
Debates etc.
Business questions (20.11.97) 469, (27.11.97) 1122

Magill, Ian
Paedophilia 322w

Maginnis, Mr Ken
Debates etc.
Northern Ireland, Points of order (18.11.97) 218
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 169–70, 187–91, 193
Questions
University of Ulster, Springvale initiative 109w

Magistrates
226w

Mahon, Mrs Alice
Debates etc.
Public service (17.11.97) 24, 34
Young offenders (27.11.97) 1101

Maiden speeches
Clark, Paul (19.11.97) 251–4
Foster, Michael (21.11.97) 592–5
Henderson, Ivan (17.11.97) 122–4
Hopkins, Kelvin (28.11.97) 1251–4
McCafferty, Chris (21.11.97) 572–5
Norris, Dan (28.11.97) 1224–5
Singh, Marsha (20.11.97) 491–4

Maintenance
Children 14, 17–8, 80w, 442w, 532–3w

Maize
Advisory Committee on Novel Foods and Processes 21w

Malaria
Blood tests 169w
Drug side effects 311w
Drugs 516w

Malaysia
Air routes 626w

Malins, Mr Humfrey
Debates etc.
Special Immigration Appeals Commission Bill (HL), Rep and 3R (26.11.97) 1035–7
Questions
Drugs and crime 619–20
Judges, Domestic violence 83–4w
Politics and government 971
Prison Officers' Association 432w
Railway travel 145

Mallon, Mr Seamus
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 174, 183, 188–9, 192–6
Questions
Internal security operations, Armagh 580w
Northern Ireland government 958
VAT registration, Civil service manpower 467–8w

Manchester United Football Club
Carrington Moss 336w, 376w, 407–8w

Mandelson, Mr Peter, Minister Without Portfolio
Questions
Food industry 668w
Food Standards Agency 668w
Food Standards Agency, Departmental responsibilities 668w
France 388w
Millennium 236w
Millennium Exhibition 77w
Millennium Exhibition, Advertising agencies 473–4w
Millennium Exhibition, Christianity 388w
Millennium Exhibition, Income 77–8w
Millennium Exhibition, Industrial accidents 92w
Millennium Exhibition, Smoking 388w
New Millennium Experience 77w
Treaty of Amsterdam, Cabinet Office 250w

Manpower
Child Support Agency 87–8w
HM Coastguard 335–6w
Metropolitan Police 432w
MI5 101w
Non-departmental public bodies 422–4w
Police 437w, 452–3w
Police Authority for Northern Ireland 633w
Rescue services 335–6w

Manufacturing industries
53w, 288–9w
EC action 445–6

Maples, Mr John
Debates etc.
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 329–30
Questions
Dept of Health, Official engagements 317w
General practitioners, Departmental correspondence 425w
Jowell, Tessa 317w, 429–30w
Ministers, Conflict of interests 269–70w
Tobacco advertising, Sports sponsorship 268–9w, 344w, 405w, 424–5w, 603w, 685w

Marek, Dr John
Questions
CELTEC 639w
CELTEC, Subsidiary companies 639–40w
Gibraltar, European Parliament elections 680w
Jobseeker's allowance 329w
Spain, Air traffic 615w
Treaty of Amsterdam, Gibraltar 753–4

Marginal tax rates
Income tax 468w

Marsden, Mr Gordon
Debates etc.
European Council, Employment (24.11.97) 641

Marsden, Mr Gordon—*continued*
Questions
Government information services 311
Lasers, Product safety 644–5w
Parole 431–2w

Marsden, Mr Paul
Questions
China, Foreign relations 477w

Marshall, Mr Jim
Questions
Compliance cost assessments 90w
Motor industry 437–8

Marshall-Andrews, Mr Robert
Debates etc.
Civil proceedings (21.11.97) 541, 562–9, 604
Questions
Millennium Exhibition, Advertising agencies 473–4w
Millennium Exhibition, Disclosure of information 179w
Millennium Exhibition, Expenditure 179w

Maternity benefits
Self-employed 569w

Maternity services
Royal Group of Hospitals HSS Trust 961–2

Maude, Rt Hon Francis
Questions
Film industry 671w
New Opportunities Fund 456–7w

Mawhinney, Rt Hon Sir Brian
Debates etc.
Electronic tagging (20.11.97) 455–7
European Parliamentary Elections Bill, 2R (25.11.97) 803, 814, 817–26, 871
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1239–44
Young offenders (27.11.97) 1093–5
Questions
Burglary, Sentencing 624–5
Economic and monetary union, Business 459w
Electronic tagging 630
European Convention on Human Rights 627–8
Health service staff, Political impartiality 653w
Health service staff, Vacancies 652w
Labour Party, Finance 405w
Murdoch, Rupert 603w
Prisons, Construction 613w

May, Mrs Theresa
Debates etc.
Pre-Budget statement (25.11.97) 794
Questions
Action 2000 50–1w, 190–1w, 346w
Export Control Organisation, Performance standards 513w
Export licensing 512–3w, 645w
Export promotion, Exchange rates 436

Meacher, Rt Hon Michael, Minister for the Environment, Dept of the Environment Transport and the Regions
Debates etc.
Climate Change Convention (19.11.97) 257–9
Questions
Air pollution, Information services 298–300w
Climate Change Convention 464w
Climate Change Convention, Carbon dioxide 369w
Commuters 136
EC Environment Council 199w

Meacher, Rt Hon Michael*—*continued
EC Environment Council, Compliance cost assessments 623w
Environment protection, Business 135–6
Environment protection, Taxation 136
Exhaust emission controls 136–7
Rural areas, Crime 334w
Water pollution 626–7w

Means tested benefits
16
Pensioners 570w
Social security recipients 526w

Meat
Cancer 517–9w

Medals
Ambulance services 310w

Medical equipment
Chlorofluorocarbons 316w, 345w

Medical ethics
Genetic engineering 119–20w

Medical examinations
Driving licences 466w
War pensions 566–7w

Medical malpractice
Legal aid 519w

Medical records
Myelography 307w

Medical research
Chronic fatigue syndrome 684w
Diabetes 312w
Gulf War syndrome 496w
Prisoners 451–2w

Medical treatments
Cancer 637w
Cannabis 596w
Drug abuse 650w

Mediterranean region
EC external relations 402w

Members
Corruption 433w
Electronic surveillance 17–8w

Members' allowances
Bicycles 409w

Members' conduct
Speaker's rulings and statements (26.11.97) 974

Members' correspondence
292w
Female circumcision 687w
Ludgershall 243w

Members' oath and affirmation
Lait, Jacqui (26.11.97) 975
Oaten, Mark (25.11.97) 798

Mental health services
428w
Hospital beds 653–4w

Mental illness
428w
Costs 428w
Departmental coordination 428w

Mental patients
650–1w

Mentally disadvantaged
Criminal proceedings 628

Merchant ships
(17.11.97) 122–30

Mercury
Dental services 648w
Health hazards 648w

Merron, Ms Gillian
Debates etc.
Pre-Budget statement (25.11.97) 793
Questions
Drugs and crime 435–6w
Home care services, Regulatory systems 58w

Merseyside
Ports 137w

Merseyside and North Wales Blood Service
Public appointments 522w

Mesothelioma
Death 203–10w

Metropolitan counties
Museums and galleries 548w

Metropolitan Police
Complaints against police 215w
Manpower 432w

MI5
101w
Contracts 101w
Manpower 101w
Personal records 218w
Subversion 101w

MI6
103–4w

Michael, Mr Alun*, *Minister of State, Home Office
Questions
Bus lanes, Road traffic offences 437–8w
Charities, Intellectual property 614w
Children's rights 612–3w
Closed circuit television 630–1
Closed circuit television, Finance 541w, 631
Complaints against police 98w
Crime 454w
Crime, Rural areas 245–6w
Crime prevention, Armed forces cadets 455w
Crime prevention, Expenditure 246w
Crime prevention, Local government functions 669w
Crimes of violence 214–5w
Criminal injuries compensation scheme 432–3w
Criminal proceedings, Administrative delays 432w
Detection rates 92–3w, 97w
Drinking and driving 440w
Driving offences, Punishment 245w
EC law 321w
European Police Office, Immunity from prosecution 453w
Extradition, South Africa 542w
Firearms, Compensation 41w, 542–3w
Firearms, Police 41–2w
Home Office exports initiative, Companies 42–3w
Homicide, Sentencing 451w
Lasers, Assaults on police 215w
Lasers, Prosecutions 454w
Members, Corruption 433w
Metropolitan Police, Complaints against police 215w
Metropolitan Police, Manpower 432w
Motor vehicles, Inspections 454w
Neighbourhood nuisance 431w, 434w
North Yorkshire Police, Police equipment 246w
Perjury, Costs 216w
Police, Finance 94–8w, 433w, 623
Police, Manpower 437w, 452–3w
Police, Restraint techniques 434w
Police patrolling 621–2

Michael, Mr Alun*—*continued
Prisoners' release, Sexual offences 435w
Reel, Lakhinder 621
Rehabilitation of offenders 433w
Right of silence 441w
Security industry, Regulatory systems 441w
Sexual offences, Sentencing 608–9w
Special constables 622–3
Telephone tapping 38w
Transport infrastructure 609w
Treaty of Amsterdam, Capital punishment 247w
World Cup Coordination Group 613–4w
Young offenders 436w
Young offenders, Parents 434w
Young offenders, Research 611w
Young offenders, Youth organisations 541w

Michie, Mr Bill
Questions
Day care of children, Vetting 971–2

Michie, Mrs Ray
Debates etc.
Rescue services (26.11.97) 892–3
Questions
Digital television, Gaelic language 263w
Educational finance, Argyll and Bute 261–2w
Road accidents, Scotland 261w

Mid Essex Hospital Services NHS Trust
Hospital waiting lists 429w

Middle East
Peace negotiations 152–3, 759–60
Terrorism 150–1

Migration and Visa Correspondence Unit
Administrative delays 479w

Milburn, Mr Alan*, *Minister of State, Dept of Health
Debates etc.
Health services, Essex (18.11.97) 232–8
NHS, Cornwall (26.11.97) 937–40
Public service (17.11.97) 27
Wharfedale Hospital (27.11.97) 1193–6
Questions
Breast cancer, Screening 519–20w
Clinical audit 342w
Computers in National Health Service 60w
Dental services 423w
Dentures, Young people 341–2w
Emergency services, Greater London 521–2w
Family practitioner services, Counselling 341w
General practitioners 340w
General practitioners, Departmental correspondence 425w
General practitioners, Nursing homes 425w
General practitioners, Pay 60w
GP fundholders, Finance 428–9w, 654–5w
GP fundholders, NHS internal market 428w
Health action zones, Rural areas 649w
Health authorities, Contracts 343w
Health authorities, Finance 651w
Health hazards, Mercury 648w
Health insurance 316w
Health service staff, Political impartiality 653w
Health service staff, Vacancies 652–3w
Health services 318–9w
Health services, Expenditure 62–3w
Health services, Greater London 174w, 343w
Health services, Rural areas 519w
Hospital consultants, Stabilisation Force in Bosnia 520w

Milburn, Mr Alan*—*continued
Hospital waiting lists 318w, 426w
Hospital waiting lists, Death 427w
Hospital waiting lists, Elderly 520–1w
Hospital waiting lists, NHS and private practice 426–7w
Hospital waiting lists, Sports competitors 172w
Junior hospital doctors, Working hours 317–8w
Kidderminster Hospital 593–4w
Kidderminster Hospital, Accident and emergency departments 594w
Kidderminster Hospital, Capital investment 594w
Kidderminster Hospital, Health service staff 648–9w
Medical equipment, Chlorofluorocarbons 316w
Medical malpractice, Legal aid 519w
Mid Essex Hospital Services NHS Trust, Hospital waiting lists 429w
Mortuary, Contracts for services 344w
NHS, Energy conservation 342–3w
NHS, Millennium compliance 649–50w
NHS, Ministers' domestic visits 597–8w
NHS, Per capita costs 57w
NHS administration 427w
NHS complaints 59w
NHS finance 58w, 319w, 343w, 430w
NHS finance, Weather 343–4w
NHS pensions, Early retirement 307–8w
NHS Pensions Agency, Doctors 308–9w
NHS trusts, Finance 430–1w
NHS trusts, Northern and Yorkshire region 314–5w
NHS trusts, Public appointments 58w, 175w, 340–1w, 597w
NHS trusts, Shropshire 520w
Nurses, Professional qualifications 594–5w
Nurses, Skill shortages 654w
Pharmacists, Community health services 649w
Prescription charges exemptions 343w
Prescriptions, Elderly 61w
Residential care, Sedatives and hypnotics 59–60w
Speech therapists 57w
Sussex Ambulance Service, Pension funds 648w

Military aid
Armed forces training 482w

Military aircraft
Air safety 563w
Repairs and maintenance 563w

Military vehicles
Bosnia-Herzegovina 680w

Milk
Pasteurisation 21–2w, 77w, 355–6w
Production quotas 525w
Scotland 77w

Milk Development Council
Taxation 640–1w

Milk Marque
Aeron Valley Creameries 641w

Millennium
236w

Millennium compliance
190–1w, 329w, 401w
Bankruptcy 572w
Ministerial statements (27.11.97) 1104–16
NHS 649–50w
Treasury 110w

Millennium Exhibition
77w
Advertising agencies 473–4w

Millennium Exhibition*—*continued
Christianity 388w
Disclosure of information 179w
Expenditure 179w
Income 77–8w
Industrial accidents 92w
Smoking 388w

Miller, Mr Andrew
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1113

Millisle
Street lighting 272w

Mineral resources
British Indian Ocean Territory 10w

Mines
561w
Bomb disposal 493w
Iraq 447–8w
Treaties 398–9w

Minimum wage
347w, 440–3, (26.11.97) 975, 1083–4

Minister for Women
292–4w

"Ministerial Code"
269–70w

Ministerial duties
Dept of Trade and Industry 645–7w

Ministerial policy advisors
237w, 317, 472–3w
Conflict of interests 408w
Contracts of employment 237w
Dept of Health 311w

Ministerial statements
418–9w
Economic policy (25.11.97) 773–98
European Council (24.11.97) 633–45
Home detention curfews (20.11.97) 453–63
Millennium compliance (27.11.97) 1104–16
Personal pensions (18.11.97) 155–63
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 327–38
Young offenders (27.11.97) 1089–103

Ministers
Conflict of interests 269–70w, 429–30w, 444–5, 514w, 603w
Electronic mail 267w, 312
Telephones 420w
Welsh Office 506w

Ministers' domestic visits
604w
Greater London 597–8w
NHS 597–8w

Ministers' visits abroad
Canada 767–8
Chancellor of the Duchy of Lancaster 78w, 242w
Dept for Culture Media and Sport 382w
Dept for Education and Employment 158w
Dept of Trade and Industry 104–5w
Germany 291w
Home Office 440w
India 767–8
Ministry of Defence 559–60w
Northern Ireland Office 379w
Open government 310
Prime Minister 267w

Ministry of Agriculture Fisheries and Food
523w
Advisory services 522w
EC action 523w

Ministry of Agriculture Fisheries and Food*—*continued
Electronic mail 273w
Greenhouse effect 117–8w
Open government 230w
Press releases 525–6w
Public appointments 668w
Regional panels 412w
Relocation of employees 22w

Ministry of Defence
Buildings 602w
Developing countries trade 227w
Electronic mail 229w
Flags 603w
Greenhouse effect 69–70w
Ministers' visits abroad 559–60w
Nottingham 72w
Open government 390w
Press releases 148–9w
Public appointments 391w
Technology foresight programme 561–2w
Treaty of Amsterdam 393w

Mitchell, Mr Austin
Debates etc.
Civil proceedings (21.11.97) 534, 542, 552, 556, 569, 579–83
Questions
Advertising 12w
Bridges, Road works 1–2w
Court rules and procedures, EC law 56–7w
Customs, Information technology 112w
EC internal trade, Harmonisation of legislation 510w
Economic and monetary union 18w, 330w
Economic and monetary union, Exchange rates 330w, 658w
Educational institutions, Smoking 162w
EURATOM 347w
European Central Bank 549w
European Central Bank, Economic and monetary union 357w
European Central Bank, Public appointments 331w, 469w
European Court of Justice 44–5w
External Frontiers Convention 43–4w
Flood control, Standard spending assessments 121–2w
Hong Kong, Human rights 482w
Millennium Exhibition, Smoking 388w
Public sector debt 330–1w
Tobacco advertising, Sports sponsorship 519w
Treaty of Amsterdam, Immigration controls 36w
Treaty of Rome 479w
VAT, Tax harmonisation 234w

Mixed credits
448w

Monaghan
Bombings 109–10w

Monitor Consultancy
511–2w

Monopolies and Mergers Commission
Travel agents 52w

Montserrat
Refugees 159w, 262w, 290–1w

Monuments
Prisoners of war 243w

Moonie, Dr Lewis
Questions
Scientific advisers 575w

Moore, Mr Michael
Questions
Hospital consultants, Vacancies 181–3w

Moorings
Port of London Authority (24.11.97) 746–52

Moran, Ms Margaret
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 196–7
Questions
Demonstrations, Northern Ireland 580w
New deal for lone parents 7
New deal for young unemployed 338w

Morgan, Mr Alasdair
Debates etc.
Penninghame Prison (26.11.97) 949–52
Questions
Alcoholic drinks duties, EC action 762–3
Welfare to work, Scotland 489–90w, 577w

Morgan, Ms Julie
Questions
Day care of children 163w
Mental health services 428w
Mental illness 428w
Mental illness, Costs 428w
Mental illness, Departmental coordination 428w
Open government 309

Morgan, Mr Rhodri
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1108
European Council, Employment (24.11.97) 638
Questions
Cardiff Bay Development Corporation, Urban development grants 640w
Economic and monetary union, Business 657w
Heritage Lottery Fund, Expenditure 386–7w
National Assembly of Wales 506w
National Assembly of Wales, Parliamentary buildings 683w
Public expenditure, Devolution 1080–1
Public utilities, Regional selective assistance 640w

***Morley, Mr Elliot**, Parliamentary Under-Secretary of State, Ministry of Agriculture, Fisheries and Food*
Debates etc.
Smallholdings, Local government land (26.11.97) 945–8
Questions
Agricultural land, Environment protection 229–30w
Agricultural production, Disclosure of information 116w
Agricultural production, Greenhouse effect 117w
Agricultural Tenancies Act 1995 118w
Agriculture, Young people 230w
Animal welfare, Slaughterhouses 119w
Arable area payments scheme 278–9w
Bovine spongiform encephalopathy 279w
Bruton dam 411w
Coastal protection, Waveney 668w
Common fisheries policy 279w
Electronic mail, Ministry of Agriculture Fisheries and Food 273w
Export of live animals, Animal welfare 116–7w
Farmers, Hunting 118w
Farmers, Surveys 118–9w
Fishing Vessels (Decommissioning) Scheme 1997 276w
Flood control, Somerset 411w
Forestry Commission, Land acquisition 273w

***Morley, Mr Elliot**—continued*
Genetic engineering, Medical ethics 119–20w
Greenhouse effect, Ministry of Agriculture Fisheries and Food 117–8w
Hill farming 586w
Hill farming, Farm incomes 115–6w
Land pollution 116w
Multiannual guidance programme, Fishing vessels 584–5w
Open government, Ministry of Agriculture Fisheries and Food 230w
Organic farming 119w, 587w
Press releases, Ministry of Agriculture Fisheries and Food 525–6w
Public appointments, Ministry of Agriculture Fisheries and Food 668w
Ritual slaughter 585w

Morris, Bill
970

***Morris, Ms Estelle**, Parliamentary Under-Secretary of State, Dept for Education and Employment*
Questions
Art education 30w
Curriculum, European Communities 31w
Educational assessment, Costs 492w
Educational institutions, Smoking 162w
Music education 31w
Selective schools 490–1w
Teachers, Performance appraisal 363w

***Morris, Rt Hon John**, Attorney-General*
Questions
Crown Prosecution Service 667w
Dale, Philip 458w
Homicide, Sentencing 458w
Official secrets, Hong Kong 250w
Open government, Attorney General 249w
Press releases, Attorney General 249–50w
Scheduled offences, Costs 605–6w
Sexual offences, Children 606w
Trials, Northern Ireland 605w

Mortgages
Income support 140w, 329w, 570w

Mortuary
Contracts for services 192w, 344w

Moss, Mr Malcolm
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 211–3
Oral question time intervention (26.11.97) 967
Questions
Royal Group of Hospitals HSS Trust, Maternity services 961–2

Motability
567–8w

Motor industry
437–8
Takeovers 445

Motor vehicles
Inspections 454w, 553w
Petrol alternatives 135w

Mountford, Kali
Questions
Chronic fatigue syndrome, Medical research 684w
Disability living allowance 141w
EC labour policy 764–5
Economic and monetary union, Business 657w
Non-departmental public bodies, Open government 314

***Mowlam, Rt Hon Marjorie**, Secretary of State for Northern Ireland*
Questions
Adams, Gerry 959
Army in Northern Ireland, Prisoners 581w
Demonstrations, Northern Ireland 580w
Famine, Northern Ireland 957
Northern Ireland government 578–9w, 957–9
Official visits, Northern Ireland 958
Police, Northern Ireland 380w
Prisoners' transfers, Northern Ireland 579–80w

Mullin, Mr Chris
Debates etc.
Welfare of Pigs Bill, 1R (26.11.97) 976–8
Young offenders (27.11.97) 1096
Questions
Complaints against police 98w
Metropolitan Police, Complaints against police 215w
Museums and galleries, Metropolitan counties 548w
Offshore safety 294w
Open government 315
Police patrolling 622
Somalia, Disaster relief 178–9w
Transport of radioactive materials, Air transport 148w
Vietnam, Disaster relief 179w

Multiannual guidance programme
Fishing vessels 584–5w

Multinational companies
Codes of practice 644w

Murdoch, Rupert
603w

Murphy, Mr Denis
Questions
Child Support Agency 532–3w
Development areas 572w
Enterprise zones 554w
Foreign investment in UK, Employment opportunities 192–4w
National Lottery, Wansbeck 383–6w
NHS trusts, Northern and Yorkshire region 314–5w

Murphy, Mr Jim
Debates etc.
Personal pensions (18.11.97) 160

***Murphy, Mr Paul**, Minister of State, Northern Ireland Office*
Questions
Aerials, Planning permission 635w
Developing countries trade, Northern Ireland Office 582w
Driving licences, Northern Ireland 213w
EC grants and loans 960–1
EC grants and loans, Northern Ireland 959–60
Election administration, Northern Ireland 956
Electronic mail, Northern Ireland Office 582w
Farmers, Northern Ireland 485w
Greenhouse effect, Northern Ireland Office 26w
Ministers' visits abroad, Northern Ireland Office 379w
NHS finance, Northern Ireland 583w
Northern Ireland Forum 956
Northern Ireland government 380w, 582w
Northern Ireland Victims of Violence Commission 110w
Press releases, Northern Ireland Office 582–3w
Public expenditure, Northern Ireland 960

Murphy, Mr Paul—continued
Road construction, Northern Ireland 211–2w
Road traffic, Northern Ireland 483–6w
Road works, Northern Ireland 212–4w
Sinn Fein 584w
Strangford Lough, Ferries 210–1w
Street lighting, Millisle 272w

Museums and galleries
Admission charges 674w
Coal mining 510w
Government grants 322–4w
Metropolitan counties 548w
Museums and Galleries Commission 548w
Northern region 322–4w
Tyne and Wear 258w
VAT 674w

Museums and Galleries Commission
Museums and galleries 548w

Music education
31w

MV Gaul
Shipping accidents 295–6w, (25.11.97) 879–86

MV Sea Empress
Oil pollution 693w

Myelography
Medical records 307w

National Assembly of Wales
187w, 506w, 968–9, (26.11.97) 975
Open government 309
Parliamentary buildings 683w

National Asset Register
359–60w

National Blood Authority
169w
Finance 171–2w
Public appointments 309w

National Blood Transfusion Service
Finance 170w, 172w
Performance standards 171w
Redundancy 171w

National Health Service (Equity of Funding) Bill 1997/98
Debates etc.
1R (18.11.97) 165–7

National insurance contributions
Actors 294w

National Lottery
Public opinion 91w
Wansbeck 383–6w

National Minimum Wage Bill 1997/98
Debates etc.
1R (26.11.97) 975

National parks
123w

National Sports Institute
see UK Sports Institute

National Transcommunications
457w

NATO
678–9w
Gibraltar 679–80w
Russia 679w
Spain 221w

Nature conservation
Droughts 459w
EC law 459w
Water supply industry 459w

Navigational aids
(18.11.97) 218

Naysmith, Dr Douglas
Questions
University finance 155–6w

Neighbourhood nuisance
431w, 434w
Wales 638–9w

Neill Committee
see Committee on Standards in Public Life

New deal for lone parents
6–8, 10–1, 445w, 540w, 664w
Day care of children 81w
Income support 664w

New deal for schools
365–6w

New deal for young unemployed
33w, 338w, 695–7w

"New Leadership for London"
4w, 374w

New Millennium Experience
77w

New Opportunities Fund
456–7w

Newcastle upon Tyne
Population 297w

Newry
VAT registration 467–8w

Newspaper press
Retail prices 418w

NHS
Age discrimination 520w
Cornwall (26.11.97) 932–40
Energy conservation 342–3w
Millennium compliance 649–50w
Ministers' domestic visits 597–8w
Northern Ireland 583w, 962
Per capita costs 57w
Waste disposal 342–3w

NHS administration
427w

NHS and private practice
Hospital waiting lists 426–7w

NHS complaints
59w

NHS finance
58w, 319w, 343w, 430w, 968
Northern Ireland 25–6w, 583w, 636w, 962
Scotland 501w
Wales 24w, 503w
Weather 343–4w

NHS internal market
GP fundholders 428w

NHS pensions
Early retirement 307–8w

NHS Pensions Agency
Doctors 308–9w

NHS trusts
Chartermark scheme 237w
Finance 430–1w
Northern and Yorkshire region 314–5w
Public appointments 58w, 175w, 340–1w, 597w
Shropshire 520w
Wales 24w

Nicholls, Mr Patrick
Debates etc.
NHS, Cornwall (26.11.97) 936
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1205, 1217, 1262

Nigeria
Democracy 474w

"No More Excuses White Paper"
(27.11.97) 1089–103

Nolan Committee
see Committee on Standards in Public Life

Non-departmental public bodies
238w, 316
Disclosure of information 238–9w, 315–6
Local government 314–5
Manpower 422–4w
Open government 314
Public appointments 115w, 314
Scotland 240–1w
Women 312–3

Non-fossil fuel obligation
507–10w

Norfolk
Community hospitals 174w, 316–7w
Elderly 256–7w
Electronic tagging 35w

Norman, Mr Archie
Questions
Road finance 194–5w

Norris, Dan
Debates etc.
Maiden speech (28.11.97) 1224–5
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1224–5

North Atlantic Treaty Organisation
see NATO

North East region
Pensioners 570w

North East Wales Institute of Higher Education
578w

North Essex Health Authority
(18.11.97) 220–38

North West region
Air transport 625w
Regional government 133

North Yorkshire Police
Police equipment 246w

Northern and Yorkshire region
NHS trusts 314–5w

Northern Ireland
Ambulance services 635–6w
Arson 378–9w
Bombs 634w
Chiropodists 28w
Chronic fatigue syndrome 271–2w
Civil proceedings (27.11.97) 1189
Demonstrations 580w
Deregulation initiative (19.11.97) 426, 579w
Discrimination 963
Driving licences 213w
EC grants and loans 959–60
Election administration 956
Election offences 956
Employment 579w, 581–2w
Famine 957
Farmers 485w
Foreign investment in UK 581w
Gas supply industry 213w
Higher education 109w
Hospital waiting lists 961
Integrated schools 583w, 955
Land pollution (25.11.97) 878
NHS 583w, 962
NHS finance 25–6w, 583w, 636w, 962
Official visits 958
Police 380w, 630w
Pollution control (25.11.97) 878
Prisoners' transfers 579–80w
Public expenditure 960

***Northern Ireland**—continued*
Road construction 211–2w
Road haulage industry 550w
Road traffic 483–6w
Road works 212–4w
Sunday trading (19.11.97) 426
Terrorism (18.11.97) 168–217
Tourism 580–1w
Trials 109w, 605w, 637w
University finance 583w

Northern Ireland (Emergency Provisions) Act 1991
Questions
581w

Northern Ireland (Emergency Provisions) Act 1996
Questions
109w, 605w

Northern Ireland (Emergency Provisions) Bill 1997/98
Debates etc.
2R and Money res* (18.11.97) 168–217
Business questions (27.11.97) 1125–6
Questions
605–6w

Northern Ireland Forum
956

Northern Ireland government
380w, 578–9w, 582w, 957–9

Northern Ireland Grand Committee
(26.11.97) 975, 1057

Northern Ireland Office
Developing countries trade 582w
Electronic mail 582w
Greenhouse effect 26w
Ministers' visits abroad 379w
Press releases 582–3w

Northern Ireland Police Authority
see Police Authority for Northern Ireland

Northern Ireland Victims of Violence Commission
110w

Northern region
EC grants and loans 372w
Museums and galleries 322–4w

Nottingham
Ministry of Defence 72w

Novel foods
Genetically modified organisms 524w

Nuclear disarmament
398w

Nuclear power
573w

Nuclear safeguards
Plutonium 419w

Nuclear weapons
760

Nuclear weapons policy
71w

Nuclear weapons tests
Christmas Island 64–5w

Nurses
Professional qualifications 594–5w
Skill shortages 654w

Nursing homes
General practitioners 425w

Nutrition and health
686w
Vitamins 585w

Oaten, Mr Mark
Debates etc.
Members' oath and affirmation, Oaten, Mark (25.11.97) 798

Obesity
315w

***O'Brien, Mr Mike**, Parliamentary Under-Secretary of State, Home Office*
Debates etc.
Special Immigration Appeals Commission Bill (HL), Rep and 3R (26.11.97) 1032–3, 1038–41
Questions
Deportation 214w
EC immigration 547w
European Convention on Human Rights 435w
Illegal immigrants, Costs 439w
Overseas students, Eastern Europe 607–8w
Political refugees 36w, 97–8w, 615
Political refugees, Ferries 615–6
Political refugees, Kent 616
Political refugees, Reception centres 440–1w
Racial attacks 632

O'Brien, Mr William
Debates etc.
Coal mining (26.11.97) 928
Questions
Closed circuit television 630–1
EC grants and loans 960–1
Local government finance 137
School buildings 365–6w

Occupational pensions
1073–4

Offences against the Person Act 1861
Questions
451w

Offensive Weapons Act 1996
Questions
454w

Officer Training Corps
394w

Offices
Empty property 374–5w

Official cars
Expenditure 251w

Official engagements
139w, 222w
Dept of Health 317w

Official hospitality
Dept for Culture Media and Sport 13–4w
Dept for International Development 494w
Dept of Health 320w
Dept of Social Security 442–4w
Dept of the Environment Transport and the Regions 2w, 10w
Foreign and Commonwealth Office 394–5w
Scottish Office 627w
Treasury 112–4w

Official residences
270w
Gibraltar 562–3w

Official secrets
Hong Kong 250w

Official Secrets Act 1989
Questions
250w

Official visits
Northern Ireland 958
Pinochet, Augusto 542w

Offshore safety
294w

O'Hara, Mr Edward
Questions
Christmas bonus 571w
Railway signals 689w
Retirement pensions, Age addition 571w

Oil companies
Environment protection 135–6

Oil pollution
MV Sea Empress 693w

Olner, Mr Bill
Questions
Criminal proceedings, Mentally disadvantaged 628

O'Neill, Mr Martin
Questions
Import duties, Spacecraft 231w
Industrial investment, EC grants and loans 449

Open government
239w, 309, 315, 317
Animal Procedures Committee 310
Attorney General 249w
Contracts for services 309–10
Dept for Culture Media and Sport 458w
Dept of Health 313w
Dept of the Environment Transport and the Regions 334w
Expenditure 78w
Fees and charges 316
Foreign and Commonwealth Office 220w
Home Office 454w
Lord Chancellor's Dept 326w
Ministers' visits abroad 310
Ministry of Agriculture Fisheries and Food 230w
Ministry of Defence 390w
National Assembly of Wales 309
Non-departmental public bodies 314
President of the Council 361w
Scottish Office 420–1w
Scottish Parliament 309
Treasury 331w
Welsh Office 264w

"Open Government White Paper"
672w

Open prisons
Scotland (26.11.97) 949–54

Opencast mining
Planning permission 139–40

"Opening up Quangos Consultation Paper"
115w, 238–9w

Opik, Mr Lembit
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 178, 197–200
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1208
Questions
NHS, Northern Ireland 583w
NHS finance, Northern Ireland 583w
Northern Ireland government 959
University finance 363w
University finance, Northern Ireland 583w
University finance, Scotland 576–7w
University finance, Wales 381w, 505–6w

Opposition days
Public service (17.11.97) 21–80

Oral questions
Dept of Trade and Industry 603w

Orange badge scheme
553–4w

Organic farming
22w, 119w, 587w

Organisation of African Unity
EC aid 397–8w

Osteoporosis
685–6w

Ostriches
Slaughterhouses 120–1w

Ottaway, Mr Richard
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 350–6, 379, 390, 424–6, (24.11.97) 647–50, 655–6, 665, 686–7, 690–1, 695–7, 700, 703–4, 708, 711–5
Greater London Authority (Referendum) Bill, 3R (26.11.97) 1005, 1012, 1018–22
Questions
Cars 144
Pedestrian crossings 133w

Overseas aid
Audit 644w
Bosnia-Herzegovina 493w
East Timor 178w
El Salvador 447w
Kenya 89w
Police training 543–4w
Sierra Leone 494w
Yugoslavia 494–5w
Zambia 449w
Zimbabwe 449w

Overseas students
Agricultural workers 607–8w
Eastern Europe 607–8w

Oxford University
Cost per student 338w
Higher education admission 363–4w, 590w
University finance 33w

P and O
Sealink 288w, 419w, 450

Paedophilia
Magill, Ian 322w
Rehabilitation of offenders 656w

Page, Mr Richard
Debates etc.
Coal mining (26.11.97) 925
Public Accounts Committee (20.11.97) 489–91
Questions
Animal experiments 93–4w
Animal experiments, Disclosure of information 94w

Paice, Mr James
Debates etc.
Bovine Spongiform Encephalopathy, Disease control (26.11.97) 1064–6
European Council, Employment (24.11.97) 639
Plant Varieties Bill, Lords amendments (26.11.97) 1042–4, 1047–8, 1051, 1053–5
Questions
Bovine spongiform encephalopathy, Disease control 663w
Milk Development Council, Taxation 640–1w
Milk Marque, Aeron Valley Creameries 641w
Ministry of Agriculture Fisheries and Food, Regional panels 412w
Tipping of waste 626w

Paint
Lead (19.11.97) 343–5

Paisley, Rev Ian
Questions
Official visits, Northern Ireland 958

Pakistan
Entry clearances 478w, 681w

Palmer, Dr Nick
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1132, 1147, 1161, 1181–4
Questions
Export of live animals, Animal welfare 116–7w
Export of live animals, Pigs 117w

Parenting orders
434w

Parents
Young offenders 434w

Parking
Buses 369–70w
Urban areas 555–6w

Parliamentary buildings
Alcoholic drinks 474w
National Assembly of Wales 683w

Parliamentary procedure
551w

Parliamentary questions
Dept of Trade and Industry 420w

Parole
431–2w

Pasteurisation
Milk 21–2w, 77w, 355–6w

Patents
Biotechnology 62w, 286–7w, 412–3w, 515–6w
Genetics 105–6w
Royalties 106w

Paterson, Mr Owen
Debates etc.
Business questions (20.11.97) 472
Electronic tagging (20.11.97) 462
European Communities (Amendment) Bill, Com (27.11.97) 1168, 1176
Questions
Coal mining 447
Competition Bill (HL) 1997/98 107w
Dept of Trade and Industry, Ministerial duties 645–7w
Export Control Organisation, Administrative delays 513–4w

Patient's Charter
Hospital waiting lists 313–4

Pay television
Competition 181w

Peace negotiations
Israel 759–60
Middle East 152–3, 759–60

Pedestrian crossings
133w

Pedestrians
Road accidents 195w

Pendry, Mr Tom
Debates etc.
Greater London Authority (Referendum) Bill, Com (24.11.97) 664
Questions
NHS trusts, Public appointments 340–1w

Penninghame Prison
(26.11.97) 949–54

Pension funds
537–8w
Advance corporation tax 111w
Scotland 9
Sussex Ambulance Service 648w

Pension Provision Group
8

Pension rights
8–9
EC staff 547–8w
Women 9–10

Pensioners
Annuities 111w
Driving licences 294–5w
Heating 536w
Income support 5, 85w
Means tested benefits 570w
North East region 570w
Social security claims 9

Pensions
4–5, 84w, 538–9w, 964
Divorce settlements 17, 83w, 86w
Information services 84w
Prison staff 219w
Women 17

Pensions review
8, 85–6w, 536w, 539w
Christmas bonus 5, 537w

Performance appraisal
Teachers 363w

Perham, Ms Linda
Questions
London Underground 141

Perjury
Costs 216w

Personal injury
Children 326w

Personal pensions
Ministerial statements (18.11.97) 155–63

Personal records
MI5 218w

Pesticide residues
Food 20w

Pesticides Bill 1997/98
Debates etc.
2R* (28.11.97) 1272

Petrol
Pollution (19.11.97) 292–8

Petrol alternatives
Motor vehicles 135w

Pets
Animal welfare 214w

Pharmacists
Community health services 649w
Prisons 41w

Pickles, Mr Eric
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 348–9, 358, 360–3, 367, 370, 374, 379–80, 396, 404–6, 418, (24.11.97) 705–6, 708, 710, 716, 735, 739–41
Harold Wood Hospital, Public petitions (24.11.97) 746
Questions
Environment protection, Taxation 136

Pickthall, Mr Colin
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1203, 1232–5

Pickthall, Mr Colin*—*continued
Questions
Crop spraying, Sulphuric acid 525w
EC labour policy 764
Non-departmental public bodies 238w
Small businesses, Advisory services 282w
Welfare to work, Lancashire 340w, 488w

Pigs
Animal welfare (26.11.97) 976–8
Export of live animals 117w
Xenotransplantation 651–2w

Pike, Mr Peter L
Debates etc.
Business questions (27.11.97) 1124–5
Questions
EC enlargement 477w
Minimum wage 441, 1084
Pensions review, Christmas bonus 5
Probation, Prisons 434w
Road works 142

Pinochet, Augusto
615w
Official visits 542w

Planning appeals
J Sainsbury 690w

Planning authorities
Ethnic monitoring 197–8w

Planning obligations
British Rail 129w

Planning permission
121w, 197w
Aerials 2–3w, 196w, 620w, 635w
Opencast mining 139–40
Shopping centres 335w
Supermarkets 405–6w, 461w
Water and sewerage companies 303w

Plant genetics
106w

Plant Varieties Bill 1997/98
Debates etc.
Lords amendts (26.11.97) 1042–56
Royal Assent (27.11.97) 1088

Plaskitt, Mr James
Questions
Road accidents 619w

Playing fields
Land acquisition 161–2w

Plutonium
Nuclear safeguards 419w

Poaching
Punishment 245w

Police
China 177w
Finance 94–8w, 433w, 623
Firearms 41–2w
Manpower 437w, 452–3w
Northern Ireland 380w, 630w
Restraint techniques 434w
Scotland 628w
World Cup 628w

Police and Magistrates Courts Act 1994
Questions
452–3w

Police Authority for Northern Ireland
Manpower 633w

Police equipment
North Yorkshire Police 246w

Police patrolling
621–2, 624

Police powers
Travelling people 626

Police stations
Coleraine 483w

Police training
Overseas aid 543–4w

Political impartiality
Civil servants 236–7w, 553w
Health service staff 653w

Political parties
Finance 269w, 289w, 318–9, 405w, 969–70

Political refugees
36w, 97–8w, 615
Ferries 615–6
Government grants to local authorities 173–4w
Kent 616, 683–4w
Local government expenditure 173–4w
Reception centres 440–1w
Social security benefits 139w
Treaty of Amsterdam 608w

Politics and government
971–2

Pollution
Petrol (19.11.97) 292–8
Wales (19.11.97) 292–8

Pollution control
Northern Ireland (25.11.97) 878

Pond, Mr Chris
Questions
Earnings top-up 140w
Family credit 140–1w
Jobseeker's allowance 529w
Low Pay Commission 281w
Pay 18–20w
Stakeholder pensions 138w

Pope, Mr Greg, An Assistant Whip
Debates etc.
Health services, Essex (18.11.97) 223

Population
Newcastle upon Tyne 297w

Port of London Authority
Moorings (24.11.97) 746–52

Portadown
Death 633–4w

Portavogie
Aerials 635w

Porton Down
Animal experiments 500w

Ports
Merseyside 137w
Roads 143

Post Office
677w

Post offices
438
Electricity meters 53w, 284w

Postal services
106w
House of Commons 327w
Private investment 439
Rural areas 438–9
Surveillance 100w

Pound, Mr Stephen
Questions
EC defence policy 481w
Isaac Newton Group of Telescopes 51w

Poverty
535w
Unemployed 83w

Premenstrual syndrome
Vitamin B6 584w

Prentice, Mr Gordon
Debates etc.
Business questions (20.11.97) 466–7
European Communities (Amendment) Bill, Com (27.11.97) 1114
MV Gaul, Shipping accidents (25.11.97) 881
Public service (17.11.97) 23–4
Standards and Privileges Select Committee (17.11.97) 92
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1211, 1218
Questions
Aerospace industry 283w
Airspace 563w
Bank notes, Forgery 332–3w
Bovine spongiform encephalopathy, USA 276w
Brazil, Ethnic groups 261w
British dependent territories 259w
Cabinet committees 269w
Cannabis, Medical treatments 596w
China, Barrages 10w
Coinage, Forgery 333w
Defence land, Hunting 67w
Dentures, Young people 341–2w
Domestic gas appliances, Gas safety 189–90w
East Lancashire Health Authority, Kidney patients 309w
European Convention on Human Rights, Prisoners' rights 627
Farmers, Hunting 118w
Health insurance 105w
Hill farming 586w
Hill farming, Farm incomes 115–6w
Land ownership and tenure, Agricultural land 251w
Lasers, Prosecutions 454w
Lord Chancellor's Dept, Clothing 226w
Lords Lieutenant, Ethnic minorities 323w
Millennium 236w
Millennium Exhibition, Industrial accidents 92w
Perjury, Costs 216w
Press releases, Internet 241w
Prisons, Catering 609w
Road Transport Industry Training Board 339w
Skin piercing 108w
32 Squadron 563w
Training, Fraud 156w
Training and enterprise councils, Internet 157–8w
Turkey, EC accession 221–2w
University for Industry 156w

Preparations for EMU Standing Committee
see Standing Committee on Preparations for EMU

Pre-school education
Scotland 628w
Wales 637–8w

Prescott, Rt Hon John, Deputy Prime Minister and Secretary of State for the Environment Transport and the Regions
Questions
Birmingham Relief Road 143
Carbon dioxide, Air pollution control 134, 134w, 135
Cars 144
Climate Change Convention 122w
Coal mining 134
Departmental responsibilities, Scotland 138w
Housing construction 132

***Prescott, Rt Hon John**—continued*
Housing construction, Countryside 132
Housing construction, Somerset 131–2
Housing construction, Urban areas 306w
J Sainsbury, Planning appeals 690w
MacLaurin, Lord 691w
Ports, Roads 143
River Thames, Water transport 375–6w
Roads 143–4
Safeway 691w
Sainsbury, Lord 369w, 691w
Transport infrastructure 143

Prescription charges exemptions
343w

Prescriptions
Elderly 61w

President of the Council
Developing countries trade 108–9w
Open government 361w
Press releases 361w

Press releases
Attorney General 249–50w
Chancellor of the Duchy of Lancaster 250–1w
Dept for Culture Media and Sport 383w
Dept of Health 314w
Dept of Social Security 532w
Dept of the Environment Transport and the Regions 200–1w
Dept of Trade and Industry 107w
Foreign and Commonwealth Office 220w
Home Office 216w
Internet 241w
Lord Chancellor's Dept 327w
Ministry of Agriculture Fisheries and Food 525–6w
Ministry of Defence 148–9w
Northern Ireland Office 582–3w
President of the Council 361w
Scottish Office 421w
Treasury 331–2w
Welsh Office 189w

Prevention of Crime Act 1953
Questions
454w

Prevention of Delay in Trials Bill 1997/98
Debates etc.
2R order read (28.11.97) 1273

***Primarolo, Ms Dawn**, Financial Secretary to the Treasury*
Questions
Airport tax, Charities 257w
Bovine spongiform encephalopathy, Disease control 663w
Budget, Environmental audit 469w
Charities, Taxation 230w
Customs, Information technology 112w
Disposable income 256w
Duty free allowances, EC action 673w
Economic and monetary union 1085
Economic situation, South East Asia 1083
Greenhouse effect, Treasury 111–2w
Import duties, Spacecraft 231w
Income tax, Marginal tax rates 468w
Insurance premium tax 235w
Landfill tax, Tax yields 467w
Progressive taxation, Brewing industry 257w
Research associations, Tax reform 469w
Road haulage industry, Northern Ireland 550w
Smuggling, Tobacco 230–1w
Somerset House Trust 469–70w
Tax collection, Company liquidations 256w
Tax evasion, Jersey 357w
Tax harmonisation 234w

***Primarolo, Ms Dawn**—continued*
Tax yields, Internet 661w
Taxation 255–6w
Taxation, Charities 660w
Taxation, EC action 234–5w
Taxation, Law reform 663w
Treaty of Amsterdam, Customs 674w
VAT, Building alterations 469w
VAT, Confectionery 234w
VAT, Fares 468w
VAT, Museums and galleries 674w
VAT, Tax harmonisation 234w
VAT registration, Civil service manpower 467–8w
Wealth tax 358w

Primary education
Class sizes 155w

Prime Minister
408w
Diaries 271w
Ministers' visits abroad 267w

Princess of Wales
Funerals 407w

Prior, Mr David
Debates etc.
European Council, Employment (24.11.97) 645
Questions
Community hospitals, Norfolk 174w, 316–7w
Dept of Trade and Industry, Ministerial duties 647w
Elderly, Norfolk 256–7w
Electricity generation, Coal 345w, 510w
Export licensing 512–3w
Health insurance 316w
Health services, Rural areas 519w
NHS trusts, Public appointments 597w
Postal services, Private investment 439

Prison Enterprise Services
247w

Prison medical services
37w

Prison Officers' Association
432w

Prison population
Young offenders 216w, 431w, 629–30

Prison Service
618–9
Private sector 436w

Prison staff
Pensions 219w

Prisoners
AIDS 40w
Army in Northern Ireland 581w
China 11w
Drug abuse 217w
Dubai 475w
Handicapped 452w
HIV infection 40w
Medical research 451–2w
Republic of Ireland 46w
Telephone tapping 100w

Prisoners' home leave
606w

Prisoners of war
Burma 243w
Japan 757–8
Monuments 243w

Prisoners' release
Drug crimes 620
Electronic tagging 440w, 608w
Sexual offences 435w

Prisoners' rights
European Convention on Human Rights 627

Prisoners' transfers
Campbell, Jason 75–6w, 273w, 676w
Northern Ireland 579–80w
Republic of Ireland 46w

Prisons
Catering 609w
Construction 35–6w, 613w, 670w
Performance standards 669–70w
Pharmacists 41w
Private finance initiative 453–4w
Probation 434w

Privacy
Telecommunications technology 399w

Private education
Diplomatic service 10w

Private finance initiative
A65 460–1w
Dept of Trade and Industry 511w
Prisons 453–4w

Private investment
Postal services 439

Private sector
Prison Service 436w
Welfare to work 488–90w

Privatisation
Coal mine closures 446–7
Coal mining 447
London Underground 140
Railway maintenance 128w

Probation
Prisons 434w

Probation and Prison Services Joint Working Review Group
434w

Probation officers
Wales 35w

Product safety
Lasers 644–5w

Production
Coal mining 419–20w

Production quotas
Milk 525w

Professional qualifications
Nurses 594–5w

Progressive taxation
Brewing industry 257w

Proof of identity
Royal Ulster Constabulary 631w

Property transfer
Coal mining 48w
Gosport 564w

Prosecutions
Bus lanes 368w
Lasers 454w

Prosser, Mr Gwyn
Questions
P and O, Sealink 450

Protectionism
EC external trade 436

Public access
Somerset House 469–70w

Public Accounts Committee
(20.11.97) 474–523

Public appointments
Chancellor of the Duchy of Lancaster 669w

***Public appointments**—continued*
Dept of the Environment Transport and the Regions 460w
Driving and Diabetes Advisory Panel 373–4w
EC Committee of the Regions 374w
European Central Bank 331w, 469w
Foreign and Commonwealth Office 678w
Health authorities 175w
Immigration adjudicators 326–7w
Lord Chancellor's Dept 326w, 673w
Merseyside and North Wales Blood Service 522w
Ministry of Agriculture Fisheries and Food 668w
Ministry of Defence 391w
National Blood Authority 309w
NHS trusts 58w, 175w, 340–1w, 597w
Non-departmental public bodies 115w, 314
Quarantine Advisory Group 410w
Scottish Land Reform Policy Group 146–7w
Treasury 358w
Welsh Office 681–2w

Public expenditure
18w, 1081
Civil service 240w
Dept for Education and Employment 588–90w
Devolution 1080–1
Inflation 660w
Northern Ireland 960
Reviews 656–7w
Scotland 1080

Public footpaths
133w

Public Health Act 1936
Questions
4–5w

Public House (Names) Bill 1997/98
Debates etc.
2R order read (28.11.97) 1272

Public houses
Glass 247w

Public opinion
968
Food standards 640w
National Lottery 91w

Public order
Zimbabwe 448w

Public participation
Environment protection 334w

Public petitions
Harold Wood Hospital (24.11.97) 746
Hunting (27.11.97) 1190, (28.11.97) 1197–8

Public Processions (Northern Ireland) Bill (HL) 1997/98
Questions
580w

Public records
Abdication 672w
British Council 672–3w
Royal family 672w
Whales 672w

Public Records Act 1967
Questions
672–3w

Public relations
Foreign and Commonwealth Office 260w

Public sector debt
330–1w

Public service
240w, 242w
Local government 238w
Opposition days (17.11.97) 21–80

Public telecommunications systems
Business 573–4w
Deaf 52w

Public telephones
285–6w
Telephone tapping 611w

Public transport
146
Rural areas 222w

Public utilities
Regional selective assistance 640w

Publications
Atomic Weapons Establishment 66w
Benefit Fraud Inspectorate 328w
Committee on Medical Aspects of Food Policy 517–9w

Publicity
Aerials 195–6w
Dept for Culture Media and Sport 14w
Dept of Health 175–6w
Dept of Social Security 443w
Dept of Trade and Industry 413–5w
Foreign and Commonwealth Office 395–6w, 618–9w
Treasury 113–4w

Punishment
Driving offences 245w
Poaching 245w

Quality control
Beef 229w

Quarantine Advisory Group
410–1w
Public appointments 410w

Quarrying
Flintshire 187–9w
Wales 189w

***Quin, Ms Joyce**, Minister of State, Home Office*
Questions
Burglary, Sentencing 624–5
Castington Young Offender Institution 216–7w
Crime victims 623–4
Criminal injuries compensation scheme 625
Criminal proceedings, Mentally disadvantaged 628
Domestic violence, Crime victims 624
EC immigration 547w
Electronic tagging, Norfolk 35w
Electronic tagging, Prisoners' release 440w, 608w
European Court of Justice 44–5w
External Frontiers Convention 43–4w
Paedophilia, Rehabilitation of offenders 656w
Parole 431–2w
Police patrolling 624
Prison Enterprise Services 247w
Prison medical services 37w
Prison Officers' Association 432w
Prison Service, Private sector 436w
Prison staff, Pensions 219w
Prisoners, AIDS 40w
Prisoners, Drug abuse 217w
Prisoners, Handicapped 452w
Prisoners, HIV infection 40w
Prisoners, Medical research 451–2w
Prisoners, Republic of Ireland 46w
Prisoners, Telephone tapping 100w
Prisoners' home leave 606w

***Quin, Ms Joyce**—continued*
Prisoners' transfers, Republic of Ireland 46w
Prisons, Catering 609w
Prisons, Construction 35–6w, 613w, 670w
Prisons, Performance standards 669–70w
Prisons, Pharmacists 41w
Prisons, Private finance initiative 453–4w
Probation, Prisons 434w
Probation officers, Wales 35w
Regime Services 219w
Schengen Agreement 541–2w
Sexual offences 36–7w
Treaty of Amsterdam, Home Office 541w
Treaty of Amsterdam, Immigration controls 36w
Treaty of Amsterdam, Political refugees 608w
Treaty of Amsterdam, Religion 247w
Young offender institutions 216w
Young offenders, Prison population 216w, 431w

Quin Review Group
see Probation and Prison Services Joint Working Review Group

Quinn, Mr Lawrie
Questions
Northern Ireland government 579w

Race relations
970

Racial attacks
632

Radiation hazards
Armed forces 227w
Chatham Dockyard 497w, 562w, 694w
Devonport Dockyard 562w
Dounreay 325w, 629w
Rosyth Dockyard 562w

Radice, Mr Giles
Debates etc.
Pre-Budget statement (25.11.97) 785

Radio
Sports 180w

Radio frequencies
443

Radio programmes
Iraq 219–20w

Radioactive Substances Act 1993
Questions
202–3w

Radioactive waste disposal
202–3w
Beaufort Dyke 409–10w

Radioactive wastes
Holyhead 120w, 587w

Radiotherapy
Breast cancer 595w

RAF Menwith Hill
Intelligence services 71w
US bases 392–3w

RAF Northolt
Armed forces civilians 563–4w

RAF Wittering
Air accidents 70w

Railway freight transport
Locomotives 145

Railway maintenance
Privatisation 128w

Railway network
147–8, 461–2w
Channel tunnel 126w

Railway signals
689w

Railway stations
Rural areas 127w

Railway transport
148
Finance 141
Investment 128w
Regulatory systems 146–7

Railway travel
145

Rammell, Mr Bill
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1167–72
Questions
Transport, Government grants to local authorities 128w

Randall, Mr John
Debates etc.
Greater London Authority (Referendum) Bill, Com (24.11.97) 698–9
Greater London Authority (Referendum) Bill, 3R (26.11.97) 1017

Rapson, Mr Syd
Debates etc.
Rescue services (26.11.97) 899–900

***Raynsford, Mr Nick**, Parliamentary Under-Secretary of State, Dept of the Environment Transport and the Regions*
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 352–4, 374, 377–81, 383, 395, 407, 415–9, (24.11.97) 648, 650, 654–6, 661, 665–6, 669–72, 679–82, 689–90, 697, 711, 714–6, 743–5
Greater London Authority (Referendum) Bill, 3R (26.11.97) 979–89, 991, 994, 1011, 1018, 1020–1
Local government reform, Southend (28.11.97) 1278–80
Questions
Aerials 620–1w
Aerials, Planning permission 2–3w, 196w, 620w
Aerials, Publicity 195–6w
Building regulations 626w
Civil servants, Political impartiality 553w
Council house sales, House renovation grants 137w
Council house waiting lists 298w
Council tax 689–90w
Development plans 690w
Empty housing 622w, 624w
Empty housing, Government departments 304–6w
Empty housing, Shops 687–8w
Empty property, Offices 374–5w
Families, Council tax exemptions 622–3w
Fire prevention 622w
Greater London Authority, Referendums 465w
Greenbelt 124w
Greenbelt, Construction 460w
Housing 688–9w
Housing construction 123w, 556w
Housing construction, Single people 556–7w
Housing construction, Staffordshire 297w
Housing construction, Urban areas 461w
Housing construction, West Midlands 297–8w
Housing Corporation, Directors 376–8w
Housing subsidies 201–2w
Local government 126w
Local government, Greater London 4w

***Raynsford, Mr Nick**—continued*
Local government associations, South East region 366w
Local government elections 623w
Local government expenditure 367–8w
Local government finance, Interest rates 369w, 689w
Local government functions 624–5w
Manchester United Football Club, Carrington Moss 336w, 376w
"New Leadership for London" 374w
Parking, Urban areas 555–6w
Planning authorities, Ethnic monitoring 197–8w
Planning permission 197w
Planning permission, Aerials 196w
Planning permission, Opencast mining 139–40
Population, Newcastle upon Tyne 297w
Right to buy, Elderly 8–9w
Rough sleepers initiative, Government buildings 136w
Smoke alarms, Council housing 623–4w
Social rented housing, Housing construction 5w, 368w
Structure plans 125w
Uniform business rate 125w

Reception centres
Political refugees 440–1w

Recruitment
Royal Ulster Constabulary 632–4w

Reduced earnings allowance
Handicapped 2–3
Wales 564–5w

Redundancy
Government research establishments 586–7w
Health service staff 682w
National Blood Transfusion Service 171w

Redwood, Rt Hon John
Questions
Capital, Companies 54w
Coal mine closures 447–8, 514w
Coal mining 54w
Company taxation 54w
Competition Bill (HL) 1997/98 416w
Dept of Trade and Industry, Oral questions 603w
Dept of Trade and Industry, Parliamentary questions 420w
Domestic electrical appliances, Retail prices 418w
Domestic electrical appliances, Retail trade 417–8w
Economic and monetary union 189w
Euro 54w
Export licensing 416w
Foreign investment in UK 49–50w
Fossil fuel levy 417w
Gas fired power stations, Departmental responsibilities 420w
Industries, Performance standards 53–4w
Low Pay Commission 420w
Ministers, Conflict of interests 444–5, 514w, 603w
Ministers, Telephones 420w
P and O, Sealink 419w
Regional selective assistance 514–5w
Tobacco advertising, Sports sponsorship 54w, 647w, 678w

Reed, Mr Andrew
Questions
Drinking and driving 627w
Medical equipment, Chlorofluorocarbons 316w, 345w
Postal services 106w
Rugby, Television programmes 258w

***Reed, Mr Andrew**—continued*
Tourist industry 385w
Tourist industry, East Midlands 258w
UK Sports Institute 91–2w

Reel, Lakhinder
621

Referendums
315
Greater London Authority 465w

Reform of Quarantine Regulations Bill 1997/98
Debates etc.
1R (25.11.97) 800–2

Refugees
Central Africa 399w
Montserrat 159w, 262w, 290–1w
Western Sahara 551–2w

Reg(EC)258/97
524w

Regime Services
219w

Regional aid
EC grants and loans (19.11.97) 284–91

Regional airports
Air routes 625w

Regional development agencies
124w, 132–3

Regional government
123w, 133
North West region 133

Regional panels
Ministry of Agriculture Fisheries and Food 412w

Regional selective assistance
49–50w, 514–5w
Public utilities 640w
Wales 640w

"Register of Quality Assessed Companies"
574–5w

Regulatory systems
Digital broadcasting 14–5w
Financial services 333w, 657w, 660w
Home care services 58w
Insurance 661–2w
Railway transport 146–7
Security industry 441w
Transport 693w

Rehabilitation of offenders
433w
Paedophilia 656w

***Reid, Dr John**, Minister for the Armed Forces*
Questions
Armed forces, Equal opportunities 69w
Armed forces, Telephones 498w
Armed forces cadets, Defence expenditure 391–2w, 561w
Armed forces deployment, Turkey 564w
Armed forces education allowances 70w, 149–51w
Armed forces officers, Education 392w
Armed forces training, University Air Squadron 602w
Armed forces uniforms, Fire resistant materials 497w
Armed forces women 393w
Army, Engineers 244–5w
Army Base Storage and Distribution Agency, Performance standards 695w
Army bases, Colchester 67w
Army strength 601w

***Reid, Dr John**—continued*
Barents Sea, Telecommunications cables 227–8w
Bosnia-Herzegovina, Armed forces 66w
Brookes, John, Disclosure of information 497–8w
Courts martial 67w
Courts martial, Appeals 68w, 149w
Defence Evaluation and Research Agency, Defence review 153w, 390–1w
Defence Evaluation and Research Agency, Science parks 390w
Defence expenditure 70w
Defence Transport and Movements Executive, Performance standards 694–5w
Gulf War syndrome 227w
Gulf War syndrome, Disclosure of information 496w
Gulf War syndrome, Medical research 496w
Iraq-Kuwait conflict 71w
Ludgershall, Members' correspondence 243w
Mines 561w
Ministers' visits abroad, Ministry of Defence 559–60w
Officer Training Corps 394w
Press releases, Ministry of Defence 148–9w
RAF Menwith Hill, Intelligence services 71w
RAF Menwith Hill, US bases 392–3w
RAF Wittering, Air accidents 70w
Royal yacht 154w
Stabilisation Force in Bosnia 498w
Stabilisation Force in Bosnia, Armed forces medical services 498w
Stabilisation Force in Bosnia, Clergy 498–9w
Stabilisation Force in Bosnia, Telephones 497–8w
32 Squadron 563w
Transport of radioactive materials, Air transport 148w
Treaty of Amsterdam, Ministry of Defence 393w
Trident submarines 70w

Religion
Treaty of Amsterdam 247w

Religious discrimination
610w

Religious freedom
Treaty of Amsterdam 221w

Relocation of employees
Ministry of Agriculture Fisheries and Food 22w

Remploy
Performance standards 485–6w

Rendel, Mr David
Questions
Pensioners, Income support 5

Reparation by offenders
Young offenders 628–9

Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995
Questions
1w

Republic of Ireland
Commonwealth 761
Foreign policy 761
Prisoners 46w
Prisoners' transfers 46w

Rescue services
9–10w, 133–4w, 463–4w, (26.11.97) 887–909

***Rescue services**—continued*
Closures 303–4w, 463w
Irish Sea 367w
Manpower 335–6w

Research associations
Tax reform 347–8w, 469w

Research finance
Science and technology research 586w

Residential care
Drugs 60w
Sedatives and hypnotics 59–60w

Residential care of children
313

Restraint techniques
Police 434w

Retail prices
Domestic electrical appliances 418w, 450–1
Newspaper press 418w

Retail trade
Domestic electrical appliances 285w, 417–8w
EC countries 450

Retirement age
Employment Service 487–8w

Retirement pensions
4, 15
Age addition 571w
British residents abroad 569–70w

Revenue support grant
124w, 1080
Wales 683w

Review of Health Care in London Independent Advisory Panel
174w, 343w

Reviews
Dept of Social Security 406–7w
Home Office 438–40w
Public expenditure 656–7w
Roads 126w
Treasury 406–7w

Right of silence
441w

Right to buy
Elderly 8–9w
Handicapped 8–9w

Ritalin
Hyperactivity 591w
Vale of Glamorgan 682w

Ritual slaughter
524w, 585w

River crossings
River Thames 127w

River Thames
Boats (24.11.97) 746–52
River crossings 127w
Water transport 375–6w

Road accidents
462w, 619w
Children 195w
Insulin 693–4w
Pedestrians 195w
Scotland 261w, 501w

Road construction
142
A1 142
Northern Ireland 211–2w

Road finance
194–5w

Road haulage industry
Northern Ireland 550w

Road safety
Cellular phones 305–6w
Children 137–8w, 372w

Road safety education
134–5w

Road tolls
Severn bridge 197w

Road traffic
128w
Northern Ireland 483–6w

Road traffic offences
Bus lanes 437–8w

Road Transport Industry Training Board
339w

Road works
142
Bridges 1–2w
Northern Ireland 212–4w

Roads
143–4
Capital investment 142
Ports 143
Reviews 126w
Scotland 145w

Robathan, Mr Andrew
Debates etc.
Business questions (20.11.97) 470
Civil proceedings (21.11.97) 549–50
Members' interests, Points of order (18.11.97) 164
University finance (19.11.97) 279, 282
Questions
Government information services 237w
Maintenance, Children 18, 80w
Sinn Fein 581w
Treaty of Amsterdam, EC labour policy 284w

***Robertson, Rt Hon George**, Secretary of State for Defence*
Questions
Defence review 70–1w, 499–500w
Nuclear weapons policy 71w

Robertson, Mr Laurence
Debates etc.
Business questions (27.11.97) 1127
Greater London Authority (Referendum) Bill, Com (19.11.97) 374–5
Questions
Dry stone walls 557w
Educational finance 487w
Educational finance, Wales 24–6w
Indonesia, Arms trade 103w
Regional government 123w
Rolls Royce, Government assistance 515w
Travelling people, Trespass 625

***Robinson, Mr Geoffrey**, Paymaster General*
Questions
Billing, Government departments 662–3w
Charities 1080
Charities, Shops 1079
Charities, Taxation 1079–80
Corporation tax 1086
Economic policy 1074
Economic policy, Business 661w
Interest rates, Economic and monetary union 1074–5
Local government pensions 1085
Pension funds, Advance corporation tax 111w
Pensioners, Annuities 111w
Shareholders, Tax credits 661w
Tax credits, USA 111w

Robinson, Mr Peter D
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 207–11

***Roche, Mrs Barbara**, Parliamentary Under-Secretary of State, Dept of Trade and Industry*
Questions
Action 2000 50–1w, 190–1w, 346w
Assisted areas 285w
Bankruptcy, Millennium compliance 572w
British Aerospace, Government assistance 435–6
British Telecom, Shares 574w
Business, EC action 52–3w
Debts 648w
Debts, Iraq 346–7w
Development areas 572w
EC external trade, Protectionism 436
EC grants and loans, Cornwall 448–9
Economic and monetary union 47w, 284w
Export Control Organisation, Administrative delays 513–4w
Export Control Organisation, Performance standards 513w
Export licensing 512–3w, 645w
Export licensing, Statistics 345–6w
Export promotion, Central Europe 436–7
Export promotion, Exchange rates 436
Industrial investment, EC grants and loans 449
Loan guarantee scheme 48w
Radio frequencies 443
Scotch Whisky Association, Duty free allowances 282w
Small businesses 286w
Small businesses, Export promotion 435
Small businesses, Government assistance 417w
Small businesses, Information technology 285w
Telephone services 107–8w
Trade competitiveness 280–1w

Roe, Mrs Marion
Questions
House of Commons, Postal services 327w

Rolling stock
Repairs and maintenance 460w

Rolls Royce
Government assistance 515w

***Rooker, Mr Jeff**, Minister of State, Ministry of Agriculture, Fisheries and Food*
Debates etc.
Bovine Spongiform Encephalopathy, Disease control (26.11.97) 1061–8
Plant Varieties Bill, Lords amendments (26.11.97) 1042–56
Questions
Advisory Committee on Novel Foods and Processes, Maize 21w
Animal feed, Composition labelling 21w, 120w
Beaufort Dyke, Radioactive waste disposal 409–10w
Beef, Imports 273–5w
Bovine spongiform encephalopathy, Disease control 524–5w
Bovine spongiform encephalopathy, USA 276w
Bovine tuberculosis, Agricultural research 275w
Cattle 524w
Cattle, Data banks 584w
Crop spraying, Sulphuric acid 525w
Dietary supplements 641–2w
Export of live animals, Pigs 117w

***Rooker, Mr Jeff**—continued*
Food, Pesticide residues 20w
Food imports 576w
Genetically modified organisms, Food labelling 20w, 524w
Genetically modified organisms, Novel foods 524w
Genetically modified organisms, Soya beans 20w
Government research establishments, Redundancy 586–7w
Milk, Production quotas 525w
Milk Development Council, Taxation 640–1w
Milk Marque, Aeron Valley Creameries 641w
Ministry of Agriculture Fisheries and Food, Regional panels 412w
Organic farming 22w
Ostriches, Slaughterhouses 120–1w
Quarantine Advisory Group 410–1w
Quarantine Advisory Group, Public appointments 410w
Radioactive wastes, Holyhead 120w, 587w
Ritual slaughter 524w
Science and technology research, Research finance 586w
Soya beans, Research 20w
Tuberculosis in Cattle and Badgers Review 587w
Untreated milk 642w
Vitamin B6, Premenstrual syndrome 584w
Vitamins, Nutrition and health 585w

Rooney, Mr Terry
Questions
Employment Service, Performance standards 164–70w
European Convention on Human Rights 435w
Female circumcision, Members' correspondence 687w
Jobseeker's allowance, Social security recipients 675–6w
Pakistan, Entry clearances 681w
Sickness benefits 674–5w
Statutory sick pay, Earnings limits 675w

Ross, Mr Ernie
Questions
Children in care, Scotland 184w
Civil service manpower, Scotland 241w
Middle East, Peace negotiations 760
Montserrat, Refugees 262w
Non-departmental public bodies, Manpower 422–4w
Water pollution, Scotland 183–4w

Ross, Mr William
Debates etc.
Pre-Budget statement (25.11.97) 791
Questions
Ambulance services, Northern Ireland 635–6w
Causeway Hospital 962–3
Farmers, Northern Ireland 485w
Non-departmental public bodies, Local government 314–5
Police stations, Coleraine 483w
Road traffic, Northern Ireland 483–6w

Rosyth Dockyard
Radiation hazards 562w

Rough sleepers initiative
Finance 121w
Government buildings 136w

Rowe, Mr Andrew
Debates etc.
Young offenders (27.11.97) 1098
Questions
Charities, Taxation 1079–80

***Rowe, Mr Andrew**—continued*
Regional development agencies 124w

Rowlands, Mr Ted
Debates etc.
Business questions (27.11.97) 1120
European Communities (Amendment) Bill, Com (27.11.97) 1139–44
Regional aid, EC grants and loans (19.11.97) 285–6, 290
Questions
Development aid, Human rights 495w
Health service staff, Wales 682w
Higher education, Tuition fees 644w
Human rights 476w
Human rights, EC external relations 476w
Overseas aid, Police training 543–4w
Torture, Exports 480w
Tuition fees, Higher education 362w
Welfare to work, Private sector 488–9w

Royal College of Obstetricians and Gynaecologists
141–2w

Royal Commission on Long-term Care
see Long-Term Care Royal Commission

Royal family
Public records 672w

Royal Group of Hospitals HSS Trust
Maternity services 961–2

Royal Opera House and English National Opera Working Group
179–80w

Royal Ulster Constabulary
629–32w
Germany 321w
Proof of identity 631w
Recruitment 632–4w

Royal Victoria Hospital Belfast
635w

Royal yacht
154w

Royalties
Patents 106w

Ruane, Mr Chris
Questions
Civil service, Public expenditure 240w
Cycleways, Wales 189w
Defence expenditure 70w
Fires, Wales 265–8w
Further education, Educational finance 264w, 421–2w

***Ruddock, Ms Joan**, Parliamentary Under-Secretary of State, Dept of Social Security*
Questions
Minister for Women 292–4w

Ruffley, Mr David
Questions
Ministerial policy advisors, Contracts of employment 237w
Sentencing, Burglary 618
Treaty on European Union, EC integration 476–7w
Working hours, EC law 440

Rugby
Television programmes 258w

Rural areas
Crime 245–6w, 334–5w
Employment 185w
Health action zones 649w
Health services 519w
Postal services 438–9
Public transport 222w
Railway stations 127w

***Rural areas**—continued*
Speed limits 129–30w
Statistics 366w

"Rural England White Paper"
366w

Russell, Bob
Debates etc.
Health services, Essex (18.11.97) 229
Public service (17.11.97) 37
Young offenders (27.11.97) 1102
Questions
Armed forces cadets, Defence expenditure 391–2w, 561w
Armed forces officers, Education 392w
Army bases, Colchester 67w
Army strength 601w
Crime prevention, Armed forces cadets 455w
Housing benefits, Young people 5–6
Prisoners of war, Burma 243w
Ritual slaughter 585w
Welfare to work 159w
Young offenders, Youth organisations 541w

Russia
NATO 679w

Ryan, Ms Joan
Debates etc.
Greater London Authority (Referendum) Bill, 3R (26.11.97) 1015–7

Safeguards Against Abuse of Children Living Away From Home Review
314w, 323, 344w
Ministerial statements (19.11.97) 327–38

Safeway
691w

Sainsbury, Lord
369w, 406w, 691w

Sainsburys
see J Sainsbury

St Aubyn, Mr Nick
Debates etc.
Personal pensions (18.11.97) 161
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1245
Questions
Aerials 621w
Armed forces training, Military aid 482w
Financial services, Regulatory systems 657w
Occupational pensions 1073–4

Salmond, Mr Alex
Debates etc.
Rescue services (26.11.97) 893, 907
Select committees, Points of order (26.11.97) 973

Salter, Mr Martin
Questions
Crime victims 623–4
EC grants and loans, Northern Ireland 959–60

Sanders, Mr Adrian
Debates etc.
Diabetes, Insulin (20.11.97) 524–6
Greater London Authority (Referendum) Bill, Com (24.11.97) 714
Public service (17.11.97) 40
Questions
Diabetes, Driving licences 603–4w
Diabetes, EC law 325
Driving and Diabetes Advisory Panel, Public appointments 373–4w
Road accidents, Insulin 693–4w

Savidge, Mr Malcolm
Questions
Northern Ireland government 578w

Sayeed, Mr Jonathan
Debates etc.
Civil proceedings (21.11.97) 555
European Council, Employment (24.11.97) 644

Scheduled offences
Costs 605–6w

Schengen Agreement
396–7w, 541–2w

School admission
Conwy 504w
Grammar schools 492w

School buildings
365–6w
Leicestershire 698w

Schools
Flintshire 578w

Science and technology research
281w
Research finance 586w

Science parks
Defence Evaluation and Research Agency 390w

Scientific advisers
575w

Scotch Whisky Association
Duty free allowances 282w

Scotland
Broadcasting engineering 457w
Children in care 184w
Chiropody 73–5w
Civil service manpower 240–1w
Contracts for services 145w
Convictions 502w
Departmental responsibilities 138w, 283w
Devolution 325w
Drug abuse 101–2w
EC institutions 501w
Financial Services Authority 467w
Higher education administration 73w
Home care services 629w
Homelessness (18.11.97) 218
Homicide 502w
Hospital consultants 181–3w
Local government finance 677w
Milk 77w
NHS finance 501w
Non-departmental public bodies 240–1w
Open prisons (26.11.97) 949–54
Pension funds 9
Police 628w
Pre-school education 628w
Public expenditure 1080
Road accidents 261w, 501w
Roads 145w
Solvent abuse 502w
Student numbers 72–3w
Tuition fees 145–6w, 422w, 643–4w
Uniform business rate 75w
Universities 109w
University finance 162–3w, 576–7w
Water pollution 183–4w
Welfare to work 489–90w, 577w

Scottish Environment Protection Agency
Finance 147w

Scottish Grand Committee
Business motions (21.11.97) 606

Scottish Land Reform Policy Group
Public appointments 146–7w

Scottish Office
Official hospitality 627w
Open government 420–1w
Press releases 421w
Treaty of Amsterdam 263w

Scottish Parliament
Open government 309

Screening
Breast cancer 519–20w

Sea Empress
see MV Sea Empress

Sea pollution
462w
Sewage 131w

Sealink
P and O 288w, 419w, 450

Secondary education
Conwy 504w

Secret Intelligence Service
see MI6

Security industry
Regulatory systems 441w

Security Service
see MI5

Security vetting
40–1w

Sedatives and hypnotics
Residential care 59–60w

Select committees
Speaker's rulings and statements (26.11.97) 973

Selective schools
490–1w

Self-employed
Maternity benefits 569w

Sentencing
617–8
Burglary 618, 624–5
Crimes of violence 608–9w
Homicide 451w, 458w, 502w
Sexual offences 608–9w

Severn bridge
Road tolls 197w

Sewage
Sea pollution 131w
Water treatment 133w

Sewers
335w

Sex discrimination
Judgments 186–7w

Sex Offenders Act 1997
Questions
435w

Sexual offences
36–7w
Children 606w
Prisoners' release 435w
Sentencing 608–9w

Shareholders
Tax credits 661w

Shares
British Telecom 574w

Shaw, Mr Jonathan
Debates etc.
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 337–8

Shaw, Mr Jonathan—*continued*
Questions
Chatham Dockyard, Radiation hazards 497w, 562w, 694w
Dept for Education and Employment, Public expenditure 588–90w
Road safety, Children 372w
Rosyth Dockyard, Radiation hazards 562w

Sheep premiums
356w

Sheerman, Mr Barry
Debates etc.
University finance (19.11.97) 262, 274–5
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1256–8
Questions
Film distribution 11–2w
Film industry 11w, 90–1w
Lasers 515w
Lasers, Assaults on police 215w
Oxford University, Higher education admission 363–4w
Student grants 364w

Sheldon, Rt Hon Robert
Debates etc.
Pre-Budget statement (25.11.97) 787
Standards and Privileges Select Committee (17.11.97) 81–9

Shephard, Rt Hon Gillian
Debates etc.
Business questions (20.11.97) 465–6
Standards and Privileges Select Committee (17.11.97) 89–92
Questions
Open government, Ministers' visits abroad 310

Shepherd, Mr Richard
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1147
European Parliamentary Elections Bill, 2R (25.11.97) 808, 815, 823, 827, 831, 852–5
Questions
Devolution, Scotland 325w

Shipley, Ms Debra
Questions
Afghanistan, Arms embargoes 681w
Export promotion 762
Sentencing 617–8

Shipping accidents
MV Gaul 295–6w, (25.11.97) 879–86

Shipping safety
Fishing vessels 127w, 371–2w

Shopping centres
Planning permission 335w

Shops
Charities 1079
Empty housing 687–8w

Shops (Sunday Trading Etc) (Northern Ireland) Order 1997
Debates etc.
(19.11.97) 426

***Short, Rt Hon Clare**, Secretary of State for International Development*
Questions
Afghanistan, Women 177–8w
Aid financed trade 448w
Bosnia-Herzegovina, Overseas aid 493w
China, Police 177w
Civil servants' visits abroad, Dept for International Development 446w
Commonwealth Development Corporation 448w

Short, Rt Hon Clare—*continued*
Commonwealth Development Corporation, External financing limits 280w
Development aid, Human rights 495w
East Timor, EC aid 178w
East Timor, Indonesia 178w
East Timor, Overseas aid 178w
Mines, Bomb disposal 493w
Mixed credits 448w
Multinational companies, Codes of practice 644w
Official hospitality, Dept for International Development 494w
Overseas aid, Audit 644w
Sierra Leone, Overseas aid 494w
Somalia, Disaster relief 178–9w, 450w
Technology foresight programme, Dept for International Development 493–4w
Vietnam, Disaster relief 179w
Western Sahara, Refugees 551–2w
World Bank 446–7w, 552w
Yugoslavia, Overseas aid 494–5w
Zambia, Human rights 450w
Zambia, Overseas aid 449w
Zimbabwe, Land acquisition 449w
Zimbabwe, Public order 448w

Shropshire
NHS trusts 520w

Sickness benefits
674–5w

Sierra Leone
Overseas aid 494w

Simpson, Mr Alan
Questions
Biotechnology, Patents 286w
Food imports 576w

Simpson, Mr Keith
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1114
Public service (17.11.97) 28
Questions
Armed forces, Equal opportunities 69w
Driving tests, EC action 127–8w
Nuclear weapons policy 71w
Regional development agencies 124w
Trident submarines 70w

Singh, Mr Marsha
Debates etc.
Maiden speech (20.11.97) 491–4
Public Accounts Committee (20.11.97) 491–4
Questions
EC Culture Council 548–9w

Single people
Housing construction 556–7w

Single regeneration budget
West Midlands 299–302w

Sinn Fein
581w, 584w

Sites of special scientific interest
2w

Skill shortages
Nurses 654w

Skin piercing
108w

Skinner, Mr Dennis
Debates etc.
Business questions (20.11.97) 473
Electronic tagging (20.11.97) 460
European Council, Employment (24.11.97) 640–1
Oral question time intervention (18.11.97) 145, (24.11.97) 626

Skinner, Mr Dennis—*continued*
Personal pensions (18.11.97) 158–9
Prime Minister's questions, Points of order (19.11.97) 340
Public service (17.11.97) 26–7
Questions
Coal mine closures, Privatisation 446–7
EC internal relations 770–2
Local government finance 138
Lone parents 1076–7
Parliamentary procedure 551w
Reduced earnings allowance, Handicapped 3

Slaughterhouses
Animal welfare 119w
Ostriches 120–1w

Small businesses
286w
Advisory services 282w
Competition 450
EC grants and loans 765
Export promotion 435
Government assistance 417w
Information technology 285w
Standing Committee on Preparations for EMU 1076

Small claims
377w

Smallholdings
Local government land (26.11.97) 941–8

***Smith, Rt Hon Andrew**, Minister for Employment and Disability Rights, Dept for Education and Employment*
Questions
Age discrimination, Employment protection 363–5w
Day care of children 163w
EC Education Council 486–7w
Employment, Rural areas 185w
Employment Service, Performance standards 164–70w
European Court of Justice, Judgments 32w
New deal for young unemployed 33w, 338w
Training, Child care 587w
Training, EC grants and loans 163–4w
Treaty of Amsterdam, EC labour policy 255w
Welfare to work 159w
Welfare to work, Lancashire 340w, 488w
Welfare to work, Private sector 488–9w
Welfare to work, Scotland 489–90w

Smith, Angela
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1220, 1247–9
Questions
Chiropodists 26–7w
Chiropodists, Northern Ireland 28w
Chiropody 26–8w
Chiropody, Scotland 73–5w

***Smith, Rt Hon Chris**, Secretary of State for Culture Media and Sport*
Questions
BBC 259w
Civil servants' visits abroad, Dept for Culture Media and Sport 12–3w
Creative Industries Task Force 13w
Millennium Exhibition, Disclosure of information 179w
Millennium Exhibition, Expenditure 179w
Ministers' visits abroad, Dept for Culture Media and Sport 382w
New Opportunities Fund 456–7w
Official hospitality, Dept for Culture Media and Sport 13–4w

Smith, Rt Hon Chris—*continued*
Open government, Dept for Culture Media and Sport 458w
Press releases, Dept for Culture Media and Sport 383w
Publicity, Dept for Culture Media and Sport 14w
Sports 455–6w

Smith, Jacqui
Debates etc.
Personal pensions (18.11.97) 160

Smith, Mr John
Debates etc.
Personal pensions (18.11.97) 162
Questions
Bovine spongiform encephalopathy, Disease control 524–5w
Bovine spongiform encephalopathy, Wales 502w
Farmers, Wales 501w
Hyperactivity, Ritalin 591w
Milk, Production quotas 525w
Ritalin, Vale of Glamorgan 682w

Smith, Mr Llew
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1141, 1153
European Parliamentary Elections Bill, 2R (25.11.97) 806, 813
Questions
Climate Change Convention 122w
Gulf War syndrome 227w
Gulf War syndrome, Disclosure of information 496w
Gulf War syndrome, Medical research 496w
Music education 31w
Nuclear weapons 760
Nuclear weapons tests, Christmas Island 64–5w
Plutonium, Nuclear safeguards 419w
Reduced earnings allowance, Handicapped 2
Reduced earnings allowance, Wales 564–5w

Smith, Sir Robert
Debates etc.
Bovine Spongiform Encephalopathy, Disease control (26.11.97) 1058–9, 1063
Rescue services (26.11.97) 906
Questions
Carbon dioxide, Air pollution control 134
Standing Committee on Preparations for EMU, Small businesses 1076

Smoke alarms
Council housing 623–4w

Smoking
Children 264w
Educational institutions 162w
Millennium Exhibition 388w
Wales 264w

Smoking related diseases
Costs 309w

Smuggling
Tobacco 230–1w

Smyth, Rev Martin
Debates etc.
Business questions (27.11.97) 1125–6
Climate Change Convention (19.11.97) 245
European Communities (Amendment) Bill, Com (27.11.97) 1113–4
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 173

Smyth, Rev Martin—*continued*
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 335–6
Questions
Belvoir Park Hospital 637w
Cancer, Medical treatments 637w
Charities 1080
Hospital waiting lists, Northern Ireland 961
Jubilee Maternity Hospital Belfast, Hospital closures 636w
Minimum wage 442–3
Ports, Merseyside 137w
Royal Victoria Hospital Belfast 635w
Vitamin B6, Premenstrual syndrome 584w

Snape, Mr Peter
Questions
Railway freight transport, Locomotives 145

Soames, Mr Nicholas
Debates etc.
Business questions (20.11.97) 469, (27.11.97) 1126
European Communities (Amendment) Bill, Com (27.11.97) 1116
Intervention during questions after statement (27.11.97) 1102
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1261
Questions
Economic and monetary union, Business 1087–8
Middle East, Peace negotiations 152
Open government 317
Political refugees 36w, 97–8w

Social problems
321

Social rented housing
Housing construction 5w, 368w

Social security
79–80w, 139w
Domestic violence 528w
EC countries 13

Social security abuse
79–80w, 963
Departmental coordination 666w

Social security appeals
15–6
Jobseeker's allowance 82w

Social security benefits
Advisory services 11–3
Civil servants 328w
Political refugees 139w
Telephone services 82–3w

Social Security Benefits Agency
Social security recipients 86w

Social security benefits backdating
Costs 540w

Social security benefits reductions
Lone parents 10

Social Security Bill 1997/98
Questions
15–6, 537w

Social security claims
Invalid care allowances 529w
Pensioners 9

Social security payments
83w

Social security recipients
Jobseeker's allowance 675–6w
Lone parent families 537w
Lone parents 81–2w

Social security recipients—*continued*
Means tested benefits 526w
Social Security Benefits Agency 86w
Taxpayers 444w

Social security reform
3–4, 528w, 567w
Wisconsin 538–9w

Social Security Select Committee
(27.11.97) 1190, (28.11.97) 1273

Social services
538w

Solar power
325

Soley, Mr Clive
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 178, 183
Pre-Budget statement (25.11.97) 789

Solvent abuse
Scotland 502w

Somalia
Disaster relief 178–9w, 450w

Somerset
Flood control 411w
Housing construction 131–2

Somerset House
Public access 469–70w

Somerset House Trust
469–70w

South Africa
Extradition 542w

South Downs
Environment protection 373w

South East Asia
Economic situation 1083

South East region
Local government associations 366w

Southend
Local government reform (28.11.97) 1274–80

Southern Health and Social Services Board
634–5w

Southworth, Ms Helen
Debates etc.
Business questions (20.11.97) 468
Questions
Climate Change Convention 464w

Soya beans
Genetically modified organisms 20w
Research 20w

Space technology
287–8w

Spacecraft
Import duties 231w

Spain
Air traffic 615w
NATO 221w

Speaker and deputies. *For rulings and statements see separate heading Speaker's rulings and statements*
Debates etc.
Amendments and new clauses (17.11.97) 21, 81, (26.11.97) 979, 1047, 1049, 1055–6
Conduct of proceedings (17.11.97) 5, 32–4, 36, 39, 49–50, 59, 107, 122, (18.11.97) 170, 189, 204, 229, (19.11.97) 250, 259, 266, 319–20, 334, 338, 345, 430, (20.11.97) 438, (21.11.97) 569, 578–9,

Speaker and deputies—continued
(24.11.97) 616, 645, 749, (25.11.97) 798, 859, 872, 882, (26.11.97) 892, 896, 908, 910, 916, 924, 940, 978, 998, 1004, 1011, 1013, 1019, 1053, 1060, (27.11.97) 1113, 1116, (28.11.97) 1200, 1211, 1235, 1249, 1251, 1263, 1265–6, 1272
EC documents motions (27.11.97) 1189
European Standing Committee motions (25.11.97) 878
Orders and regulations motions (18.11.97) 218, (19.11.97) 426, (25.11.97) 878
Points of order (17.11.97) 19–20, 67, 79–80, 90, 117, (18.11.97) 164, 218–9, (19.11.97) 340–2, (20.11.97) 473, (24.11.97) 647, (25.11.97) 767, 799, (26.11.97) 907, 909, 925, 973–5, (27.11.97) 1190, (28.11.97) 1200–1, 1218, 1267, 1272
Private Members' bill orders (28.11.97) 1272–3
Royal Assent (27.11.97) 1088
Standing Order No 24 applications (24.11.97) 646

Speaker's rulings and statements
House of Commons procedure (19.11.97) 339
Members' conduct (26.11.97) 974
Select committees (26.11.97) 973
Ten minutes rule (28.11.97) 1199
Written questions (17.11.97) 21

Special constables
622–3

Special Immigration Appeals Commission Bill (HL) 1997/98
Debates etc.
Rep and 3R (26.11.97) 1032–41

Speech therapists
57w

Speed limits
138w
Cameras 129w
Rural areas 129–30w
Telematics 130w
Urban areas 130w

***Spellar, Mr John**, Parliamentary Under-Secretary of State, Ministry of Defence*
Questions
Air force bases, Armed forces civilians 564w
Airspace 563w
Armed forces, Radiation hazards 227w
Armed forces pensions, Widows 71w
Armed forces training, Land use 394w
Atomic Weapons Establishment, Publications 66w
Auxiliary oiler replenishment vessels 65–6w
C130 aircraft 64w
C130 aircraft, Employment opportunities 64w
Challenger tanks 72w
Chatham Dockyard, Radiation hazards 497w, 562w, 694w
Chemical weapons 72w
Chemical weapons, Health hazards 147–8w
Chinook helicopters, Air safety 152–3w
Chinook helicopters, Aircraft engines 151–2w
Chinook helicopters, Computers 69w
Defence equipment, Exhibitions 227w, 482w, 496w
Defence Evaluation and Research Agency, Animal experiments 228–9w
Defence Export Services Organisation 69w

Spellar, Mr John—continued
Defence industries, Diversification 147w
Defence land, Exhibitions 68w
Defence land, Fox hunting 153–4w, 393w, 499w, 602w
Defence land, Foxes 499w, 602w
Defence land, Hunting 67w
Defence research, Genetically modified organisms 601–2w
Defence research, Genetics 243–4w
Developing countries trade, Ministry of Defence 227w
Electronic mail, Ministry of Defence 229w
European fighter aircraft 243w, 694w
Future large aircraft, Defence procurement 64w
Gibraltar, Official residences 562–3w
Gosport, Property transfer 564w
Greenhouse effect, Ministry of Defence 69–70w
Hydrographic Office, Performance standards 500w
Ministry of Defence, Buildings 602w
Ministry of Defence, Flags 603w
Ministry of Defence, Nottingham 72w
Nuclear weapons tests, Christmas Island 64–5w
Open government, Ministry of Defence 390w
Porton Down, Animal experiments 500w
Prisoners of war, Burma 243w
Public appointments, Ministry of Defence 391w
RAF Northolt, Armed forces civilians 563–4w
Rosyth Dockyard, Radiation hazards 562w
Technology foresight programme, Ministry of Defence 561–2w

Spicer, Sir Michael
Debates etc.
Pre-Budget statement (25.11.97) 792
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1200
Questions
Defence Evaluation and Research Agency, Defence review 153w, 390–1w
Defence Evaluation and Research Agency, Science parks 390w
NHS, Per capita costs 57w

Sports
455–6w
Broadcast journalism 180w
Radio 180w

Sports competitors
Hospital waiting lists 172w

Sports sponsorship
Tobacco advertising 15–6w, 54w, 268–9w, 324, 344w, 405w, 424–5w, 437–8, 519w, 603w, 647w, 678w, 685w

Spring, Mr Richard
Questions
Handicapped 1–2
Interest rates 658–9w
Northern Ireland (Emergency Provisions) Act 1991 581w

Springvale initiative
University of Ulster 109w

Squire, Ms Rachel
Questions
Defence Transport and Movements Executive, Performance standards 694–5w
Foreign investment in UK 758

Sri Lanka
Foreign policy 768

Stabilisation Force in Bosnia
498w
Armed forces medical services 498w
Clergy 498–9w
Hospital consultants 520w
Telephones 497–8w

Staffordshire
Children in care 591–3w
Housing construction 297w

Stakeholder pensions
138w

Standard spending assessments
Coal mining 138–9
Flood control 121–2w
Research 124w

Standards and Privileges Select Committee
(17.11.97) 81–121, (27.11.97) 1189

Standards of Conduct in Public Office Standing Committee
see Committee on Standards in Public Life

Standing Committee on Preparations for EMU
Small businesses 1076

Standing Order No 24 applications
British Board of Film Classification (24.11.97) 646

Starkey, Dr Phyllis
Questions
Commonwealth Development Corporation, External financing limits 280w
Government research establishments, Redundancy 586–7w
Israel 475w
Israel, Fruit juices 643w
Israel, Import controls 544w
Science and technology research, Research finance 586w
Technology foresight programme, Dept for International Development 493–4w
Technology foresight programme, Dept of Health 595–6w
Technology foresight programme, Dept of the Environment Transport and the Regions 554–5w
Technology foresight programme, Ministry of Defence 561–2w

Statistics
Export licensing 345–6w
Rural areas 366w

Statutory sick pay
Earnings limits 675w

Steen, Mr Anthony
Questions
D'Oyly Carte, Finance 324
Structure plans 125w

Stena Sealink
see Sealink

Stinchcombe, Mr Paul
Debates etc.
Civil proceedings (21.11.97) 598–9
Kenya, Human rights (19.11.97) 302–3
Questions
EC immigration 547w
Treaty of Amsterdam, Discrimination 220–1w
Treaty of Amsterdam, Religious freedom 221w

Stoate, Dr Howard
Debates etc.
European Council, Employment (24.11.97) 645

***Stoate, Dr Howard**—continued*
Questions
Sri Lanka, Foreign policy 768

Stott, Mr Roger
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 175, 200–2

***Strang, Rt Hon Dr Gavin**, Minister of State for Transport, Dept of the Environment Transport and the Regions*
Questions
A1, Road construction 142
Airports, Transport infrastructure 126w
Channel tunnel, Railway network 126w
Drinking and driving 627w
Driving tests, EC action 127–8w
Lorry drivers, France 129w
Railway network 147–8
Railway transport 148
Railway transport, Investment 128w
Railway transport, Regulatory systems 146–7
Road construction 142
Road traffic 128w
Road works 142
Roads, Capital investment 142
Roads, Reviews 126w
Speed limits 138w
Transport, Government grants to local authorities 128w

Strangford Lough
Ferries 210–1w

***Straw, Rt Hon Jack**, Secretary of State for the Home Dept*
Debates etc.
Electronic tagging, Ministerial statements (20.11.97) 453–63
European Parliamentary Elections Bill, 2R (25.11.97) 803–19, 823–4
Young offenders, Ministerial statements (27.11.97) 1089–103
Questions
Bombings, African National Congress 609w
Crime victims 432w
Developing countries trade, Home Office 46w
Electronic mail, Home Office 37w
Electronic surveillance 99w
Electronic surveillance, Cellular phones 441w
Electronic tagging 440w, 630
European Convention on Human Rights 626–8
European Convention on Human Rights, Prisoners' rights 627
European Parliament elections, Ballot papers 606–7w
European Parliament elections, Electorate 607w
Fletcher, Yvonne, Criminal investigation 441w
Home Office, Open government 454w
Home Office, Reviews 438–40w
Interception of Communications Act 1985 100w
Judges 627
MI5 101w
MI5, Contracts 101w
MI5, Manpower 101w
MI5, Personal records 218w
MI5, Subversion 101w
Pinochet, Augusto, Official visits 542w
Postal services, Surveillance 100w
Press releases, Home Office 216w
Prison Service 618–9
Religious discrimination 610w
Security vetting 40–1w

***Straw, Rt Hon Jack**—continued*
Sentencing 617–8
Sentencing, Burglary 618
Surveillance 101w
Telephone tapping 38–9w, 99–100w, 218–9w
Telephone tapping, EC action 39–40w
Telephone tapping, Intelligence services 39w
Telephone tapping, International law 610–1w
Telephone tapping, Public telephones 611w
Young offender institutions 630
Young offenders, Prison population 629–30
Young offenders, Reparation by offenders 628–9

Street lighting
Millisle 272w

Streeter, Mr Gary
Questions
Bovine spongiform encephalopathy 279w
Common fisheries policy 279w
Council of Ministers, Voting methods 260w, 397w
EC common foreign and security policy 402–3w
EC enlargement 260w
EC Environment Council, Compliance cost assessments 623w
EC labour policy, Treaties 404w
EC Social Charter 324–5w
EC Social Charter, EC staff 618w
Economic and monetary union, Exchange rate mechanism 330w
Economic and monetary union, Information 757
European Communities, Economic cooperation 400–1w
European works councils 325w
Fishing quotas 259–60w, 396w
Frontiers, EC action 260w, 396–7w
Intelligence services, Drug crimes 400w
Intergovernmental Conference 1996 400w
Iraq, EC external relations 402w
Mediterranean region, EC external relations 402w
Millennium compliance 401w
Schengen Agreement 397w, 541–2w
Treaty of Amsterdam 261w, 401w
Treaty of Amsterdam, Customs 674w
Treaty of Amsterdam, EC Social Charter 403–4w
Treaty of Amsterdam, Subsidiarity 324w
UK contributions to EC budget 403w
Western European Union, EC enlargement 401w
Western European Union, Gibraltar 397w

Stringer, Mr Graham
Questions
Air routes, Malaysia 626w
Air transport, Economic situation 625w
Air transport, North West region 625w
Bus services 691–3w
Bus services subsidies 692w
Economic policy 1074
Public service, Local government 238w
Regional airports, Air routes 625w
Uniform business rate 125w

Structure plans
125w

Stuart, Ms Gisela
Debates etc.
Drug abuse (19.11.97) 427–30
Questions
Fireworks, Safety 190w
Tuition fees 487w

Student grants
364w
Dance 92w, 156w
Drama education 92w, 156w

Student loans
362w
Income support 225w

Student Loans Company
Annual reports 164w

Student numbers
Scotland 72–3w

Students
30–1w
Borders region 141w
Complaints 185w
Finance 159–60w
Wales 577w

Stunell, Mr Andrew
Debates etc.
Climate Change Convention (19.11.97) 247–50
Coal mining (26.11.97) 920–1
Public service (17.11.97) 48
Questions
Agricultural production, Greenhouse effect 117w
Computer storage 156w
Greenhouse effect, Dept for Education and Employment 155w
Greenhouse effect, Dept for International Development 279–80w
Greenhouse effect, Dept of Health 310w
Greenhouse effect, Dept of Social Security 528–9w
Greenhouse effect, Health hazards 59w
Greenhouse effect, Ministry of Agriculture Fisheries and Food 117–8w
Greenhouse effect, Ministry of Defence 69–70w
Greenhouse effect, Northern Ireland Office 26w
Greenhouse effect, Treasury 111–2w

Subsidiarity
Treaty of Amsterdam 324w

Subsidiary companies
CELTEC 639–40w

Subversion
MI5 101w

Sulphuric acid
Crop spraying 525w

Summer Time Order 1997
Debates etc.
(18.11.97) 218, (27.11.97) 1069

Sunday trading
Northern Ireland (19.11.97) 426

Supermarkets
Planning permission 405–6w, 461w

Supported housing
138–9w

Surgery
684–5w
Hospital admissions 656w

Surveillance
101w
Equipment 288w
Postal services 100w

Sussex Ambulance Service
Pension funds 648w

Sustainable development
6w

Sutcliffe, Mr Gerry
Questions
Courts martial 67w
Courts martial, Appeals 68w, 149w

Sutherland Commission
see Long-Term Care Royal Commission

Swayne, Mr Desmond
Debates etc.
Business questions (20.11.97) 472
European Communities (Amendment) Bill, Com (27.11.97) 1136, 1174, 1179, 1188
Questions
Carbon dioxide, Air pollution control 755
Dubai, Prisoners 475w
EC external trade, Protectionism 436
Taxation, Charities 660w

Swinney, Mr John
Debates etc.
Personal pensions (18.11.97) 162
Pre-Budget statement (25.11.97) 793
Questions
Dale, Philip 458w
Financial Services Authority 466w
Financial Services Authority, Costs 467w
Financial Services Authority, Scotland 467w
Homicide, Sentencing 451w, 458w, 502w
Local government finance, Scotland 677w
Pension funds, Scotland 9

Syms, Mr Robert
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 830, 859–62, 868
Questions
Shareholders, Tax credits 661w

"Tackling Drugs Together"
650w

Takeovers
Motor industry 445

Take-up of employment
Lone parents 526–7w

Tapsell, Sir Peter
Debates etc.
European Council, Employment (24.11.97) 643
European Parliamentary Elections Bill, 2R (25.11.97) 804–5
Pre-Budget statement (25.11.97) 788
Questions
Economic policy 1082
Official engagements 222w

Task forces
Children in care 407w, 596w

Tax allowances
Agricultural development programme 281w

Tax and Benefits Task Force
358w

Tax collection
Company liquidations 256w

Tax credits
Shareholders 661w
USA 111w

Tax evasion
Jersey 357w

Tax harmonisation
234w
EC action (27.11.97) 1189
VAT 234w

Tax rates and bands
321–2

Tax reform
Research associations 347–8w, 469w

Tax yields
Internet 661w
Landfill tax 467w

Taxable benefits
565–6w

Taxation
255–6w
Charities 230w, 660w, 1079–80
EC action 234–5w
Environment protection 136
Law reform 663w
Milk Development Council 640–1w

Taxpayers
Family credit 445w
Social security recipients 444w

Taylor, Rt Hon Mrs Ann, President of the Council and Leader of the House of Commons
Debates etc.
Business statements (20.11.97) 464–73, (27.11.97) 1117–28
Standards and Privileges Select Committee (17.11.97) 118–20
Questions
Developing countries trade, President of the Council 108–9w
Government bills 550–1w
Members' allowances, Bicycles 409w
Open government, President of the Council 361w
Parliamentary procedure 551w
Press releases, President of the Council 361w
Public appointments, Non-departmental public bodies 115w

Taylor, Ms Dari
Questions
British Telecom, Shares 574w

Taylor, Mr David
Debates etc.
Coal mining (26.11.97) 917, 923
Questions
Income support, Student loans 225w

Taylor, Mr Ian
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1110–1, 1145

Taylor, Rt Hon John D
Questions
Aerials, Planning permission 635w
Armagh and Dungannon Health and Social Services Trust, Flags 272w
Chronic fatigue syndrome, Northern Ireland 271–2w
Gibraltar, Official residences 562–3w
Languages education, Irish 27–9w
Public expenditure, Northern Ireland 960
Republic of Ireland, Foreign policy 761
Southern Health and Social Services Board 634–5w
Street lighting, Millisle 272w

Taylor, Mr John M
Questions
Birmingham Relief Road 143
Fireworks, Safety 190w
Housing construction 123w
Ministers, Conflict of interests 444

Taylor, Mr Matthew
Debates etc.
Climate Change Convention (19.11.97) 246–7, 249–50
NHS, Cornwall (26.11.97) 932–7

Taylor, Mr Matthew—continued
Questions
Atomic Weapons Establishment, Publications 66w
Biotechnology, Patents 62w
Health action zones, Rural areas 649w
Home Office, Open government 454w
Nature conservation, Droughts 459w
Nature conservation, Water supply industry 459w
Open government, Attorney General 249w
Open government, Dept for Culture Media and Sport 458w
Open government, Dept of Health 313w
Open government, Dept of the Environment Transport and the Regions 334w
Open government, Foreign and Commonwealth Office 220w
Open government, Lord Chancellor's Dept 326w
Open government, Ministry of Agriculture Fisheries and Food 230w
Open government, Ministry of Defence 390w
Open government, President of the Council 361w
Open government, Scottish Office 420–1w
Open government, Treasury 331w
Open government, Welsh Office 264w
Patents, Genetics 105–6w
Police, Manpower 437w
Press releases, Attorney General 249–50w
Press releases, Chancellor of the Duchy of Lancaster 250–1w
Press releases, Dept for Culture Media and Sport 383w
Press releases, Dept of Health 314w
Press releases, Dept of Social Security 532w
Press releases, Dept of the Environment Transport and the Regions 200–1w
Press releases, Dept of Trade and Industry 107w
Press releases, Foreign and Commonwealth Office 220w
Press releases, Home Office 216w
Press releases, Lord Chancellor's Dept 327w
Press releases, Ministry of Agriculture Fisheries and Food 525–6w
Press releases, Ministry of Defence 148–9w
Press releases, Northern Ireland Office 582–3w
Press releases, President of the Council 361w
Press releases, Scottish Office 421w
Press releases, Treasury 331–2w
Press releases, Welsh Office 189w
Transport infrastructure 143

Taylor, Sir Teddy
Questions
EC law 321w
France 388w
Iraq, Mines 447–8w
Organisation of African Unity, EC aid 397–8w
Treaty of Amsterdam, Cabinet Office 250w
Treaty of Amsterdam, Dept of Trade and Industry 647w
Treaty of Amsterdam, Home Office 541w
Treaty of Amsterdam, Scottish Office 263w
Treaty of Amsterdam, Treasury 333–4w
Treaty of Amsterdam, Welsh Office 265w
VAT, Fares 468w

Taylor Task Force
see Tax and Benefits Task Force

Teachers
969
Greater London 339w
Pay 32–3w
Performance appraisal 363w
Vacancies 339w

Technology foresight programme
Dept for International Development 493–4w
Dept of Health 595–6w
Dept of the Environment Transport and the Regions 554–5w
Ministry of Defence 561–2w

Telecommunications Act 1984
Questions
457w

Telecommunications cables
Barents Sea 227–8w

Telecommunications technology
Privacy 399w

Telematics
Speed limits 130w

Telephone services
107–8w
Social security benefits 82–3w

Telephone systems
38–9w
Emergency services 46–7w

Telephone tapping
38–9w, 99–100w, 218–9w
EC action 39–40w
Intelligence services 39w
International law 610–1w
Prisoners 100w
Public telephones 611w

Telephones
Armed forces 498w
Ministers 420w
Stabilisation Force in Bosnia 497–8w

Television Licence Payments (Age Exemption) Bill 1997/98
Debates etc.
2R order read (28.11.97) 1273

Television programmes
Rugby 258w

Television reception
Local broadcasting 457w

Temporary immigrants
India 102w

Ten minutes rule
Speaker's rulings and statements (28.11.97) 1199

Termination of employment
Environment Agency 554w

Terrorism
151–2
Crimes of violence 483w
Egypt 149–54
Middle East 150–1
Northern Ireland (18.11.97) 168–217

32 Squadron
563w

Thomas, Mr Gareth
Debates etc.
Civil proceedings (21.11.97) 561–2, 599–600
Public service (17.11.97) 51, 59–62
Questions
Economic policy, Business 661w

Timms, Mr Stephen
Questions
Channel tunnel, Railway network 126w
EC Budget Council 674w
EC Finance Council 549–50w
EC Research Council 506–7w
National Asset Register 359–60w
Police, Restraint techniques 434w
Taxation, Law reform 663w
Treaty of Amsterdam, Human rights 475w

Tipping, Mr Paddy
Debates etc.
Coal mining (26.11.97) 910–4, 923
Personal pensions (18.11.97) 162
Special Immigration Appeals Commission Bill (HL), Rep and 3R (26.11.97) 1036
Questions
Arable area payments scheme 278–9w
Coal mining 134
Coal mining, Privatisation 447

Tipping of waste
198w, 626w
EC action (25.11.97) 878

Tobacco
Smuggling 230–1w

Tobacco advertising
Sports sponsorship 15–6w, 54w, 268–9w, 324, 344w, 405w, 424–5w, 437–8, 519w, 603w, 647w, 678w, 685w

Todd, Mr Mark
Debates etc.
Public Accounts Committee (20.11.97) 514–5
Questions
Animal feed, Composition labelling 21w
Armed forces education allowances 70w
Digital broadcasting, Regulatory systems 14–5w
Diplomatic service, Private education 10w
Economic and monetary union 329w
Environment Agency, Termination of employment 554w
Genetically modified organisms, Food labelling 20w
Social rented housing, Housing construction 368w

Tonge, Dr Jenny
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 408, 410
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 338
Questions
Abortion 470–1w
Afghanistan, Women 177–8w
Algeria, Human rights 481w
Asia-Europe Summit, Human rights 479w
Central Africa, EC external relations 399w
Central Africa, Refugees 399w
Convention on International Trade in Endangered Species, Elephants 372w
Council house sales, House renovation grants 137w
Dalai Lama 480w
Democratic Republic of the Congo, UN resolutions 398w
East Timor, EC aid 178w
East Timor, EC external relations 480w
East Timor, Human rights 480w
East Timor, Indonesia 178w
East Timor, Overseas aid 178w
International Criminal Court, War crimes 400w
International Monetary Fund, Indonesia 469w, 495–6w

***Tonge, Dr Jenny**—continued*
Public telecommunications systems, Business 573–4w
Tunisia, Human rights 482w
Turkey 480w

Torture
Exports 480w

Touhig, Mr Don
Questions
Alcoholic drinks, Young people 435w

Tourism
Northern Ireland 580–1w

Tourist industry
385w
East Midlands 258w

Tourists
Egypt 546w

Town and Country Planning (General Permitted Development) Order 1995
Questions
195–6w

Townend, Mr John
Debates etc.
Pre-Budget statement (25.11.97) 789
Questions
Gibraltar, Free movement of people 764
Tobacco advertising, Sports sponsorship 438

Trade competitiveness
280–1w

Trade Descriptions Act 1968
Questions
454w

Trade union membership
194w

Trading standards
Children 282w

Training
Child care 587w
EC grants and loans 163–4w
Fraud 156w

Training and enterprise councils
Finance 188w
Internet 157–8w
Wales 188w

Transmissible encephalopathies
EC action (25.11.97) 878

Transport
Government grants to local authorities 128w
Regulatory systems 693w

Transport infrastructure
143, 609w
Airports 126w

Transport of animals
Cattle 277w, 279w, 523–4w

Transport of radioactive materials
Air transport 148w

Trauma centres
425w

Travel agents
Monopolies and Mergers Commission 52w

Travelling people
625–6
Police powers 626
Trespass 625

Treasury
Civil servants' visits abroad 113–4w
Electronic mail 331w
Greenhouse effect 111–2w

Treasury—continued
Millennium compliance 110w
Official hospitality 112–4w
Open government 331w
Press releases 331–2w
Public appointments 358w
Publicity 113–4w
Reviews 406–7w
Treaty of Amsterdam 333–4w

Treaties
EC labour policy 404w
European Communities 479w
Mines 398–9w

Treaty of Amsterdam
261w, 399w, 401w, 754, (27.11.97) 1129–89
Cabinet Office 250w
Capital punishment 247w
Customs 674w
Dept of Trade and Industry 647w
Discrimination 220–1w
EC immigration 753
EC labour policy 255w, 284w
EC Social Charter 403–4w
Gibraltar 753–4
Home Office 541w
Human rights 475w
Immigration controls 36w
Ministry of Defence 393w
Political refugees 608w
Religion 247w
Religious freedom 221w
Scottish Office 263w
Subsidiarity 324w
Treasury 333–4w
Welsh Office 265w

Treaty of Rome
479w

Treaty on European Union
547w
EC integration 476–7w

Tredinnick, Mr David
Questions
Egypt, Terrorism 153–4
Local Government Act 1988 (Competition) (Scotland) Regulations 1997 145w
School buildings, Leicestershire 698w

Trees
Acid rain 370w
Air pollution 6–7w

Trespass
Travelling people 625

Trials
Northern Ireland 109w, 605w, 637w

Trickett, Mr Jon
Questions
EC Youth Council 186w

Trident submarines
70w

Trimble, Mr David
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 168–9
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1266
Questions
Northern Ireland government 957–8
Terrorism, Crimes of violence 483w

Truswell, Mr Paul
Debates etc.
Wharfedale Hospital (27.11.97) 1191–2
Questions
Local government 126w

Tuberculosis in Cattle and Badgers Review
587w

Tuition fees
487w
Higher education 362w, 644w
Low incomes 643w
Scotland 145–6w, 422w, 643–4w

Tunisia
Human rights 482w

Turkey
480w
Armed forces deployment 564w
EC accession 221–2w

Turnberg Review
see Review of Health Care in London Independent Advisory Panel

Turner, Mr Dennis
Debates etc.
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1223
Questions
Parliamentary buildings, Alcoholic drinks 474w

Turner, Dr Desmond
Debates etc.
Business questions (27.11.97) 1125
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1240
Young offenders (27.11.97) 1103
Questions
Small businesses, Information technology 285w

Turner, Dr George
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1115
Questions
EC Agriculture Council 276–7w
Political parties, Finance 969–70

Twigg, Mr Derek
Questions
Economic and monetary union 1085

Twigg, Mr Stephen
Questions
Drugs and crime 435–6w

Tyler, Mr Paul
Debates etc.
Business questions (20.11.97) 467, (27.11.97) 1120–1
House of Commons procedure, Points of order (19.11.97) 339
NHS, Cornwall (26.11.97) 934, 938
Questions
Advisory Committee on Novel Foods and Processes, Maize 21w
Defence research, Genetics 243–4w
Food, Pesticide residues 20w
Food industry 668w
Food Standards Agency 668w
Food Standards Agency, Departmental responsibilities 668w
Genetically modified organisms 7w, 373w, 465–6w
Genetically modified organisms, Defence research 601–2w
Genetically modified organisms, EC law 8w
Genetically modified organisms, Soya beans 20w
Health services, Expenditure 62–3w
Soya beans, Research 20w

Tyne and Wear
Museums and galleries 258w

Tyrie, Mr Andrew
Questions
Gibraltar, Foreign policy 763–4
International conferences, Canary Wharf 408w
Prime Minister, Diaries 271w
Tobacco advertising, Sports sponsorship 269w

UK contributions to EC budget
403w, 466w
Common agricultural policy 115w
EC common foreign and security policy 476w

UK delegations
Council of Europe 408w
Western European Union 408w

UK membership of EC
1070

UK Sports Institute
91–2w

UK World Cup Coordinating Group
see World Cup Coordination Group

UN
see United Nations

UN Convention on Biological Diversity
574w

UN resolutions
103w
Democratic Republic of the Congo 398w

UN Special Commission on Iraq
769

Unemployed
Poverty 83w

Unemployment
EC action 322
Young people 235w

Uniform business rate
125w
Scotland 75w

United Kingdom Sports Institute
see UK Sports Institute

United Nations
Iraq 475w

Universities
Scotland 109w

University Air Squadron
Armed forces training 602w

University finance
155–6w, (19.11.97) 260–83, 363w, 590w
Cambridge University 33w
Northern Ireland 583w
Oxford University 33w
Scotland 162–3w, 576–7w
Wales 381w, 505–6w

University for Industry
156w

University of Ulster
Springvale initiative 109w

UNSCOM
see UN Special Commission on Iraq

Untreated milk
522–3w, 642w

Urban areas
Air pollution 201w
Greenwich 334w
Housing construction 306w, 461w
Parking 555–6w
Speed limits 130w

Urban development grants
Cardiff Bay Development Corporation 640w

Urban Regeneration Agency
see English Partnerships

US bases
RAF Menwith Hill 392–3w

USA
Bovine spongiform encephalopathy 276w
Disabled workers 160–1w
Investment income 111w
Tax credits 111w

Utting Review
see Safeguards Against Abuse of Children Living Away From Home Review

Vacancies
Health service staff 652–3w
Hospital consultants 181–3w
Teachers 339w

Vaccination
Hepatitis 521w

Vale of Glamorgan
Ritalin 682w

Valuation tribunals
557–8w

Value Added Tax (Payments on Account) Appeals) Order 1997
Debates etc.
(18.11.97) 218

Varicose veins
517w

VAT
Building alterations 469w
Confectionery 234w
Fares 468w
Museums and galleries 674w
Tax harmonisation 234w

VAT registration
Civil service manpower 467–8w
Newry 467–8w

Vaz, Mr Keith
Questions
Child Support Agency, Administrative delays 86–7w
Child Support Agency, Manpower 87–8w
Fazal-Ur-Rahman, Visas 543w
Illegal immigrants, Costs 439w
Immigration appeals, Administrative delays 326–7w
Legal aid scheme 325w
Migration and Visa Correspondence Unit, Administrative delays 479w
Millennium Exhibition 77w
Music education 31w
Planning permission 197w
Public appointments, Chancellor of the Duchy of Lancaster 669w
Public appointments, Dept of the Environment Transport and the Regions 460w
Public appointments, Foreign and Commonwealth Office 678w
Public appointments, Lord Chancellor's Dept 326w, 673w
Public appointments, Ministry of Agriculture Fisheries and Food 668w
Public appointments, Ministry of Defence 391w
Public appointments, Treasury 358w
Public appointments, Welsh Office 681–2w
Urban areas, Greenwich 334w
Visas 477–8w
Yemen 17w

Vehicle number plates
554w

Vetting
Day care of children 971–2

Vietnam
Disaster relief 179w

Viggers, Mr Peter
Debates etc.
Rescue services (26.11.97) 887–92
Rescue services, Points of order (17.11.97) 20
Questions
Gosport, Property transfer 564w
HM Coastguard 463–4w
HM Coastguard, Closures 463w
Local government finance 137
Lone parents, Take-up of employment 526–7w
Means tested benefits 16

Vis, Dr Rudi
Questions
Abortion, Costs 423w
Age discrimination, Employment protection 363–5w
Wealth tax 358w

Visas
477–8w
Fazal-Ur-Rahman, 543w

Vitamin B6
Premenstrual syndrome 584w

Vitamins
Nutrition and health 585w

Voluntary organisations
Welfare to work 503–5w

Voting methods
Council of Ministers 260w, 397w

Wales
Average earnings 682w
Beef 639w
Bovine spongiform encephalopathy 502w
Bureaucracy 263–4w
Coal mining 638w
Cycleways 189w
EC institutions 504w
Educational finance 24–6w
Farmers 501w
Fires 265–8w
Freight transport 127w
Further education 264w, 503–4w
Health service staff 682w
Higher education 503–4w
Hill livestock allowances 25w
Hospital discharges 380w
Innovation 108w
Joint replacements 380w
Neighbourhood nuisance 638–9w
NHS finance 24w, 503w
NHS trusts 24w
Pollution (19.11.97) 292–8
Pre-school education 637–8w
Probation officers 35w
Quarrying 189w
Reduced earnings allowance 564–5w
Regional selective assistance 640w
Revenue support grant 683w
Smoking 264w
Students 577w
Training and enterprise councils 188w
University finance 381w, 505–6w
Welfare to work 503–5w

Wallace, Mr James
Debates etc.
Rescue services (26.11.97) 896–9, 903, 907

Wallace, Mr James*—*continued
Rescue services, Points of order (17.11.97) 79–80
Questions
Firearms, Compensation 542–3w
HM Coastguard, Closures 303–4w
Revenue support grant 1080
Road accidents, Scotland 501w

Walley, Ms Joan
Debates etc.
Climate Change Convention (19.11.97) 239–43
Young offenders (27.11.97) 1098
Questions
Aerials 620–1w
Aerials, Planning permission 2–3w, 196w
Aerials, Publicity 195–6w
Biotechnology, Patents 515–6w
Carbon dioxide, Air pollution control 134w
Coal mining, Property transfer 48w
Cycling, Crash helmets 135w
Driving offences, Punishment 245w
EC Environment Council 199w
Energy conservation 52w
Energy Saving Trust 199–200w
Environment protection, Public participation 334w
HM Coastguard 9–10w, 133–4w
M6 2w
Planning permission, Aerials 196w
Public telephones 285–6w
Road accidents, Children 195w
Road safety education 134–5w
Speed limits, Cameras 129w
Speed limits, Telematics 130w
Speed limits, Urban areas 130w
Sports, Broadcast journalism 180w
Sports, Radio 180w
UN Convention on Biological Diversity 574w

Wansbeck
National Lottery 383–6w

War crimes
769
International Criminal Court 400w

War pensions
Medical examinations 566–7w

War Widows and Pensioners (Equal Treatment) Bill 1997/98
Debates etc.
2R order read (28.11.97) 1273

Ward, Ms Claire
Questions
Charities, Shops 1079

Wardle, Mr Charles,
Debates etc.
Public Accounts Committee (20.11.97) 494–9

Waste and Contaminated Land (Northern Ireland) Order 1997
Debates etc.
(25.11.97) 878

Waste disposal
5w
NHS 342–3w

Water and sewerage companies
4–5w
Planning permission 303w

Water Industry Act 1991
Questions
4–5w, 198w

Water pollution
626–7w

***Water pollution**—continued*
Garages and petrol stations 125–6w
Scotland 183–4w

Water sports
Lake Windermere 381–2w

Water supply
133w, 198w, 336w
Development plans 198w

Water supply industry
Nature conservation 459w

Water transport
River Thames 375–6w

Water treatment
Sewage 133w

Waterson, Mr Nigel
Questions
Charities, Taxation 230w
Employment, Rural areas 185w
Fishing Vessels (Decommissioning) Scheme 1997 276w
Local government associations, South East region 366w
New Millennium Experience 77w
Rural areas, Statistics 366w
Small businesses 286w
Small businesses, Government assistance 417w
Social security benefits, Political refugees 139w

Watts, Mr Dave
Debates etc.
Business questions (20.11.97) 468
European Parliamentary Elections Bill, 2R (25.11.97) 855
Regional aid, EC grants and loans (19.11.97) 285, 290
Questions
EC grants and loans 220w
Standard spending assessments, Coal mining 138–9
Valuation tribunals 557–8w

Waveney
Coastal protection 668w

Wealth tax
358w

Weather
Hospital admissions 319–20w
NHS finance 343–4w

Webb, Mr Steve
Questions
Cold weather payments, Bristol 139–40w
Income support, Mortgages 329w
Lone parent families, Social security recipients 537w
Lone parents, Social security recipients 81–2w
Means tested benefits, Social security recipients 526w
Members' correspondence 292w
Mortgages, Income support 140w
National insurance contributions, Actors 294w
New deal for lone parents 445w, 664w
New deal for lone parents, Income support 664w
Pensioners, Social security claims 9
Right to buy, Elderly 8–9w
Social security benefits backdating, Costs 540w
Social Security Bill 1997/98 537w

Welfare of Pigs Bill 1997/98
Debates etc.
1R (26.11.97) 976–8

Welfare to work
159w, 659–60w
Chronically sick 535w
Handicapped 535w
Incapacity benefit 529–30w
Lancashire 340w, 488w
Private sector 488–90w
Scotland 489–90w, 577w
Voluntary organisations 503–5w
Wales 503–5w

Wells, Mr Bowen
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1143–4

Welsh, Mr Andrew
Questions
Educational finance 160w
Tuition fees, Low incomes 643w
Tuition fees, Scotland 643–4w

Welsh Assembly
see National Assembly of Wales

Welsh Development Agency
Arms exports 23w

Welsh language
Divorce 252w

Welsh Office
Electronic mail 108w
Ministers 506w
Open government 264w
Press releases 189w
Public appointments 681–2w
Treaty of Amsterdam 265w

West coast railway line
Channel tunnel 555w

West Midlands
Children in care 591–3w
Housing construction 297–8w
Single regeneration budget 299–302w

Western European Union
EC enlargement 401w
Gibraltar 397w
UK delegations 408w

Western Sahara
544–5w
Refugees 551–2w

Whales
Public records 672w

Wharfedale Hospital
(27.11.97) 1191–6

Wheelchair Working Group
200w

Wheelchairs
Artificial Limb and Appliance Service Wales 682–3w

White, Mr Brian
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1111

Whitehead, Dr Alan
Debates etc.
Public service (17.11.97) 53–5
Questions
Beaches, EC law 131w
Sewage, Sea pollution 131w
Sewage, Water treatment 133w
Uniform business rate 125w

Whitney, Sir Ray
Debates etc.
European Communities (Amendment) Bill, Com (27.11.97) 1144

Whittingdale, Mr John
Debates etc.
Health services, Essex (18.11.97) 230–2, 236

Wicks, Mr Malcolm
Questions
Cambridge University, Higher education admission 590w
Oxford University, Cost per student 338w
University finance 590w

Widdecombe, Rt Hon Ann
Debates etc.
House of Commons questions, Points of order (26.11.97) 973
Standards and Privileges Select Committee (17.11.97) 86, 111
Wild Mammals (Hunting with Dogs) Bill, 2R (28.11.97) 1236, 1249–51, 1264–5
Questions
Government information services 310
Labour Party, Finance 318, 969
Political refugees, Kent 683–4w
Tax collection, Company liquidations 256w

Widening of the M25 Motorway Bill 1997/98
Debates etc.
2R order read (28.11.97) 1273

Widows
Armed forces pensions 71w

Wigley, Rt Hon Dafydd
Questions
Artificial Limb and Appliance Service Wales, Wheelchairs 682–3w

Wild Mammals (Hunting with Dogs) Bill 1997/98
Debates etc.
Business questions (27.11.97) 1122
2R (28.11.97) 1199–271

Wilkinson, Mr John
Debates etc.
European Council, Employment (24.11.97) 643
Greater London Authority (Referendum) Bill, Com (19.11.97) 352, 364–6, 369–70, 379, 389–90, 410, 412–5, (24.11.97) 650–2, 654–6, 667–8
Greater London Authority (Referendum) Bill, 3R (26.11.97) 983, 987, 1014–5, 1026
Questions
Air force bases, Armed forces civilians 564w
London Underground, Concessionary fares 146
Motor industry 437
Political refugees 615
Prisoners' transfers, Northern Ireland 579–80w
RAF Northolt, Armed forces civilians 563–4w
Retirement pensions 4
32 Squadron 563w
Tobacco advertising, Sports sponsorship 437

Willetts, Mr David,
Questions
Local government pensions 1085
Young people, Unemployment 235w

Williams, Rt Hon Alan
Debates etc.
Climate Change Convention (19.11.97) 246, 249
University finance (19.11.97) 272

Williams, Rt Hon Alan*—*continued
Questions
Training and enterprise councils, Finance 188w

Williams, Mr Alan W
Debates etc.
Pre-Budget statement (25.11.97) 794
Questions
Common agricultural policy 770
Minimum wage 440–1

Willis, Mr Phil
Debates etc.
Public service (17.11.97) 23, 44, 54, 71
University finance (19.11.97) 264, 269–70

Wilshire, Mr David
Debates etc.
Greater London Authority (Referendum) Bill, Com (24.11.97) 687–8, 690

Wilson, Mr Brian, Minister for Education and Industry, Scottish Office
Questions
Educational finance, Argyll and Bute 261–2w
Further education, Educational finance 421–2w
Higher education administration, Scotland 73w
Pre-school education, Scotland 628w
Student numbers, Scotland 72–3w
Students, Borders region 141w
Tuition fees, Scotland 145–6w, 422w
University finance, Scotland 576–7w
Welfare to work, Scotland 577w

Winnick, Mr David
Debates etc.
Business questions (27.11.97) 1122
Pre-Budget statement (25.11.97) 794–5
Special Immigration Appeals Commission Bill (HL), Rep and 3R (26.11.97) 1037–8, 1040–1
Standards and Privileges Select Committee (17.11.97) 119
Questions
House of Commons, Postal services 327w
Low pay 442
Political parties, Finance 318–9

Winterton, Mrs Ann
Questions
Civil servants, Political impartiality 236–7w
Firearms, Compensation 41w
Firearms, Police 41–2w
Roads, Capital investment 142

Winterton, Mr Nicholas
Debates etc.
Greater London Authority (Referendum) Bill, Com (19.11.97) 414
Oral question time intervention (19.11.97) 318, (27.11.97) 1071
Safeguards Against Abuse of Children Living Away From Home Review (19.11.97) 333
Standards and Privileges Select Committee (17.11.97) 85, 101–2
Questions
Corporation tax 1070
Ministerial policy advisors 317
Motor industry, Takeovers 445
Politics and government 972

Wireless Telegraphy Act 1949
Questions
457w

Wireless Telegraphy Bill (HL) 1997/98
Questions
443

Wisconsin
Social security reform 538–9w

Wise, Audrey
Debates etc.
Pre-Budget statement (25.11.97) 788

Women
Afghanistan 177–8w
Non-departmental public bodies 312–3
Pension rights 9–10
Pensions 17

Wood
Health hazards 3–4w, 131–2w

Woodward, Mr Shaun
Questions
Social security 80w

Working hours
EC law 53w, 439–40
Junior hospital doctors 317–8w

World Bank
446–7w, 552w
Departmental responsibilities 177w

World Cup
Police 628w

World Cup Coordination Group
613–4w

Worthington, Mr Tony, Parliamentary Under-Secretary of State, Northern Ireland Office
Debates etc.
Northern Ireland (Emergency Provisions) Bill, 2R (18.11.97) 213–7
Questions
Ambulance services, Northern Ireland 635–6w
Armagh and Dungannon Health and Social Services Trust, Flags 272w
Belvoir Park Hospital 637w
Cancer, Medical treatments 637w
Causeway Hospital 962–3
Chiropodists 26–7w
Chiropodists, Northern Ireland 28w
Chiropody 26–8w
Chronic fatigue syndrome, Northern Ireland 271–2w
Downe Hospital 961
Higher education, Northern Ireland 109w
Hospital waiting lists, Northern Ireland 961
Integrated schools, Northern Ireland 583w, 955
Jubilee Maternity Hospital Belfast, Hospital closures 636w
Languages education, Irish 27–9w
Magill, Ian, Paedophilia 322w
NHS, Northern Ireland 583w, 962
NHS finance, Northern Ireland 25–6w, 636w, 962
Royal Group of Hospitals HSS Trust, Maternity services 961–2
Royal Victoria Hospital Belfast 635w
Southern Health and Social Services Board 634–5w
University finance, Northern Ireland 583w
University of Ulster, Springvale initiative 109w

Wright, Dr Tony
Debates etc.
European Parliamentary Elections Bill, 2R (25.11.97) 807, 821
Questions
Officer Training Corps 394w
Travelling people 625–6

Written questions
Speaker's rulings and statements (17.11.97) 21

Xenotransplantation
Departmental responsibilities 270–1w
Pigs 651–2w

Yemen
17w

Yeo, Mr Tim
Debates etc.
Climate Change Convention (19.11.97) 254–6
Rescue services (26.11.97) 903–5
Questions
Climate Change Convention 294w
Corporation tax 1086
Council tax 689–90w
Crime prevention, Local government functions 669w
Development plans 690w
Educational finance 697–8w
Foreign policy, Environment protection 760
Housing construction, Countryside 132
J Sainsbury, Planning appeals 690w
Local government expenditure 367–8w
Local government finance, Interest rates 369w, 689w
MacLaurin, Lord 691w
Prison Service, Private sector 436w
Safeway 691w
Sainsbury, Lord 369w, 406w, 691w
Shopping centres, Planning permission 335w
Supermarkets, Planning permission 405–6w, 461w

Young offender institutions
216w, 630

Young offenders
436w, 970–1
Ministerial statements (27.11.97) 1089–103
Parents 434w
Prison population 216w, 431w, 629–30
Reparation by offenders 628–9
Research 611w
Youth organisations 541w

Young people
Agriculture 230w
Alcoholic drinks 246–7w, 435w
Dentures 341–2w
Drug abuse 650w
Drugs and crime 620
Housing benefits 5–6
Unemployment 235w

"Young Teenagers and Alcohol in 1996"
435w

Youth organisations
Young offenders 541w

Youth unemployment
765

Yugoslavia
Overseas aid 494–5w

Zambia
Human rights 450w
Overseas aid 449w

Zimbabwe
Land acquisition 449w
Overseas aid 449w
Public order 448w